

A large herd of sheep is being herded by a group of people, including women and children, in a dusty, arid landscape. The scene is filled with movement and dust, suggesting a traditional pastoral practice in a dry region. The people are dressed in traditional attire, and the sheep are densely packed in the background.

UNITED STATES COMMISSION ON
**INTERNATIONAL
RELIGIOUS
FREEDOM**

ANNUAL REPORT 2015

ANNUAL REPORT

OF THE U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

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INTRODUCTION

"I will follow anyone . . . and remind everyone . . . of the fate . . . of the . . . Yazidi . . . No one mentions your tears, sadness or slow death! But we feel your fallen tears, your beheaded bodies, your raped dignity."

–Widad Akrawi,
Iraqi-born human rights activist

"How in the 21st century could people be forced from their houses just because they are Christian or Shi'ite or Sunni or Yazidi?"

–Baghdad Chaldean Catholic Patriarch Louis Sako,
July 2014 sermon in Baghdad

"The Assad regime made no effort to protect the al-Hasakeh province . . . [ISIL] launched a surprise attack . . . along the Khabor on February 23 . . . , kidnapped 265 men, women, and children, sold 30 young women as sex slaves, and executed all captured Syriac defense forces. . . . Upon securing control of . . . Tel Hormizd, [ISIL] informed [the elders] that all crosses must be removed . . . In fighting for control of Tel Tamr, they seized the Saint Circis Church and burned its Bibles and broke its cross. . . ."

–Testimony of Bassam Ishak,
Syriac National Council of Syria, before the Tom Lantos Human Rights Commission, March 18, 2015

"The devastating attack on the Grand Mosque in Kano, Nigeria . . . was almost certainly the work of Boko Haram, which . . . has targeted the Muslim 'establishment' in Nigeria"

–Tim Lister, *CNN, November 30, 2014*

"Madagali in Adamawa . . . was overrun . . . Christian men were caught and beheaded; the women were forced to become Muslims and were taken as wives for [Boko Haram]."

–Father Gideon Obasogie,
Director of Social Communications, Catholic Diocese of Maiduguri, Nigeria, cited in December 12, 2014 article from www.churchinneed.org web site

"Almost all of the 436 mosques in the Central African Republic have been destroyed by . . . fighting between Christians and Muslims, the U.S. ambassador to the United Nations [Samantha Power] said. . . . At least 5,000 people have been killed since CAR exploded into unprecedented sectarian violence in December 2013. Nearly 1 million of [its] 4.5 million residents have been displaced, many of [them] Muslim."

–Cara Anna,
Associated Press, March 18, 2015

"During my last visit [to Burma] in January 2015, I witnessed how dire the situation has remained in Rakhine State. The conditions in Muslim IDP [internally displaced person] camps are abysmal and I received heart-breaking testimonies from Rohingya people telling me they had only two options: stay and die or leave by boat."

–Yanghee Lee,
UN Special Rapporteur on the situation of human rights in Myanmar, March 2015 presentation to UN Human Rights Council

Humanitarian crises fueled by waves of terror, intimidation, and violence have engulfed an alarming number of countries in the year since the release of the U.S. Commission on International Religious Freedom's (USCIRF) prior Annual Report last May. The previous quotations highlight five of these nations – Iraq, Syria, Nigeria, Central African Republic, and Burma – and the horrific loss of human life, freedom, and dignity that has accompanied the chaos.

A horrified world has watched the results of what some have aptly called violence masquerading as religious devotion.

In both Iraq and Syria, no religious group has been free of ISIL's depredations in areas it has conquered. ISIL has unleashed waves of terror upon Yazidis and Christians, Shi'a and Sunnis, as well as others who have dared to oppose its extremist views. When ISIL last June overtook Mosul, Iraq's second largest city, it immediately murdered 12 dissenting Sunni clerics, kidnapped Christian priests and nuns, and leveled ancient houses of worship. The recent discovery of mass graves underscores the extent of the atrocities ISIL has perpetrated on foes of its reign.

More than half a million Mosul residents have fled their homes. When ISIL seized Sinjar, the Yazidis' ancestral homeland, 200,000 were forced to flee. In Syria, ISIL's horrors are replicated by those of other religious extremist groups and the Assad government.

Yazidis and Christians have borne the worst brunt of the persecution by ISIL and other violent religious extremists. From summary executions to forced conversions, rape to sexual enslavement, abducted children to destroyed houses of worship, attacks on these communities are part of a systematic effort to erase their presence from the Middle East.



"Displaced Yazidis fleeing violent Islamic State forces in Sinjar town make their way towards the Syrian border" –Reuters



"Ethnic Rohingya refugees from Myanmar wave as they are transported by a wooden boat to a temporary shelter in Krueng Raya in Aceh Besar" –Reuters

In Nigeria, Boko Haram has attacked both Muslims and Christians. From mass murders at churches and mosques to mass kidnappings of children from schools, Boko Haram has cut a wide path of terror across vast swaths of Nigeria.

There is perhaps no more visible testament to the human toll of these depredations than the millions of people who have been forced to flee their homes. In Iraq, 2 million people were internally displaced in 2014 as a result of ISIL's offensive. More than 6.5 million of Syria's pre-civil-war population now is internally displaced, and more than 3.3 million more are refugees in neighboring states. In Nigeria, Boko Haram's rampages are responsible for the displacement of more than one million individuals. In Central African Republic, a million or more people have been driven from their homes. And in Burma, 140,000 Rohingya Muslims and at least 100,000 largely Kachin Christians remain internally displaced.

By any measure, the horrors of the past year speak volumes about how and why religious freedom and the protection of the rights of vulnerable religious communities matter. Those responsible for the horrors have made the case better than anybody can.

And so it should come as no surprise that in the pages of this report, we have recommended that the United States designate all five of these nations – Iraq, Syria, Nigeria, Central African Republic, and Burma – as "countries of particular concern," or CPCs under the International Religious Freedom Act. We are identifying their governments as well as others as either perpetrating or tolerating some of the worse abuses of religious freedom in the world.



“Investigations following the bombing of Kano Central Mosque, the main mosque in north Nigeria’s biggest city Kano, killing at least 81 people” – Reuters

For humanitarian reasons alone, the world dare not remain silent in the face of the long trail of abuses committed in these and other countries.

But there is another reason as well. In August 2014, Archbishop Jean-Benjamin Sleiman, Latin-rite Archbishop of Baghdad, had this to say: “Unless there is peace . . . , I do not think that Europe will be calm. This . . . does not stop at territorial boundaries. . . .”

The Archbishop’s words proved tragically prophetic. Five months later, in January 2015, the same forces of violent religious extremism plaguing the Archbishop’s country struck the Hyper Cacher kosher supermarket and the Charlie Hebdo newspaper in Paris. The victims of the supermarket attack were murdered simply because they were Jews and the victims of the assault on the newspaper were killed because their attackers considered them blasphemers deserving punishment.

All nations should care about abuses beyond their borders not only for humanitarian reasons but because what goes on in other nations rarely remains there. Standing for the persecuted against the forces of violent religious extremism is not just a moral imperative; it is a practical necessity for any country seeking to protect its security and that of its citizens.

So what can the United States and like-minded nations do?

First, the humanitarian crises of the past year require continued emergency action. The United States government should be commended for its actions which helped save numerous Yazidis from murder or enslavement at the hands of ISIL or starvation as they were driven from their homes. The need, however, remains enormous, especially when it comes to the sheer number of



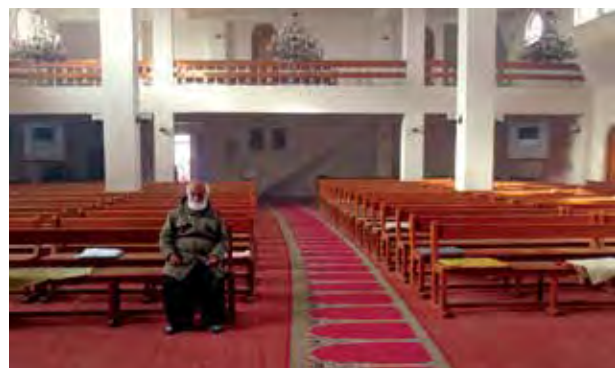
“Internally displaced persons on an armed AU peacekeeping convoy escorting Muslims in the Central African Republic” – Reuters

refugees and displaced people created by the forces of religious radicalism.

Second, emergency help, while essential to protect lives and communities from current danger, is not enough. In the long run, there is only one permanent guarantor of the safety, security, and survival of the persecuted and the vulnerable. It is the full recognition of religious freedom as a sacred human right which every nation, government, and individual must fully support and no nation, government, or individual must ever violate.

In addition, since religious freedom does not exist in a vacuum, the fundamental problems of corruption and unequal sharing of national resources and opportunities must be dealt with. And legal systems must protect the rights of both the majority and minorities.

The stories of both Iraq and Syria offer an especially grim lesson on this score. In both countries, religious minorities appeared safe for a while, but owed their safety to the whim of strongmen – Saddam Hussein and Bashar Assad – who offered protection for their own purposes.



“Lone parishioner sits in church after a small Christmas Eve service in Baghdad” – Reuters

In both nations, the rule of a strongman took the place of rule of law. But to rely on the favor of a single ruler, regime, or party is to live precariously. The question is what transpires when those in control pass from the scene or decide that protecting an embattled minority no longer serves stated or unstated interests. In the blink of an eye, a minority's safety and security can vanish.

Rulers, regimes, and parties may come and go, but when a society commits itself to religious freedom, the security of religious communities – as well as that of dissenters from religion – is guaranteed no matter who holds power.

To be sure, embedding religious freedom and other human rights in a society often can seem a herculean task, but it is a vital one.

And so we must stand tall for religious freedom as an antidote to religious extremism, an aid to security, and a universal right of humanity.

2015 ANNUAL REPORT OVERVIEW

The U.S. Commission on International Religious Freedom (USCIRF), created by the International Religious Freedom Act of 1998 (IRFA) as an entity separate and distinct from the State Department, is an independent, bipartisan U.S. government advisory body that monitors religious freedom worldwide 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 2015 Annual Report represents the culmination of a year's work by Commissioners and professional staff to document abuses on the ground and make independent policy recommendations to the U.S. government.

The 2015 Annual Report covers the period from January 31, 2014 through January 31, 2015, although in some cases significant events that occurred after the reporting period are mentioned. The Annual Report addresses 33 countries around the world and is divided into four sections.

The first section focuses on the U.S. government's implementation of the International Religious Freedom Act. It provides recommendations for specific actions that the Administration can take to bolster current efforts to advance freedom of religion or belief abroad. It also recommends legislative activity by Congress to provide additional tools to equip U.S. diplomats to better advocate for religious freedom.

The second section highlights countries that USCIRF concludes meet IRFA's standard for "countries of particular concern," or CPCs, and recommends for designation as such. IRFA requires the U.S. government to designate as a CPC any country whose government engages in or tolerates particularly severe violations of religious freedom that are systematic, ongoing and egregious. In its most recent designations in July 2014, the State Department designated nine countries as CPCs. In 2015, USCIRF has concluded that 17 countries meet this standard.

In 2015, USCIRF recommends that the Secretary of State re-designate the following nine countries as CPCs: Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, Turkmenistan, and Uzbekistan. USCIRF also finds that eight other countries meet the CPC standard and should be so designated: Central African Republic, Egypt, Iraq, Nigeria, Pakistan, Syria, Tajikistan, and Vietnam.

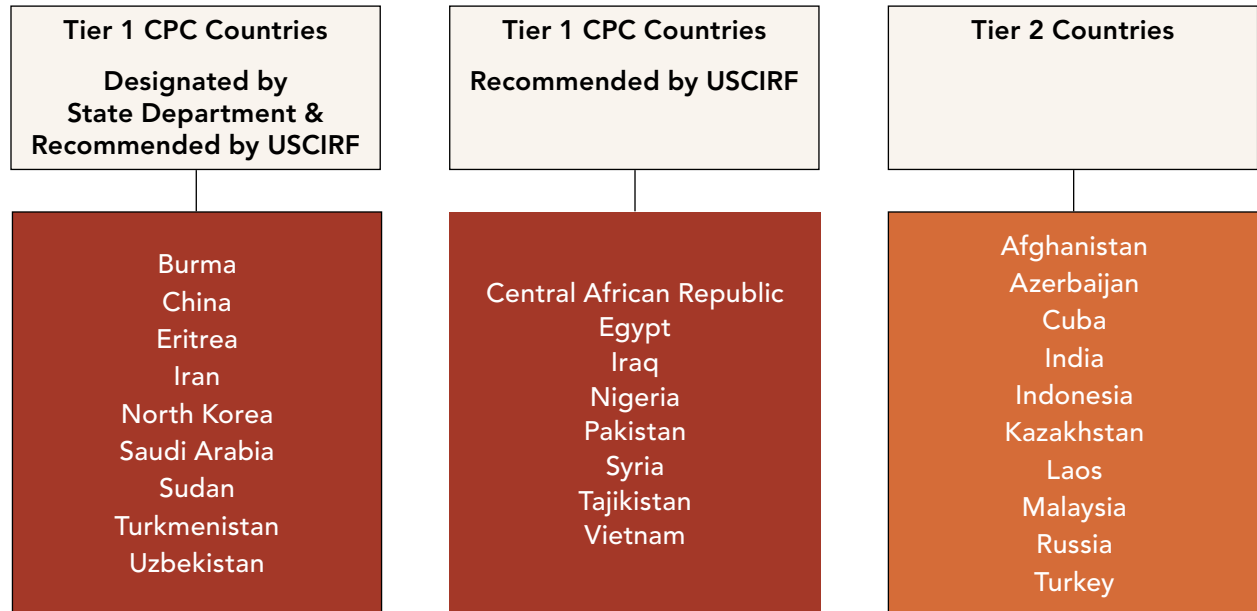
The 2015 Annual Report recognizes that non-state actors, such as transnational or local organizations, are some of the most egregious violators of religious freedom. For example, in the Central African Republic and areas of Iraq and Syria, the governments are either non-existent or incapable of addressing violations committed by non-state actors. USCIRF has concluded that the CPC classification should be expanded to allow for the designation of countries such as these, where particularly severe violations of religious freedom are occurring but a government does not exist or does not control its territory. Accordingly, USCIRF's CPC recommendations reflect that approach.

The third section highlights countries USCIRF categorized as Tier 2, which includes countries where the violations engaged in or tolerated by the government are serious and are characterized by at least one of the elements of the "systematic, ongoing, and egregious" standard, but do not fully meet the CPC standard.

In 2015, USCIRF places the following ten countries on Tier 2: Afghanistan, Azerbaijan, Cuba, India, Indonesia, Kazakhstan, Laos, Malaysia, Russia, and Turkey.

Lastly, there are brief descriptions of other countries that USCIRF monitored during the year: Bahrain, Bangladesh, Belarus, Cyprus, Kyrgyzstan, and Sri Lanka.

USCIRF TIER 1 & TIER 2 COUNTRIES



IRFA IMPLEMENTATION

IRFA's History

The International Religious Freedom Act of 1998 was a landmark piece of legislation, seeking to make religious freedom an important priority in U.S. foreign policy. Congress passed the Act unanimously in October 1998 and it was signed into law by President Bill Clinton that same month. Members of Congress believed that this core human right was being ignored and that a greater emphasis would make for smarter diplomacy and reflect the unique role that religious freedom played in the formation of the United States. Rather than creating a hierarchy of rights as some critics have argued, IRFA established parity – it ensured religious freedom would be considered by U.S. policymakers alongside the other pressing issues of the day, and not be forgotten or ignored.

To accomplish this, the Act did several things. First, it created special mechanisms inside and outside the executive branch. Inside the executive branch, the law created the position of Ambassador-at-Large for International Religious Freedom (a political appointee nominated by the President and confirmed by the Senate), to head an Office of International Religious Freedom at the State Department (the IRF Office). It also urged the appointment of a Special Adviser for this issue on the

recommendations for U.S. policy to the President, Secretary of State, and Congress.

Second, IRFA required monitoring and reporting. It mandated 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. The law also required the State Department to maintain a religious freedom Internet site, as well as lists of religious prisoners in foreign countries. And it required that USCIRF issue its own annual report setting forth its findings on the worst violators of religious freedom and providing independent recommendations for U.S. policy.

Third, IRFA established consequences for the worst violators. The law requires the President – who has delegated this power to the Secretary of State – to designate annually “countries of particular concern,” or CPCs, and to take action designed to encourage improvements in those countries. Under IRFA, 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, ranging from negotiating a bilateral agreement, to imposing sanctions, to taking a “commensurate action,” to issuing a waiver. While a CPC designation

Outside of the executive branch, IRFA created USCIRF, an independent U.S. government advisory body mandated to review religious freedom conditions globally and make recommendations for U.S. policy. . .

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remains in effect until removed, sanctions tied to a CPC action expire after two years, if not renewed.

Fourth, IRFA included religious freedom as an element of U.S. foreign assistance, cultural exchange, and international broadcasting programs.

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.”

Fifth, IRFA sought to address perceived deficiencies in U.S. government officials’ knowledge and understanding of the issue. It mandated that State Department Foreign Service Officers and U.S. immigration officials receive training on religious freedom and religious persecution. It also required immigration officials to use the State Department’s annual IRF Report as a resource in adjudicating asylum and refugee claims involving religious persecution.

Finally, IRFA sought assessments of whether recently-enacted immigration law reforms were being implemented consistent with the United States’ obligations to protect individuals fleeing persecution, including but not limited to religious persecution. The law authorized USCIRF to appoint experts to examine whether asylum seekers subject to the process of Expedited Removal were being erroneously returned to countries where they could face persecution or detained under inappropriate conditions. Expedited Removal is a mechanism enacted in 1996 whereby foreign nationals arriving in the United States without proper documentation can be returned to their countries of origin without delay, but also without the safeguard of review by an immigration judge, unless they can establish that they have a “credible fear” of persecution.

Religious Freedom Violations under IRFA

IRFA brought an international approach to U.S. religious freedom advocacy. The Act did not use the First Amendment to the U.S. Constitution to measure other countries’ activities, but rather looked to international instruments. IRFA specifically defined violations of religious freedom as “violations of the internationally recognized right to freedom of religion and religious belief and practice” as articulated in the UN Universal

Declaration of Human Rights (UDHR), the UN International Covenant on Civil and Political Rights, (ICCPR), the Helsinki Accords, and other international instruments and regional agreements.

IRFA also did not limit violations to government actions. It recognized that religious freedom violations also can occur through government inaction against abuses by private actors. The 1998 statute does not, however, adequately address one of the 21st century’s major challenges to freedom of religion or belief: the actions of non-state actors in failing or failed states. IRFA focused on government action or inaction, but in many of the most pressing situations today, transnational or local organizations are the egregious persecutors and governments are either incapable of addressing the violations or non-existent. In these situations, allowing the United States to designate the non-state actors perpetrating particularly severe violators of religious freedom would broaden the U.S. government’s ability to engage the actual drivers of persecution. Such a step was taken with the Taliban, which was in effect named a CPC from 1999-2003 despite the United States’ not recognizing its control of Afghanistan. Naming these countries or groups would reflect reality, which should be the core point of the CPC process.

The Act also allows the United States to take certain actions against specific foreign officials who are responsible for or directly carried out particularly severe religious freedom violations. IRFA bars the entry of such individuals to the United States, but the provision has been invoked only once: in March 2005, it was used to exclude then-Chief Minister Narendra Modi of Gujarat state in India due to his complicity in riots in his state in 2002 that resulted in the deaths of an estimated 1,100 to 2,000 Muslims. USCIRF continues to urge the Departments of State and Homeland Security to develop a lookout list of aliens who are inadmissible to the United States on this basis. The IRF Office has worked to identify people inadmissible under U.S. law for religious freedom violations, and USCIRF has provided information about several such individuals to the State Department.

Separate from the IRFA framework, in 2014 the State Department explicitly and publicly tied entry into the United States to concerns about violent activity. Secretary of State John Kerry announced during a visit to Nigeria that the United States would deny entry to any

persons responsible for engaging in or inciting violence during Nigeria's election, including by declaring them ineligible for American visas. He said specifically that, "perpetrators of such violence would not be welcome in the United States of America." While not mandated by IRFA, USCIRF supports this approach.

Directly related to identifying and barring from entry severe religious freedom violators, IRFA also requires the President to determine the specific officials responsible for violations of religious freedom engaged in or tolerated by governments of CPC countries, and, "when applicable and to the extent practicable," publish the names of these officials in the Federal Register. Despite these requirements, no names of individual officials from any CPC countries responsible for particularly severe religious freedom violations have been published to date.

Apart from the inadmissibility provision discussed above, Congress at times has imposed targeted sanctions on specific individuals for severe religious freedom violations. Based on a USCIRF recommendation, Congress included sanctions on human rights and religious freedom violators in the 2010 Iran sanctions act, the Comprehensive Iran Sanctions and Divestment Act (CISADA, P.L. 111-195). This was the first time Iran sanctions specifically included human rights violators. President Obama has now imposed such sanctions (visa bans and asset freezes) by executive order on 16 Iranian officials and entities, including eight identified as egregious religious freedom violators by USCIRF. Also based on a USCIRF recommendation, the Senate included Chechen President Ramzan Kadyrov on the list of gross human rights violators in the Sergei Magnitsky Rule of Law Accountability Act (P.L. 112-208), which imposes U.S. visa bans and asset freezes on designated Russian officials. Kadyrov has engaged in abuses against Muslims and has been linked to politically-motivated killings.

With respect to these issues, USCIRF recommends that the State Department:

- Make greater efforts to ensure foreign government officials are denied entry into the United States due to their inadmissibility under U.S. law for their responsibility for religious freedom violations abroad;

- Train consular sections of all embassies on this entry requirement, and direct them that the application of this provision is mandatory; and
- Announce a policy that all individuals applying for entry to the United States will be denied entry if they are involved in or incite violence against members of religious communities.

USCIRF recommends that Congress:

- Expand the CPC classification to allow for the designation of countries where particularly severe violations of religious freedom are occurring but a government does not exist or does not control its territory; and
- Expand the CPC classification to allow the naming of non-state actors who are perpetrating particularly severe violations of religious freedom.

Institutional Issues

IRFA intended the Ambassador-at-Large for International Religious Freedom to be the highest-ranking U.S. official on religious freedom abroad, coordinating and developing U.S. policy regarding freedom of religion or belief, while also serving as an *ex officio* member of USCIRF. There have been four Ambassadors-at-Large since IRFA's enactment: Robert Seiple (May 1999 to September 2000); John Hanford (May 2002 to January 2009); Suzan Johnson Cook (May 2011 to October 2013); and David Saperstein (January 2015 to the present).

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." However, since the position was established, every administration, including the current one, has situated the Ambassador-at-Large in the Bureau of Democracy, Human Rights, and Labor (DRL) and thus under its Assistant Secretary, even though the State Department's organizational guidelines consider an Ambassador-at-Large to be of higher rank than an Assistant Secretary. Other Ambassadors-at-Large report to the Secretary, such as those for Global Women's Issues, Counterterrorism, and War Crime Issues, as well as the AIDS Coordinator.

Religious freedom advocates, including USCIRF, have long been concerned about the low placement of

the Ambassador-at-Large for International Religious Freedom within the State Department hierarchy. Secretary of State Kerry committed to Congress at a public hearing that the Ambassador-at-Large will have direct and regular access to him, which would fulfill IRFA's intention that the Ambassador be "a principal advisor to the President and Secretary of State" on matters relating to religious freedom. In addition, the Office of International Religious Freedom should be strengthened, including by enlarging its staff, deepening its expertise, and providing dedicated programmatic funds for religious freedom promotion and protection.

The Ambassador-at-Large now sits among a crowded field of officials whose mandates overlap. Issues of religious freedom play a part in other U.S. government efforts to engage religious communities and to promote human rights more generally. This has become more apparent as various administrations created special State Department positions to focus on particular countries or issues where religious freedom is implicated, such as a Special Envoy for Sudan, a Special Representative to Afghanistan and Pakistan, a Special Representative to Muslim Communities, and a Special Envoy to the Organization of Islamic Cooperation. In addition, Congress created the position of Special Envoy to Monitor and Combat Anti-Semitism. In 2014, Congress passed, and President Obama signed into law, a bill creating the position of Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia at the State Department.

In addition, the State Department during the Obama Administration took steps to improve its ability to engage with religious actors. The IRF Office staff oversaw initial efforts to track U.S. government religious engagement globally, and the IRF Office co-chaired a special working group with civil society on religion and global affairs. From this process, the working group issued a white paper recommending, among other things, the creation of a special State Department office for religious engagement, modeled on similar offices in other agencies like USAID. In August 2013, the State Department created a new Office of Faith-Based Community Initiatives, headed by a Special Advisor, Shaun Casey. (The position and office titles have since been changed to Special Representative and Office for Religion and Global Affairs.) According

to the announcement, the Office will "set Department policy on engagement with faith-based communities and . . . work in conjunction with bureaus and posts to reach out to those communities to advance the Department's diplomacy and development objectives," and will "collaborate regularly with other government officials and offices focused on religious issues, including the Ambassador-at-Large for International Religious Freedom and the Department's Office of International Religious Freedom." The Special Representative for Muslim Communities and the Special Envoy to the Organization of Islamic Cooperation were moved into the Office for Religion and Global Affairs, as was the Special Envoy to Monitor and Combat Anti-Semitism, who formerly was situated in the DRL Bureau.

With respect to these issues, USCIRF recommends that the Secretary of State:

- Per IRFA's mandate that the Ambassador-at-Large for International Religious Freedom be "a principal adviser" to the President and the Secretary of State on religious freedom issues, and considering the proliferation of related positions and offices, task the Ambassador-at-Large with chairing an inter-bureau working group with all the religiously-oriented positions and programs to ensure consistency in message and strategy;
- Move under the leadership of the Ambassador-at-Large for International Religious Freedom the positions of Special Envoy to Monitor and Combat Anti-Semitism and Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia (should the latter be filled); and
- Provide the Office of International Religious Freedom with resources and staff similar to other offices with global mandates, as well as with increased programmatic funds for religious freedom promotion and protection.

USCIRF recommends that Congress:

- Annually specify that funds from the State Department's Human Rights Democracy Fund (HRDF) be allocated for religious freedom programming managed by the Office of International Religious Freedom.

Annual Reports

IRFA requires that the State Department submit the IRF Report “on September 1 of each year or the first day thereafter on which the appropriate House of Congress is in session.” It also requires that USCIRF, based on its review of the IRF Report and other sources, submit its Annual Report by May 1.

However, a recent change by the State Department in its reporting calendar and release date has affected USCIRF’s ability to review the IRF Report and still meet the mandated May 1 deadline. In 2010, the State Department decided to consolidate the reporting periods of its various reports on different human rights issues, in order to minimize the impact on limited staff resources. As a result, the period covered in each IRF Report was shifted from a mid-year (July 1 to June 30) to a calendar-year (January 1 to December 31) cycle. It also decided to release the IRF Report in March or April, rather than comply with the September timeframe established in IRFA.

It should be noted that, although IRFA mandated both the State Department and USCIRF to report annually on international religious freedom, the two entities’ annual reports are significantly different. The State Department reports on every country in the world, while USCIRF reports on selected countries, generally those exhibiting the worst conditions. Further, the State Department’s reports focus primarily on religious freedom conditions, while USCIRF’s country chapters discuss conditions, analyze U.S. policy, and

when issuing their reports. As discussed above, however, the State Department’s change of the reporting period to harmonize the timing of various human reports changed the release date of the IRF Report.

With respect to these issues, USCIRF recommends that:

- In light of the State Department’s change in the release date of its report, USCIRF and the State Department meet to discuss the timing of their reports.

The CPC Mechanism

In IRFA’s 16-year existence, the State Department has made CPC designations on 10 occasions: October 1999, September 2000, October 2001, March 2003, September 2004, November 2005, November 2006, January 2009, August 2011, and July 2014. As is evident from these dates, for a number of years the designations generally were made annually, but after 2006, designations became infrequent. While IRFA does not set a specific deadline, the Act indicates that CPC designations should occur soon after the State Department releases its annual IRF Report, as the decisions are to be based on that review and on USCIRF recommendations. In August 2011 and July 2014, the Obama Administration made CPC designations in conjunction with the IRF Report. Ambassador-at-Large Saperstein has also stated his commitment to have an annual CPC designation process.

State Department and USCIRF reports “are significantly different” as “USCIRF’s country chapters discuss conditions, analyze U.S. policy, and make policy recommendations.”

make policy recommendations. USCIRF’s Annual Reports also assess the executive branch’s implementation of IRFA and discuss religious freedom issues in multilateral organizations.

IRFA created a system in which the State Department’s and USCIRF’s annual reports would be issued approximately four months apart, and the State Department and USCIRF would consider each other’s findings

As noted earlier, while a CPC designation remains in effect until it is removed, associated Presidential actions expire after two years if not renewed. The last three CPC designations occurred after the two-year mark from the previous designations had passed.

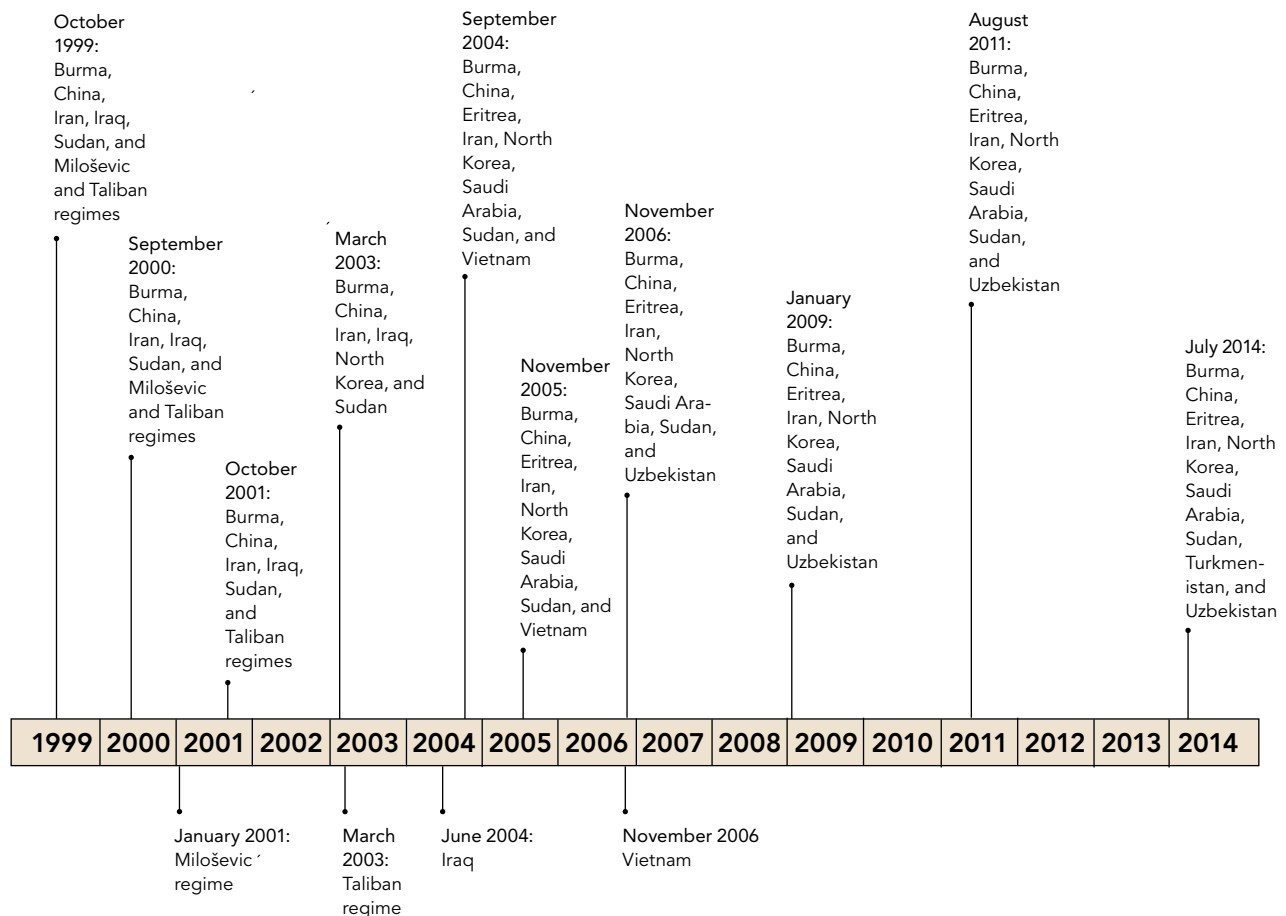
In addition to CPC designations being infrequent, the list has been largely unchanged. Of the nine countries designated as CPCs in July 2014, most had been

named as CPCs for over a decade: Burma, China, Iran, and Sudan for 15 years; North Korea for 13 years; Eritrea and Saudi Arabia for 10 years; and Uzbekistan for eight years. Additionally, removal from the CPC list has been rare. Since IRFA's inception, only one country has been removed from the State Department's CPC list due to diplomatic activity: Vietnam (a CPC from 2004 to 2006). Three other CPC designees were removed, but only after military intervention led to the fall of those regimes: Iraq (a CPC from 1999 to 2004), the Taliban regime of Afghanistan (a "particularly severe violator" from 1999 to 2003), and the Milosevic regime of the Serbian Republic of Yugoslavia (a "particularly severe violator" from 1999 to 2001).

Besides requiring the naming of violators, IRFA provides the Secretary of State with a unique toolbox to

promote religious freedom effectively. The Act includes a menu of options for countries designated as CPCs and a list of actions to encourage improvements in countries that violate religious freedom but do not meet the CPC threshold. The specific policy options to address severe violations of religious freedom in CPC countries include sanctions (referred to as Presidential actions in IRFA) that are not automatically imposed. Rather, the Secretary of State is empowered to enter into direct consultations with a government to bring about improvements in religious freedom. IRFA also permits the development of either a binding agreement with a CPC-designated government on specific actions it will take to end the violations giving rise to the designation or the taking of a "commensurate action." The Secretary may further determine that pre-existing sanctions are adequate

STATE'S DESIGNATIONS OF COUNTRIES AND REGIMES AS CPCs



STATE'S REMOVALS OF COUNTRIES AND REGIMES FROM CPC LIST

Source: GAO analysis of Department of State information

or waive the requirement of taking action to advance the purposes of the Act or the national interests of the United States.

However, in addition to designating the same countries for years, administrations generally have not levied new Presidential actions in accordance with CPC designations, with the State Department instead relying on pre-existing sanctions. While the statute permits such reliance, relying on pre-existing sanctions – or “double hatting” – has provided little incentive for CPC-designated governments to reduce or halt egregious violations of religious freedom.

The Presidential actions for the nine currently-designated CPC countries are shown in the table immediately below. Because of the indefinite waivers for Saudi Arabia, Turkmenistan, and Uzbekistan, the United States has not implemented a unique policy response tied to the CPC designation and particularly severe

violations of religious freedom.

USCIRF welcomes Ambassador-at-Large Saperstein’s commitment to have an annual CPC process. The CPC list should also expand and retract as conditions warrant, and the use of Presidential actions should be more dynamic. Of the current nine countries designated as CPCs, six have “double-hatted” sanctions, and three have indefinite waivers. The “double hatting” of sanctions can be the appropriate action in some circumstances. Yet specifically tailored actions can be more precise, either broadly structured or narrowly crafted to target specific government officials or provinces, if acute situations are highly localized. Indefinite waivers of penalties undermine the effectiveness of efforts to advance religious freedom, as they signal a lack of U.S. interest and communicate to the designated country that there never will be consequences for its religious freedom abuses.

Federal Register Notices / Vol. 79, No. 185 / Wednesday, September 24, 2014

Pursuant to section 408(a) of the International Religious Freedom Act of 1998 (Pub. L. 105–292), as amended (the Act), notice is hereby given that, on July 18, 2014, the Secretary of State, under authority delegated by the President, has designated each of the following as a “Country of Particular Concern” (CPC) under section 402(b) of the Act, for having engaged in or tolerated particularly severe violations of religious freedom: Burma, China, Eritrea, Iran, Democratic People’s Republic of Korea, Saudi Arabia, Sudan, Turkmenistan, and Uzbekistan.

The Secretary simultaneously designated the following Presidential Actions for these CPCs:

- For **Burma**, the existing ongoing arms embargo referenced in 22 CFR 126.1(a) 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(Public Law 101–246), pursuant to section 402(c)(5) of the Act;
- For **Eritrea**, the existing ongoing arms embargo referenced in 22 CFR 126.1(a) pursuant to section 402(c)(5) of the Act;
- For **Iran**, the existing ongoing travel restrictions based on serious human rights abuses under section 221(a)(1)(C) of the Iran Threat Reduction and Syria Human Rights Act of 2012, pursuant to section 402(c)(5) of the Act;
- For **North Korea**, the existing ongoing restrictions to which North 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 **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 on making certain appropriated funds available for assistance to the Government of Sudan in the annual Department of State, Foreign Operations, and Related Programs Appropriations Act, currently set forth in section 7042(j) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (Div. K, Pub.L. 113–76), 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 **Turkmenistan**, a waiver as required in the “important national interest of the United States,” pursuant to section 407 of the Act; and
- For **Uzbekistan**, a waiver as required in the “important national interest of the United States,” pursuant to section 407 of the Act.

Along with an annual CPC process, the IRFA toolbox provides many options for diplomatic action. U.S. diplomatic engagement cannot and should not solely rely on naming CPCs, but rather use a concert of action including: diplomatic engagement; consultations about possible CPC action; CPC designations; binding agreement negotiations; presidential actions; and/or a waiver for the narrowest of circumstances. Past practice provides only a few

- Hold annual oversight hearings on IRFA implementation in the House and Senate.

Guidance

With multiple offices and positions dealing with issues that relate to or overlap with religious freedom, crafting a specific strategy outlining the need to promote

The CPC list should also expand and retract as conditions warrant, and the use of Presidential actions should be more dynamic.

examples of these tools being used together to bring about change in a country of concern. An annual CPC designation process should be the center of all IRF-related work, driving and energizing other areas of U.S. diplomacy, but should not be the sum total of all activity.

With respect to these issues, USCIRF recommends that the State Department:

- Use all of IRFA's tools, including "country of particular concern" designations, in a continuity of action;
- Publicly declare the results of its annual review of religious freedom conditions and make annual designations of "countries of particular concern" for particularly severe violations of religious freedom;
- Ensure that the CPC list expands and contracts as conditions warrant;
- Wherever possible, when Presidential Actions or commensurate actions are taken as a consequence of CPC designations, undertake specific efforts to emphasize the importance of religious freedom to the United States, and in particular avoid "double-hatted" sanctions; and
- Limit the use of waivers to a set period of time and subject them to review for renewal.

USCIRF recommends that Congress:

- Take steps through legislative action to require the State Department to make annual CPC designations, should the State Department fail to do so; and

freedom of religion or belief internationally across U.S. government agencies would set an important tone and give direction to U.S. efforts.

In February 2015, the President issued his second National Security Strategy, which touched on religious freedom. In a section entitled "Advance Equality," the Strategy said:

American values are reflective of the universal values we champion all around the world—including the freedoms of speech, worship, and peaceful assembly; the ability to choose leaders democratically; and the right to due process and equal administration of justice. We will be a champion for communities that are too frequently vulnerable to violence, abuse, and neglect—such as ethnic and religious minorities; people with disabilities; Lesbian, Gay, Bisexual, and Transgender (LGBT) individuals; displaced persons; and migrant workers.

The National Security Council issued a more specific strategy about religious engagement in July 2013, which includes a component on religious freedom and human rights. This positive initiative, on which USCIRF staff informally advised, connected religious freedom work to other related issues of conflict prevention and to engaging religious leaders on development goals. A document specifically tailored to the issue of religious freedom would further this effort.

In addition to a national strategy to guide U.S. efforts, elected leaders and U.S. officials need to communicate

clearly and regularly that religious freedom is a foreign policy priority for the United States. For instance, during his January 2015 visit to India, President Obama gave a major speech highlighting the need for religious tolerance and freedom, and he reiterated the point at the February 2015 National Prayer Breakfast in Washington, DC. Notably, the Prime Minister of India subsequently gave a major address about these concerns. As this example demonstrates, one of the most direct ways to stress the importance of religious freedom is in high-profile

With respect to these issues, USCIRF recommends that:

- Each administration issue a strategy to guide U.S. government efforts to protect and promote religious freedom abroad and set up a process to oversee its implementation;
- The President, the Secretary of State, Members of Congress, and other U.S. officials consistently stress the importance of international religious freedom in

Crafting a specific strategy outlining the need to promote freedom of religion or belief internationally across U.S. government agencies would set an important tone and give direction to U.S. efforts.

public events. Both the U.S. government bureaucracy and foreign governments will notice such presentations by the President, the Secretary of State, Congressional leaders, and other high-ranking U.S. officials.

Action also is needed after communication. Public advocacy should be tied to a country-specific action plan or strategy for advancing religious freedom. This is especially important for countries designated as CPCs, as well as those recommended by USCIRF for CPC designation or on USCIRF's Tier 2 list. Such actions would include scheduling trips for embassy officials, including the U.S. ambassador, to visit oppressed religious communities or sites of violence. The United States should also insist that discussions on freedom of religion or belief and religious tolerance be included in various bilateral strategic dialogues and summits, such as the strategic dialogues with Russia, Pakistan, or Indonesia, or the meetings of the U.S.-Nigeria Bi-National Commission. Concerns about freedom of religion or belief should also be interwoven into negotiations over trade agreements, like the Trans-Pacific Partnership.

It is also essential to ensure that U.S. officials and elected leaders raise religious freedom issues during visits to key countries of concern. It is important for foreign leaders to hear directly from visiting delegations that restrictions on religious freedom are hindering bilateral cooperation and the overall relationship.

their public statements as well as in public and private meetings in the United States and abroad; and

- In consultation with USCIRF, the State Department develop and implement country-specific strategies for advancing religious freedom, interfaith harmony, mutual respect, and reconciliation, to ensure that official statements are followed by concrete actions.

Training

Training is needed to equip U.S. officials to speak on these issues and develop action plans. IRFA calls for American diplomats to receive training on how to promote religious freedom effectively around the world. In the past few years, training for Foreign Service Officers on issues of religious freedom has increased, but remains voluntary. The Foreign Service Institute (FSI) continued to offer a multi-day Religion and Foreign Policy course. USCIRF staff has been repeatedly invited to speak about the role of the Commission, but the overall focus could include a greater emphasis on promoting freedom of religion or belief. USCIRF also regularly speaks to regional studies classes to discuss the Commission's findings on countries of interest.

By contrast, DHS has made training on religious persecution and IRFA mandatory for all new refu-

gee and asylum officers, and USCIRF and IRF Office representatives regularly speak to these classes. Over the years, USCIRF also has participated in, as well as submitted materials for, training sessions on religious freedom and religious persecution for Department of Justice immigration judges. Training on religious freedom issues in the military education system remains minimal, despite the many schools, military service colleges, and universities providing professional military education. With American service members increasingly engaging governments and societal leaders in religious contexts, training on international standards of freedom of religion or belief would better equip them to carry out their mission.

With respect to these issues, USCIRF recommends that the U.S. government:

- Make training on international religious freedom mandatory for State Department officials, including education on what it is, its importance, and how to advance it; Require such training at three intervals in each diplomat's career – the "A-100" class for incoming diplomats, Area Studies for midcareer officials, and a class for all ambassadors and deputy chiefs of missions; and
- Train relevant members of the military on the importance of religious freedom and practical ways to best promote it as an aspect of U.S. foreign policy.

USCIRF recommends that Congress:

- If necessary, require the Foreign Service Institute and the military to provide training on international religious freedom and on the best practices to promote it as an aspect of U.S. foreign policy, so that Foreign Service Officers, U.S. service members, and military chaplains can use globally recognized religious freedom standards when engaging in-country with religious leaders and government and military officials.

Ensuring Funding for Religious Freedom Programming

IRFA also envisaged the funding of religious freedom programs, authorizing foreign assistance to promote and develop "legal protections and cultural respect for religious freedom." In Fiscal Year (FY) 2008, for the first

time, \$4 million was carved out from the Human Rights Democracy Fund (HRDF) for specific DRL grants on religious freedom programming. While no specific earmark or carve-out was made in subsequent years, the IRF Office has continued to receive HRDF funds. In March 2015, Ambassador Saperstein reported to Congress that the IRF Office receives approximately five percent of DRL's HRDF funding (approximately \$3.5 million) annually. These funds support religious freedom programs currently operating in 16 countries. Ambassador Saperstein also reported in March 2015 that five new programs using FY 2014 funds would soon begin operations.

While IRFA authorizes the expenditures of funds for grant making to promote religious freedom, there is no annual appropriation of funds specifically for this purpose. Funding for religious freedom work need not come solely from the human rights bureau. Other potential funding sources include the State Department's Middle East Partnership Initiative (MEPI) and the U.S. Agency

While IRFA authorizes the expenditures of funds for grant making to promote religious freedom, there is no annual appropriation of funds specifically for this purpose.

for International Development's (USAID) Bureau for Democracy, Conflict, and Humanitarian Assistance. Appropriation measures have signaled the importance of such funding. For instance, the Consolidated and Further Continuing Appropriations Act of 2015 (P.L. 113-325) directed that appropriated funds for democracy programs "shall be made available to support freedom of religion, including in the Middle East and North Africa."

In statute, report language, and discussions, Congress has at times tasked USCIRF to develop recommendations for challenging issues. In addition to the Expedited Removal Study, one such congressional tasking resulted in USCIRF's study about what Pakistan's education system teaches about religious minorities in that country. Another example was the special fellowship program that was funded for two years to enable scholars to focus on freedom of religion or belief.

With respect to these issues, USCIRF recommends that the State Department:

- Continue to designate specific HRDF funds to the IRF Office for grant making.

USCIRF recommends that Congress:

- Support State Department grants related to religious freedom programming, and call for entities that receive federal funds, including MEPI, USAID, the National Endowment for Democracy, and U.S. Institute of Peace, to devote resources for religious freedom programming;
- Encourage USAID to prioritize programs that develop and disseminate, especially in countries of concern, educational and teacher training materials that focus on international human rights standards and religious freedom and the centrality of interfaith understanding to achieving development objectives; and
- Urge that the National Endowment for Democracy and other entities that receive federal funding solicit competitive proposals on specific international religious freedom programming.

The Treatment of Asylum Seekers in Expedited Removal

As authorized by IRFA, USCIRF conducted a major research study in 2003 and 2004 on the U.S. government's treatment of asylum seekers in Expedited Removal. The Departments of Homeland Security (DHS) and Justice (DOJ) cooperated with the Commission, whose designated experts had unrestricted access to the internal workings of Expedited Removal.

USCIRF's February 2005 report, *The Treatment of Asylum Seekers in Expedited Removal (the Study)*, found serious flaws placing legitimate asylum seekers at risk of being returned to countries where they could face persecution. It also found that asylum seekers were being inappropriately detained under prison-like conditions and in actual jails. To address these problems, the Study made a series of recommendations, none requiring Congressional action, to the responsible agencies within DHS and DOJ. The recommendations were geared to help protect U.S. borders and ensure fair

and humane treatment for bona fide asylum seekers, mirroring the two goals of the 1996 immigration reform law that established Expedited Removal.

USCIRF has continued to monitor the implementation of these recommendations and has issued several follow-up reports finding progress in some areas but no changes in others. Moreover, since the time of the Study, DHS has expanded Expedited Removal from a port-of-entry program to one that covers the entire land and sea border of the United States. In addition, over the past several fiscal years, the number of individuals claiming a fear of return in Expedited Removal has increased sharply. As a result, the continuing flaws in the system now potentially affect even more asylum seekers.

In 2014, in anticipation of the 10th anniversary of the 2005 Study's release, USCIRF has been reviewing the current situation of asylum seekers in expedited removal, as an update to the original study. USCIRF staff has visited ports of entry, border posts, asylum offices, and immigration detention facilities in southern California (July 2014), New York and New Jersey (September 2014), Florida and Puerto Rico (November 2014) and south Texas (February 2015) to tour facilities, meet with officials and detainees, and observe processing. In addition, USCIRF staff has met with DHS officials in Washington, DC, and with non-governmental experts. USCIRF anticipates issuing in 2015 a special report assessing implementation of the study's recommendations and discussing the changes in expedited removal over the past decade.

With respect to these issues, USCIRF recommends that the Departments of Homeland Security and Justice

- Implement the recommendations from the 2005 Expedited Removal Study that remain either wholly or partly unimplemented, including by:
 - addressing the serious flaws identified in the initial interviews of arriving aliens;
 - allowing asylum officers to grant asylum at the credible fear stage in appropriate cases;
 - not detaining asylum seekers after credible fear has been found unless absolutely necessary and, if asylum seekers must be detained, doing so only in civil conditions;
 - codifying the existing parole policy into regulations; and

- increasing detainees' access to legal representation and in-person hearings.

USCIRF recommends that Congress:

- In light of Expedited Removal's expansion since the Study and the recent increase in claims of fear, consider authorizing and funding USCIRF to conduct another comprehensive study on the treatment of asylum seekers in Expedited Removal.

Multilateral Efforts

IRFA specifically cites U.S. participation in multilateral organizations as an avenue for advancing religious freedom. Both the United Nations (UN) and the Organization for Security and Cooperation in Europe (OSCE) have conventions and agreements that protect freedom of religion or belief and related rights, including assembly and expression. UN and OSCE mechanisms can be used to advance religious freedom or call attention to violations, on which USCIRF has engaged over the years.

United Nations

At the UN Human Rights Council, the Universal Periodic Review (UPR) process allows states to assess the human rights performance of every UN member state, and thereby provides an opportunity for the United States and other like-minded countries to ask questions and make recommendations about religious freedom. This is particularly important when countries designated as "countries of particular concern" under IRFA are reviewed. Country-specific resolutions in the Human Rights Council and the UN General Assembly

focuses on religious freedom as a thematic issue. That position was created in 1986, at the initiative of the United States. The UN Special Rapporteur on Freedom of Religion or Belief – currently Professor Heiner Bielefeldt of Germany – monitors freedom of religion or belief worldwide, communicates with governments about alleged violations, conducts country visits, and issues reports and statements. Some of the Council's country-specific Special Procedures also have drawn attention to religious freedom violations in the countries they cover, such as the current UN Special Rapporteur on the Human Rights Situation in Iran, Ahmed Shaheed. In addition, the specially-created Commissions of Inquiry on North Korea and on Eritrea focused on the severe religious freedom abuses in those nations.

For a number of years, the UN Human Rights Council and General Assembly were the centers of a problematic effort by the Organization of Islamic Cooperation (OIC) and some of its members to seek an international legal norm restricting speech that defamed religions, particularly Islam. In a welcome change, the OIC no longer is sponsoring the flawed and divisive defamation-of-religions resolutions. They were replaced in 2011 by a new, consensus approach (often referred to as the Resolution 16/18 approach, after the first such resolution) that focuses on positive measures to counter religious intolerance and protect individuals from discrimination or violence, rather than on criminalizing expression.

Nevertheless, USCIRF remains concerned that some OIC members continue to support a global anti-blasphemy law. Many OIC member states continue to have and enforce repressive domestic blasphemy and religious defamation laws. These laws result in gross human rights abuses and exacerbate

UN and OSCE mechanisms can be used to advance religious freedom or call attention to violations, on which USCIRF has engaged over the years.

provide other opportunities to highlight religious freedom concerns.

The Human Rights Council's system of independent experts, or Special Procedures, is another important mechanism, particularly the Special Rapporteur who

religious intolerance, discrimination, and violence, the very problems that the OIC claims it is trying to address. In addition, some OIC countries continue to refer publicly to the defamation-of-religions concept

and call for international laws against it, including in the context of the “Istanbul Process,” a series of international meetings launched in 2011 to discuss the implementation of the Resolution 16/18 approach. The Arab League also has been considering a regional model law against the defamation of religions.

With respect to these issues, USCIRF recommends that the State Department:

- Continue to use the UN Human Rights Council’s Universal Periodic Review process, as well as country-specific resolutions in both the Human Rights Council and the UN General Assembly, to shine a light on religious freedom violations in specific countries, especially those designated as CPCs under IRFA;
- Continue its vigorous support of the mandate and work of the UN Special Rapporteur on Freedom of Religion or Belief, including by working to secure sufficient assistance to support the Rapporteur in carrying out this volunteer position;
- Work for the creation of additional country-specific Special Rapporteur positions, especially for CPC countries;
- Remain vigilant against any renewed efforts at the UN to seek legal limitations on offensive or controversial speech about religion that does not constitute incitement to violence, and continue to press countries to adhere to the Resolution 16/18 approach, including by repealing blasphemy laws.

OSCE

The Organization for Security and Cooperation in Europe (OSCE), comprised of 57 participating States from Europe, the former Soviet Union, Mongolia, the United States, and Canada, continues to be an important forum for holding those states to extensive international standards on freedom of religion or belief and to combat hate crimes, discrimination, xenophobia, intolerance, and anti-Semitism. In recent years, however, some OSCE-participating States, led by Russia, have sought to curtail the OSCE’s human rights activities in favor of a security focus and have tried to limit the participation of NGOs, particularly in the annual Human Dimension (HDim) meeting in Warsaw, Europe’s largest

human rights conference.

In 2012, the OSCE’s Office of Democratic Institutions and Human Rights (ODIHR) re-launched its Advisory Panel of Experts on Freedom of Religion or Belief. The Panel reviews proposed or enacted legislation against international and OSCE commitments, and provides expert opinions and guidelines. The Panel previously was composed of 60 persons nominated by OSCE countries, including a 15-member Advisory Council appointed by the ODIHR Director. The restructuring resulted in a much smaller panel with 12 members. In 2014, ODIHR issued guidelines, on which the Panel advised, about OSCE norms on recognizing religious or belief communities. As part of its continuing cooperation with other international organizations, the ODIHR Director and the UN High Commissioner for Human Rights signed a joint declaration in June 2014 to increase their combined work to promote and protect human rights, democracy, the rule of law, tolerance, non-discrimination, and gender equality.

In early 2015, ODIHR hired a new advisor on freedom of religion or belief for its staff, filling a position vacant for some years. The advisor will be placed in the Human Rights Section, instead of the Tolerance Unit. USCIRF had recommended this move, as religious freedom is not merely an issue of tolerance but also encompasses a full range of human rights concerns, such as the freedoms of assembly, association, and expression.

Since their inception in 1992, OSCE Field Operations have become a key feature of the organization, including in the human rights sphere. Each has its own mandate drawn up with the host government, but more recent mandates provide decreased scope for human rights activities. At present, there are six field offices in South East Europe, two in Eastern Europe, three in the South Caucasus and five in Central Asia. The OSCE office in Tajikistan worked with the host country government and civil society to build local human rights capacity. In May 2014, the OSCE office in Turkmenistan held a training session for government officials by British specialists on international religious freedom standards. Freedom of religion or belief was also the focus of training courses for lawyers, human rights defenders, and journalists in Armenia in April and May of 2014. Despite Azerbaijan’s sharply deteriorating record on freedom of religion or belief, the

OSCE office in Baku cooperated with the Azerbaijani government to co-sponsor a 2014 religious tolerance conference. The head of the OSCE Baku office also has made public statements supporting the government of Azerbaijan's positions on religious tolerance and religious freedom. ODIHR should make greater efforts to ensure consistency on issues of religious freedom and related human rights, including by providing training for staff.

The OSCE recently has also become more involved in efforts to counter violent extremism and terrorism in the name of religion. For example, in 2008, the ODIHR issued a manual to familiarize states' senior policy makers with basic international human rights standards to which they must adhere in efforts to combat terrorism and extremism. In 2014, the OSCE held regional anti-terrorism training meetings in Tajikistan and Kazakhstan, while in November 2014 ODIHR organized a training session for police in combating terrorism. In March

Working with Like-Minded Nations

There are increasing opportunities for the U.S. government to work in concert with like-minded nations around freedom of religion or belief. The United States is no longer the only player in this field. The United Kingdom's foreign ministry and parliament have increased their focus, the European Union issued guidelines for its diplomats in the field on promoting freedom of religion or belief, and the European Parliament established a working group on the subject. Canada also created an ambassadorial position on religious freedom. The Austrians, Dutch, Italians, Norwegians, and Germans also have focused specifically on religious freedom over the past five years. Recently, USCIRF has taken the lead in fostering increased collaboration between the United States, Canada, and a number of European countries in promoting freedom of religion or belief. This effort is now expanding to other parts of the world.

There are increasing opportunities for the U.S. government to work in concert with like-minded nations around freedom of religion or belief.

2015, ODIHR held a "train-the-trainer" session on respecting human rights in combating violent extremism, as well as an experts' meeting on human rights and responding to foreign fighters.

With respect to these issues, USCIRF recommends that the State Department:

- Urge ODIHR to empower the new Advisory Panel to act independently and issue reports or critiques and conduct activities without undue interference by ODIHR or participating States;
- Request that the new advisor on freedom of religion or belief be adequately resourced to effectively monitor religious freedom abuses across the OSCE area and to provide training for staff of OSCE field offices; and
- Encourage OSCE missions to fully integrate religious freedom and related human rights into counter-terrorism training and other relevant programs.

In early 2014, USCIRF Commissioners and staff met with members of the British All Parties Parliamentary Group on Freedom of Religion or Belief in London and cosponsored with the European Parliament Working Group on Freedom of Religion or Belief (EPWG) an unprecedented joint event in the European Parliament. In Brussels, the event USCIRF cosponsored with the EPWG filled the room to its maximum capacity of 200 people. In November 2014, USCIRF, working alongside a group of parliamentarians from Brazil, Canada, Norway, Turkey, and the United Kingdom, helped launch a new parliamentary network, the Inter-Parliamentary Platform for Freedom of Religion or Belief, at the Nobel Peace Center in Oslo, Norway. Over 30 MPs signed the Charter for Freedom of Religion or Belief, pledging to advance religious freedom for all. A direct outcome of the meeting was the creation of a caucus in the Brazilian Congress to promote international religious freedom. In addition, the parliamentary group has sent

letters to the Prime Minister of Pakistan, the President of Burma, and the North Korean ambassador to the United Nations relating to religious freedom issues in those countries.

Paired with any parliamentary effort should be coordinated inter-governmental activities. Officials from the United States, Canada, the United Kingdom, and the EU External Action Service have recognized this need. Efforts are beginning to coordinate joint demarches on countries of common concern, as well as to share information about how governments fund religious freedom work in the field. While coordinating government action may pose challenges, the power of many voices is sure to have greater impact.

With respect to these issues, USCIRF recommends that the State Department:

- Continue to work with other governments and parliaments interested in promoting international religious freedom to share information and coordinate activities.

The Role of Congress

Congress has an important role to play to ensure that religious freedom remains a priority to the U.S. government. Hearings are a particularly useful tool, as they signal Congressional interest in international religious freedom. For example, subcommittees of the House of Representatives Committee on Foreign Affairs have held hearings focusing on holding accountable countries of particular concern, the issuance of the

protecting religious freedom abroad. The Tom Lantos Human Rights Commission has held several hearings on religious freedom, including religious minorities in India, religious and indigenous communities in Vietnam, prisoners of conscience, and religious minorities in Iran. Holding annual Congressional oversight hearings on IRFA implementation in both the House and Senate would reinforce Congressional interest in the issue.

As religious freedom problems are interwoven into some of the most difficult foreign policy challenges facing the United States, both houses of Congress should ensure that religious freedom issues are included in specific country hearings and ambassadorial confirmation hearings. In addition, Members of Congress should continue to use appropriations bills and supporting report language to express congressional concerns to both our own government and other governments. While creating the new Senate Human Rights Caucus is an important step, creating a Senate caucus on international religious freedom, similar to the existing House caucus, would also serve an important function.

Another example of congressional action is the Defending Freedoms Project, an initiative of the Tom Lantos Human Rights Commission, in conjunction with USCIRF and Amnesty International USA. Through the project, Members of Congress advocate on behalf of prisoners abroad, work toward their release, and shine a spotlight on the laws and policies that have led to their incarceration. The goal of this

Congress has an important role to play to ensure that religious freedom remains a priority to the U.S. government.

State Department's IRF Report and USCIRF's Annual Report, as well as country-specific religious freedom issues. The National Security Subcommittee of the House Oversight and Government Reform Committee for two years in a row has held a hearing on protecting international religious freedom. The Senate Appropriations Subcommittee on State, Foreign Operations and Related Programs held a hearing in March 2015 on

project is to help set free these prisoners and increase attention to and support for human rights and religious freedom.

With respect to these issues, USCIRF recommends that:

- Both the House and Senate hold annual oversight hearings on IRFA implementation, as well as hearings on religious freedom-specific issues, and ensure that

religious freedom is raised in country-specific hearings and ambassadorial confirmation hearings; and

- During delegation trips abroad, Members of Congress examine conditions of religious freedom for all faiths/beliefs, and meet with individuals and organizations that promote religious freedom and related human rights, targeted religious communities, and people detained for their religious beliefs or religious freedom advocacy.

Dissenting Statement of Vice Chair James J. Zogby:

I voted against some of the recommendations in this chapter because I cannot support USCIRF calling on Congress to micro-manage the way the State Department and the White House National Security Council organize their staff and set their priorities.

We are united in our commitment to advance religious freedom but recommending that important offices of the Executive Branch play musical chairs with the positions they currently have in place or that they add more chairs to the game both exceeds our mandate and has the potential of making an admittedly cumbersome and sometime confusing bureaucracy even more cumbersome and confusing.

We can advocate that attention be paid to advancing religious freedom, but it is up to the President and the Secretary of State - not USCIRF - to decide how the Executive Branch should configure their offices and expend their resources in furthering that goal.

Additional Statement of Chair Katrina Lantos Swett, with whom Vice Chair Robert P. George and Commissioners Mary Ann Glendon, M. Zuhdi Jasser, and Daniel I. Mark join:

As I conclude my second term as USCIRF Chair and enter my final year as a Commissioner, I want to thank USCIRF's dedicated team for their diligence, hard work, and professionalism. The Annual Report is a task of herculean proportions, with USCIRF analysts gathering facts and data from numerous sources around the world, vetting the data, and drafting the chapters and recommendations. Based on those drafts and working with staff, Commissioners are able to produce what I

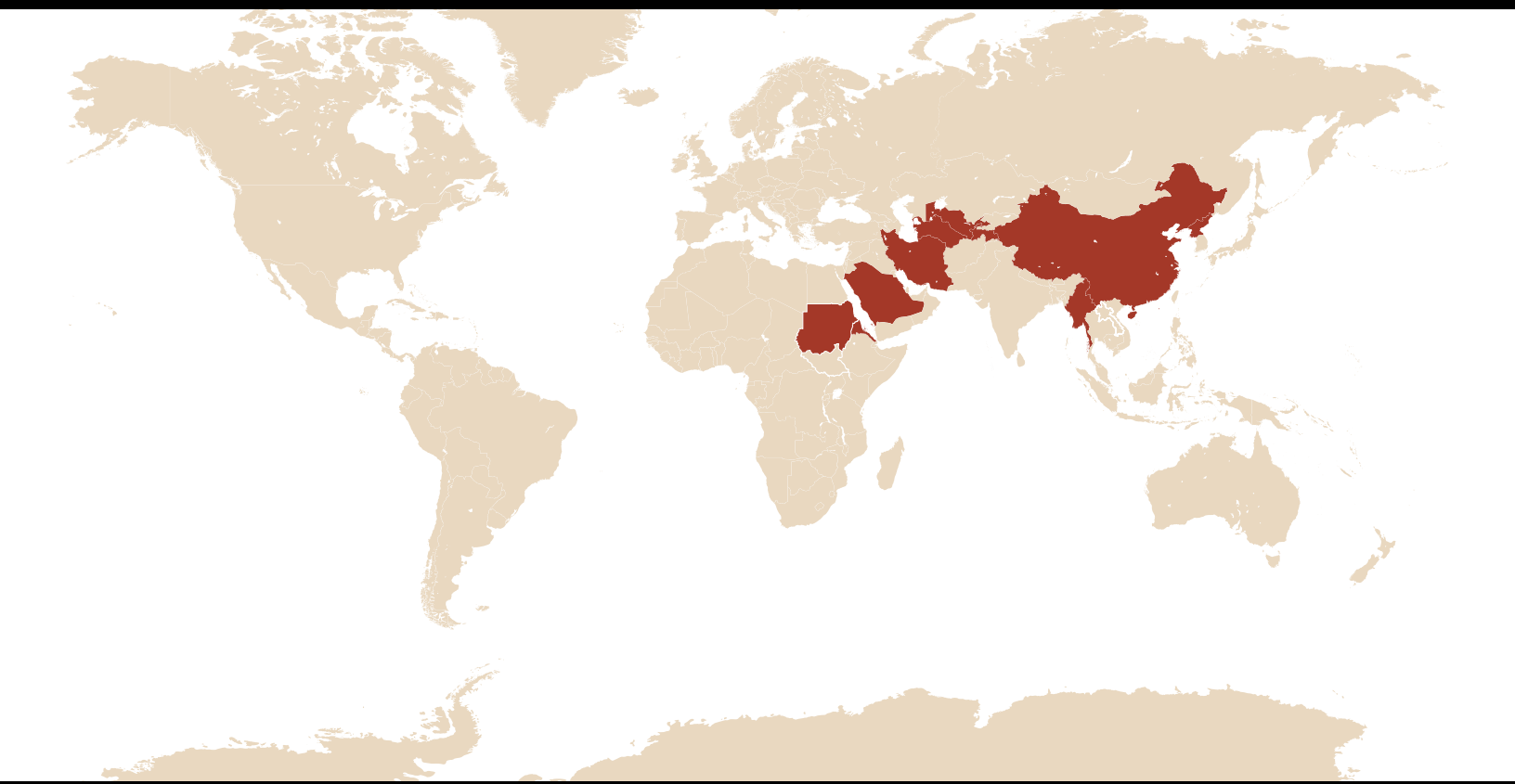
have consistently referred to as the "gold standard" of U.S. government reports on religious freedom. As the Government Accountability Office found when surveying non-governmental organizations, our report is highly valued and sought after because of its impartiality, factual nature, and inventive and creative ideas for how the U.S. government could better position itself in the 21st century to advance religious freedom.

In addition, I have had the opportunity to travel with Commissioners and USCIRF analysts to Bahrain, Egypt, Nigeria, Pakistan, Saudi Arabia, and elsewhere. I have been repeatedly impressed by USCIRF staff with their knowledge of the issues relating to international religious freedom, their contacts with U.S. government officials and NGOs, their nonpartisan approach to the issue, and their dedication to help ensure that the United States more effectively advances this fundamental freedom for all persons everywhere. Our government is well served by this team of dedicated public servants including USCIRF's able Executive Director, Ambassador Jackie Wolcott.

Additional Statement of Commissioners Eric P. Schwartz and Hannah Rosenthal and Vice Chair James J. Zogby:

Our chapter on implementation of the International Religious Freedom Act (IRFA) addresses many aspects of the legislation, but it does not address in great detail the operations or overall effectiveness of the U.S. Commission on International Religious Freedom itself, which, of course, was created by the IRFA legislation. We believe that the Commission has played an important role in keeping issues of religious freedom on the policy agenda, and in keeping faith with victims of abuses around the world. But we also believe there are ways that the Commission can be more effective in its work. We hope the upcoming reauthorization discussion will provide an opportunity to explore several important issues in our efforts to protect religious freedom, such as whether we are most effectively critiquing, engaging and, where appropriate, complementing the work of the Department of State and the Administration, whether we can enhance Commissioner-Commission staff relations and safeguard staff professionalism, independence and impartiality over time, how we should address new challenges posed by non-state actors, and how we might

better engage issues of religious reconciliation even as we continue to focus on issues of basic rights. We look forward to considering these and other issues in the months to come.



TIER 1

2015 COUNTRY REPORTS: CPCS DESIGNATED BY THE STATE DEPARTMENT AND RECOMMENDED BY USCIRF

- BURMA
- CHINA
- ERITREA
- IRAN
- NORTH KOREA
- SAUDI ARABIA
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IRAN

Key Findings

Poor religious freedom conditions continued to deteriorate in 2014, particularly for religious minorities, especially Baha'is, Christian converts, and Sunni Muslims. Sufi Muslims and dissenting Shi'a Muslims also faced harassment, arrests, and imprisonment. Since President Hassan Rouhani assumed office in August 2013, the number of individuals from religious minority communities who are in prison because of their beliefs has increased. The government of Iran continues to engage in systematic, ongoing, and egregious violations of religious freedom, including prolonged detention, torture, and executions based primarily or entirely upon the religion of the accused. While Iran's clerical establishment continued to express anti-Semitic sentiments, the level of anti-Semitic rhetoric from government officials has diminished over the past year. Since 1999, the State Department has designated Iran as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA), most recently in July 2014. USCIRF again recommends in 2015 that Iran be designated a CPC.

Background

The Islamic Republic of Iran is a constitutional, theocratic republic that proclaims the Twelver (Shi'a) Jaafari School of Islam to be the official religion of the country. The constitution recognizes Christians, Jews, and Zoroastrians as protected religious minorities, and five seats in the parliament are reserved for these groups (two for Armenian Christians, one for Assyrian Christians, and one each for Jews and Zoroastrians). Nevertheless, the government of Iran discriminates against its citizens on the basis of religion or belief, as all laws and regulations are based on unique Shi'a Islamic criteria. Since the 1979 revolution, many members of minority religious communities have fled in fear of persecution. Killings, arrests, and physical abuse of detainees have increased

in recent years, including for religious minorities and Muslims who dissent or express views perceived as threatening the government's legitimacy. The government continues to use its religious laws to silence reformers, including human rights defenders and journalists, for exercising their internationally-protected rights to freedom of expression and religion or belief.

Since his June 2013 election, President Hassan Rouhani has not delivered on his campaign promises to strengthen civil liberties for religious minorities. Physical attacks, harassment, detention, arrests, and imprisonment continued. Even some of the constitutionally-recognized non-Muslim minorities – Jews, Armenian

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and Assyrian Christians, and Zoroastrians – face harassment, intimidation, discrimination, arrests, and imprisonment. Some majority Shi'a and minority Sunni Muslims, including clerics who dissent, were intimidated, harassed, and detained. Dissidents and human rights defenders were increasingly subject to abuse and several were sentenced to death and even executed for the capital crime of "enmity against God."

Religious Freedom Conditions 2014–2015 Muslims

Over the past few years, the Iranian government has imposed harsh prison sentences on prominent reformers from the Shi'a majority community. Authorities

charged many of these reformers with “insulting Islam,” criticizing the Islamic Republic, and publishing materials that allegedly deviate from Islamic standards. Dissident Shi’a cleric Ayatollah Mohammad Kazemini Boroujerdi continued to serve an 11-year prison sentence, and the government has banned him from practicing his clerical duties and confiscated his home and belongings. He has suffered physical and mental abuse while in prison. According to an October 2014 UN report on human rights in Iran, some 150 Sunni Muslims are in prison on charges related to their beliefs and religious activities. More than 30 are on death row after having been convicted of “enmity against God” in unfair judicial proceedings. Leaders from the Sunni community have been unable to build a mosque in Tehran and have

severe religious freedom violations. The government views Baha’is, who number at least 300,000, as “heretics” and consequently they face repression on the grounds of apostasy. Since 1979, authorities have killed or executed more than 200 Baha’i leaders, and more than 10,000 have been dismissed from government and university jobs. Although the Iranian government maintains publicly that Baha’is are free to attend university, the de facto policy of preventing Baha’is from obtaining higher education remains in effect. Approximately 750 Baha’is have been arbitrarily arrested since 2005.

As of February 2015, there are more than 100 Baha’is being held in prison solely because of their religious beliefs. These include seven Baha’i leaders – Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naemi,

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reported widespread abuses and restrictions on their religious practice, including detentions and harassment of clerics and bans on Sunni teachings in public schools. Iranian authorities have destroyed Sunni religious literature and mosques in eastern Iran.

Iran’s government also continued to harass and arrest members of the Sufi Muslim community, including prominent leaders from the Nematollahi Gonabadi Order, while increasing restrictions on places of worship and destroying Sufi prayer centers and hussainiyas (meeting halls). Over the past year, authorities have detained hundreds of Sufis, sentencing many to imprisonment, fines, and floggings. In May 2014, approximately 35 Sufis were convicted on trumped-up charges related to their religious activities and given sentences ranging from three months to four years in prison. Another 10 Sufi activists were either serving prison terms or had cases pending against them. Iranian state television regularly airs programs demonizing Sufism.

Baha’is

The Baha’i community, the largest non-Muslim religious minority in Iran, long has been subject to particularly

Saeid Rezaie, Mahvash Sabet, Behrouz Tavakkoli, and Vahid Tizfahm – as well as Baha’i educators and administrators affiliated with the Baha’i Institute for Higher Education. Over the past year, dozens of Baha’is were arrested throughout the country, including in Tehran, Isfahan, Mashhad, and Shiraz. Violent incidents targeting Baha’is and their property continued. In February 2014, three Baha’is were stabbed and nearly killed in a religious hate crime. No one has been charged. In April 2014, Iranian authorities began destroying a historic Baha’i cemetery in Shiraz. In October 2014, nearly 80 Baha’i-owned shops in Kerman Province were forcibly closed. In 2014, pro-government print and online media outlets published nearly 4,000 anti-Baha’i articles, a significant increase from recent years. The government’s draft Citizens’ Rights Charter, released in November 2013, includes protections for the recognized minorities but excludes Baha’is from any legal protections.

Christians

Over the past year, there were numerous incidents of Iranian authorities raiding church services, threatening church members, and arresting and imprisoning

worshippers and church leaders, particularly Evangelical Christian converts. Since 2010, authorities arbitrarily arrested and detained more than 500 Christians throughout the country. As of February 2015, approximately 90 Christians were either in prison, detained, or awaiting trial because of their religious beliefs and activities.

During the reporting period, human rights groups inside Iran reported a significant increase in the number of physical assaults and beatings of Christians in prison. Some activists believe the assaults, which have been directed against converts who are leaders of underground house churches, are meant to intimidate others who may wish to convert to Christianity. In December 2014, authorities raided a number of private Christmas services and arrested more than a dozen church members in Tehran. In October 2014, three Christian converts – Silas Rabbani, Abdolreza Haghnejad, and Behnam Irani – were sentenced to six years in prison in remote parts of the country for bogus charges of “action against national security” and “creating a network to overthrow the system.” In December, the sentences were dropped against the three and Rabbani and Haghnejad were released. Irani continues to serve a separate six year sentence. Christian convert Farshid Fathi, who was arrested in 2010 and sentenced in 2012 to six years in prison for his religious activities, was beaten by security officials and injured during a April 2014 raid at Evin Prison. In August, he was transferred to Rajai Shahr Prison outside Tehran and in December he was given an additional one-year prison sentence in connection with the April prison raid.

Iranian-born American pastor Saeed Abedini continues to serve an eight-year prison term after being convicted in 2013 for “threatening the national security of Iran” for his activity in the Christian house church movement. While in Evin Prison since September 2012, Pastor Abedini spent several weeks in solitary confinement and was physically and psychologically abused. In November 2013, he was transferred to the Rajai Shahr Prison, which is known for its harsh and unsanitary conditions. In March 2014, prison authorities beat Pastor Abedini after which he was hospitalized for nearly two months to receive treatment for the injuries sustained from the beatings. In May 2014, Pastor Abedini was beaten a second time when he was released from the hospital and returned to prison.

Jews and Zoroastrians

Although not as pronounced as in previous years, the government continued to propagate anti-Semitism and target members of the Jewish community on the basis of real or perceived “ties to Israel.” In 2014, high-level clerics continued to make anti-Semitic remarks in mosques, and the government reinstated a Holocaust denial conference, which had been cancelled in 2013. Numerous programs broadcast on state-run television advance anti-Semitic messages. Official government discrimination against Jews continues to be pervasive, fostering a threatening atmosphere for the approximately 20,000 member Jewish community. In a positive development, as of February 2015, the government no longer requires Jewish students to attend classes on the Sabbath. In recent years, members of the Zoroastrian community – numbering between 30,000 and 35,000 people – have come under increasing repression and discrimination. At least four Zoroastrians convicted in 2011 for propaganda of their faith, blasphemy, and other trumped-up charges remain in prison.

Human Rights Defenders and Journalists

Iranian authorities regularly detain and harass journalists, bloggers, and human rights defenders who say or write anything critical of the Islamic revolution or the

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U.S. Policy

The U.S. government has not had formal diplomatic relations with the government of Iran since 1980, although the United States has participated in negotiations with Iran over the country's nuclear program as part of the group of countries known as the P5+1 (China, France,

Russia, United Kingdom, United States and Germany). U.S. law prohibits nearly all trade with Iran. The United States has imposed sanctions on Iran because of its sponsorship of terrorism, refusal to comply with International Atomic Energy Agency regulations regarding its nuclear program, and for severe human rights and religious freedom violations. According to the State Department, these sanctions are intended to target the Iranian government, not the people of Iran.

On July 1, 2010, President Barack Obama signed into law CISADA, the Comprehensive Iran Sanctions, Accountability, and Divestment Act (P.L. 111-195), which highlights Iran's serious human rights violations, including suppression of religious freedom. CISADA requires the President to submit to Congress a list of Iranian government officials or persons acting on their behalf responsible for human rights and religious freedom abuses, bars their entry into the United States, and freezes their assets. In August 2012, the President signed into law the Iran Threat Reduction and Syria Human Rights Act of 2012 (H.R. 1905 / P.L. 112-239), which enhances the scope of human rights-related sanctions contained in CISADA. Issuing its first sanction for human rights abuses since President Rouhani's election in June 2013, the U.S. Treasury Department on May 23, 2014 announced sanctions against the former governor of Tehran and current head of the Tehran Provincial Public Security Council, Morteza Tamaddon, for being involved in censorship and other activities limiting the freedoms of expression and assembly. During his tenure as governor, Tamaddon orchestrated in 2011 a series of coordinated arrests and abuses against Christian converts.

During the past year, U.S. policy on human rights and religious freedom in Iran included a combination of public statements, multilateral activity, and the imposition of unilateral sanctions on Iranian government officials and entities for human rights violations. During the reporting period, high-level U.S. officials in multilateral fora and through public statements urged the Iranian government to respect its citizens' human rights, including the right to religious freedom. In December 2014, for the 12th year in a row, the U.S. government co-sponsored and supported a successful UN General Assembly resolution on human rights in Iran, which passed 78 to 35, with 69 abstentions. The resolution condemned the

Iranian government's poor human rights record, including its religious freedom violations and continued abuses targeting religious minorities.

During the year, President Obama and Secretary of State John Kerry used public occasions to call for the release of Iranian-American pastor Saeed Abedini. In early February 2015, the President called for Mr. Abedini's release at the National Prayer Breakfast. In January, President Obama met with Naghmeh Abedini, Mr. Abedini's wife, and stated that securing her husband's release was a "top priority."

On July 28, 2014, the Secretary of State re-designated Iran as a country of particular concern. The Secretary designated the following Presidential Action for Iran: "the existing ongoing travel restrictions based on serious human rights abuses under section 221(a)(1)(C) of the Iran Threat Reduction and Syria Human Rights Act of 2012, pursuant to section 402(c)(5) of the Act." The previous designation made in 2011 cited a provision under CISADA as the Presidential Action. The Iran Threat Reduction and Syria Human Rights Act does not contain a specific provision citing religious freedom violations as CISADA does.

Recommendations

In addition to recommending that the U.S. government should continue to designate Iran as a CPC, USCIRF recommends that the U.S. government should:

- Ensure that violations of freedom of religion or belief and related human rights are part of multilateral or bilateral discussions with the Iranian government whenever possible, and continue to work closely with European and other allies to apply pressure through a combination of advocacy, diplomacy, and targeted sanctions;
- Continue to speak out publicly and frequently at the highest levels about the severe religious freedom abuses in Iran, press for and work to secure the release of all prisoners of conscience, and highlight the need for the international community to hold authorities accountable in specific cases;
- Continue to 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 of 2010 (CISADA);

- Call on Iran to cooperate fully with the UN Special Rapporteur on the Human Rights Situation in Iran, including allowing the Special Rapporteur – as well as the UN Special Rapporteur on Freedom of Religion or Belief – to visit, and continue to support an annual UN General Assembly resolution condemning severe violations of human rights, including freedom of religion or belief, in Iran and calling for officials responsible for such violations to be held accountable; and
- Use appropriated funds to advance Internet freedom and protect Iranian activists by supporting the development and accessibility of new technologies and programs to counter censorship and to facilitate the free flow of information in and out of Iran.

The U.S. Congress should:

- Reauthorize the Lautenberg Amendment, which aids persecuted Iranian religious minorities and other specified groups seeking refugee status in the United States, and work to provide the President with permanent authority to designate as refugees specifically-defined groups based on shared characteristics identifying them as targets for persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

SAUDI ARABIA

Key Findings

Despite the fact that Saudi Arabia remains unique in the extent to which it restricts the public expression of any religion other than Islam, there were some improvements in religious freedom, including further progress on revisions to public school religious textbooks. The government privileges its own interpretation of Sunni Islam over all other interpretations and prohibits any non-Muslim public places of worship in the country. It continues to prosecute and imprison individuals for dissent, apostasy, blasphemy, and sorcery, and a new 2014 law classifies blasphemy and advocating atheism as terrorism. In addition, authorities continue to repress and discriminate against dissident clerics and members of the Shi'a community. Based on these

lims. In recent years, the Saudi government has made improvements in policies and practices related to freedom of religion or belief; however, it persists in restricting most forms of public religious expression inconsistent with its particular interpretation of Sunni Islam. Saudi officials base this on their interpretation of *hadith* and state that this is what is expected of them as the country that hosts the two holiest mosques in Islam, in Mecca and Medina. This policy violates the rights of other Sunni Muslims who follow varying schools of thought, Shi'a and Ismaili Muslims, and both Muslim and non-Muslim expatriate workers.

While the government has taken some steps to address its legitimate concerns of combatting religious extremism and countering advocacy of violence in

The [Saudi] government privileges its own interpretation of Sunni Islam over all other interpretations and prohibits any non-Muslim public places of worship in the country.

severe violations of religious freedom, USCIRF again recommends in 2015 that Saudi Arabia be designated as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA). Although the State Department has designated Saudi Arabia a CPC repeatedly since 2004, most recently in July 2014, an indefinite waiver has been in place since 2006 on taking an otherwise legislatively mandated action as a result of the CPC designation.

Background

Saudi Arabia is officially an Islamic state with approximately eight to 10 million expatriate workers of various faiths, including at least one to two million non-Mus-

sermons and educational materials, other government actions continue to restrict peaceful religious activities and expression by suppressing the religious views and practices of Saudi and non-Saudi Muslims who do not conform to official positions. Furthermore, the government has not codified the protection of private religious practice for non-Muslim expatriate workers in the country, which fosters a sense of insecurity.

On January 23, 2015, King Abdullah passed away. He was succeeded immediately by his half-brother, Crown Prince Salman bin Abdulaziz al-Saud. In various remarks, King Salman stated that he would continue many of his predecessor's policies, advance a Saudi foreign policy committed to the teachings

of Islam, and maintain the country's Shari'ah legal system. He also announced a significant reshuffling of several cabinet-level positions, including appointing new Ministers of Justice, Education, and Islamic Affairs, and a new head of the Commission for the Promotion of Virtue and Prevention of Vice (CPVPV), among others.

Religious Freedom Conditions 2014–2015

Recent Improvements

USCIRF has noted some improvements in recent years that include: curtailing the powers of the CPVPV; promoting a “culture of dialogue” and understanding between Muslim religious communities inside the Kingdom and advancing inter-religious dialogue in international fora; improving conditions for public religious expression by Shi'a Muslims in the Eastern Province; continuing efforts to counter extremist ideology inside the Kingdom; and making further revisions to remove intolerant passages from textbooks and curriculum.

Restrictions on Shi'a Muslims and Dissidents

Sporadic arrests and detentions of Shi'a Muslim dissidents continued. For many years, particularly since 2011, the government has detained and imprisoned Shi'a Muslims for participating in demonstrations or calling for reform; holding small religious gatherings in private homes; organizing religious events or celebrating religious holidays; and reading religious materials in private homes or *huseiniyas* (prayer halls). Saudi officials often cite security concerns to justify cracking down on religious minorities and Muslim dissidents. The Shi'a community also faces discrimination in education, employment, the military, political representation, and the judiciary.

During the past year, several Shi'a clerics received lengthy prison terms or death sentences. For example, in October 2014, Nimr al-Nimr, a prominent Shi'a cleric who has criticized the government, was sentenced to death by a Specialized Criminal Court. The Specialized Criminal Court is a non-shari'ah court that tries terrorist-related crimes, although human rights activists also have been tried in these courts. Al-Nimr's brother and legal advocate, Mohamed, reportedly was arrested after announcing the verdict on Twitter. Nimr Al-Nimr had been arrested in July 2012 and was convicted on a range

of unfounded charges, including “inciting sectarian strife,” disobeying the government, and supporting rioting. According to reports, days after al-Nimr's sentencing, a Saudi court sentenced two individuals to death for participating in Shi'a protests, saying it imposed the penalty “as a deterrent to others.” A third person was jailed for 12 years. In August 2014, Tawfiq al-Amr, a Shi'a cleric from the al-Ahsa governorate, was sentenced to eight years in prison, followed by a 10-year travel ban, and barred from delivering sermons. According to human rights groups, a Specialized Criminal Court convicted him on charges of defaming Saudi Arabia's ruling system, ridiculing its religious leaders, inciting sectarianism, calling for change, and “disobeying the ruler.” Al-Amr was arrested in 2011 following a series of public speeches calling for reforms in the Kingdom.

Dissident Sunni Muslims also encountered repression. For example, in November 2014, Mikhlif al-Shammari, a Sunni Muslim writer and activist, was convicted by a criminal court and sentenced to two years in prison and 200 lashes for, in part, visiting prominent Shi'a leaders in the Eastern Province and promoting reconciliation between Sunni and Shi'a Muslims. The Specialized Criminal Court previously convicted him in 2013 in a separate trial on charges of “sowing discord” and criticizing Saudi officials, for which he received a five-year prison sentence and a 10-year travel ban.

Violence against Shi'a Muslims

During the past year, Shi'a worshippers were targeted by violent extremists. In November, during Ashura celebrations in the Eastern Province of al-Ahsa, masked gunmen shot and killed at least seven Shi'a worshippers and wounded more than a dozen. After a violent gun battle that resulted in the death of two police officers and two gunmen, authorities arrested more than 15 suspected perpetrators, including several others already in jail on terrorism charges. Authorities linked the incident to the armed group ISIL (the Islamic State of Iraq and the Levant). At the end of the reporting period, an investigation was ongoing. In addition, Minister of Interior Mohammed bin Naif traveled to the site of the attack and visited family members of the victims; he also announced that the government would provide compensation to the families of those who were killed. At the funeral for the victims, tens of thousands of

Sunni and Shi'a Muslims demonstrated in solidarity against sectarianism.

Apostasy, Blasphemy, and Sorcery Charges

The Saudi government continues to use criminal charges of apostasy and blasphemy to suppress discussion and debate and silence dissidents. Promoters of political and human rights reforms, and those seeking to debate the role of religion in relation to the state, its laws, and society, typically have been the targets of such charges.

In February 2015, after the end of the reporting period, a General Court reportedly sentenced to death a Saudi man for apostasy. According to multiple reports, the unidentified man allegedly posted a video of himself on a social networking site tearing pages from a Quran while making disparaging remarks. The court used this video as evidence to convict him and justify the death sentence.

In May 2014, a Saudi appeals court sentenced blogger Raif Badawi to 10 years in prison and 1,000 lashes, and fined him \$1 million SR (\$266,000 USD) for, among other charges, insulting Islam and religious authorities. The sentence called for Badawi – the founder and editor of a Web site that served as an online forum for diverse views to be expressed freely – to be lashed 50 times a week for 20 consecutive weeks. On January 9, 2015, Badawi received his first set of 50 lashes. Immediately after the flogging was carried out, several governments, including the United States, and numerous international human rights groups and individuals condemned the implementation of the sentence. Badawi has not received additional floggings, due in part to the international outrage and in part to a medical doctor's finding that he could not physically endure more lashings. At

Saudi Supreme Court in January 2015. Badawi's lawyer, Waleed Abu al-Khair, was sentenced in July 2014 by a Specialized Criminal Court to 15 years in jail on various trumped-up charges related to his work as a human rights defender.

In June 2014, two Saudi men, Sultan Hamid Marzooq al-Enezi and Saud Falih Awad al-Enezi, were released from prison after being arrested under the pretext of drug charges and spending more than two years in prison without charges. Although formal charges were not filed, reports suggested the two men were held for committing the capital crime of apostasy for converting to the Ahmadi interpretation of Islam.

Individuals arrested for sorcery – a crime punishable by death – continued to be prosecuted during the reporting period. In June 2014, the Saudi Ministry of Justice announced that prosecutors had filed 191 cases of alleged sorcery between November 2013 and May 2014. In August, authorities reportedly beheaded a Saudi man, Mohammed bin Bakr al-Alawi, in the al-Jawf Province for allegedly practicing sorcery. His death sentence had been upheld by an appeals court and the Supreme Judiciary Council. In February 2014, King Abdullah pardoned a female Indonesian domestic worker, Ati Bt Abeh Inan, who had been on death row for more than 10 years following a 2003 sorcery conviction.

New Law Classifies Blasphemy, Advocating Atheism as Acts of Terrorism

Saudi Arabia's new terrorism law, the Penal Law for Crimes of Terrorism and its Financing, and a series of subsequent royal decrees create a legal framework that criminalizes as terrorism virtually all forms of peaceful dissent and free expression, including criticizing the gov-

Saudi Arabia's new terrorism law . . . criminalizes as terrorism virtually all forms of peaceful dissent and free expression, including criticizing the government's interpretation of Islam or advocating atheism.

the end of the reporting period, Badawi continued to languish in prison, where he has been held since June 2012. Badawi's case reportedly was referred to the

government's interpretation of Islam or advocating atheism. Under the new law, which went into effect in February 2014, a conviction could result in a prison term ranging

from three to 20 years. The Interior Ministry's March 2014 regulations state that, under the new law, terrorism includes "[c]alling for atheist thought in any form, or calling into question the fundamentals of the Islamic religion on which this country is based." While Saudi Shari'ah courts already permit judges to criminalize various forms of peaceful dissent, the new law provides an additional mechanism to classify as terrorism actions considered blasphemous or to be advocating for atheism.

Abuses by the CPVPV

The Commission for the Promotion of Virtue and Prevention of Vice (CPVPV), which reports to the King and is not subject to judicial review, officially enforces public morality and restricts public religious manifestations and practice by both Saudis and non-Saudis. In recent years, the public presence of the CPVPV has diminished. Nevertheless, in 2014, members of the CPVPV periodically overstepped their authority in parts of the

USCIRF found that there were improvements concerning the removal of intolerant content. USCIRF subsequently requested seven additional textbooks, which it hopes to review in the future. USCIRF had not received these books by the end of the reporting period. The Saudi government acknowledged that some of the high school-level textbooks were still in the process of being revised.

In recent years, a Saudi royal decree banned the financing outside Saudi Arabia of religious schools, mosques, hate literature, and other activities that support religious intolerance and violence toward non-Muslims and non-conforming Muslims. Nevertheless, some literature, older versions of textbooks, and other intolerant materials reportedly remain in distribution in some countries around the world despite the Saudi government's policy that it would attempt to retrieve previously-distributed materials that teach hatred toward other religions and, in some cases, promote violence. For example, some of the

USCIRF found that there were improvements concerning the removal of intolerant content [from Saudi textbooks].

country. In 2013, a law was passed limiting the jurisdiction of the CPVPV. Despite the fact that the CPVPV is not allowed to engage in surveillance, detain individuals for more than 24 hours, arrest individuals without police accompaniment, or carry out any kind of punishment, its members have been accused over the past year of beating, whipping, detaining, and otherwise harassing individuals. USCIRF continues to call for the dissolution of the CPVPV.

Improvements in Saudi Textbooks, Yet Continued Dissemination of Intolerant Materials

During the reporting period, USCIRF's longstanding request was largely fulfilled when the Saudi Embassy in Washington, DC provided most textbooks used in public schools in the Kingdom during the 2013-2014 school year. After an analysis of some of the relevant religious textbooks that had been cited previously as containing inflammatory language advocating hatred and violence,

older books justified violence against apostates, sorcerers, and homosexuals, and labeled Jews and Christians "enemies of the believers;" another high school textbook presented the "Protocols of the Elders of Zion" – a notorious forgery designed to promote hostility toward Jews – as an authentic document. Concerns also remain about privately-funded satellite television stations in the Kingdom that continue to espouse sectarian hatred and intolerance.

U.S. Policy

Despite a series of challenges in recent years, U.S.-Saudi relations remain close. For years, the U.S. government's reliance on the Saudi government for cooperation on counterterrorism, regional security, and energy supplies has limited its willingness to press the Saudi government to improve its poor human rights and religious freedom record. Since 2012, the U.S. government has notified Congress of more than \$24 billion in proposed

arms sales to the Kingdom. During the past year, shared concerns over Islamist terrorism, particularly advances by ISIL, and Iranian regional ambitions provided a renewed impetus for increased strategic cooperation. As a result, there are concerns that the United States has been reluctant to jeopardize important bilateral initiatives by pushing publicly for political and human rights reforms, despite opportunities that arose during the year, such as two high-profile visits to the Kingdom by President Obama. However, in January 2015, the State Department issued a public statement urging the Saudi government to cancel the flogging against blogger Raif Badawi and to review his case and sentence.

According to the State Department, U.S. policy seeks to press the Saudi government “to respect religious freedom and honor its public commitment to permit private religious worship by non-Muslims, eliminate discrimination against minorities, promote respect for non-Muslim religious belief, and combat violent extremism.” The U.S. government continues to encourage the Saudi government’s efforts to remove intolerant passages advocating violence in textbooks, and it continues to include Saudi officials in exchange and U.S. visitor programs that promote religious tolerance and interfaith dialogue. In addition, according to the U.S. Ambassador to Saudi Arabia, as of mid-2014, more than 83,000 Saudi students were studying in American colleges and universities, the highest figure to date.

In September 2004, consistent with USCIRF’s recommendation, the State Department designated Saudi Arabia a CPC for the first time. In 2005, a temporary waiver was put in place, in lieu of otherwise legislatively mandated action as a result of the CPC designation, to allow for continued diplomatic discussions between the U.S. and Saudi governments and “to further the purposes of IRFA.” In July 2006, the waiver was left in place indefinitely when the State Department announced that ongoing bilateral discussions with Saudi Arabia had enabled the U.S. government to identify and confirm a number of policies that the Saudi government “is pursuing and will continue to pursue for the purpose of promoting greater freedom for religious practice and increased tolerance for religious groups.” USCIRF has concluded that full implementation by the Saudi government of these policies would diminish signifi-

cantly the government’s institutionalized practices that negatively affect freedom of religion and belief. The measures that Saudi Arabia confirmed as state policies included the following:

- Revise and update textbooks to remove remaining intolerant references that disparage Muslims or non-Muslims or that promote hatred toward other religions or religious groups, a process the Saudi government expected to complete in one to two years [no later than July 2008].
- Prohibit the use of government channels or government funds to publish or promote textbooks, literature, or other materials that advocate intolerance and sanction hatred of religions or religious groups.
- Control distribution of Saudi educational curricula to ensure that unauthorized organizations do not send them abroad.
- Ensure Saudi embassies and consulates abroad review and destroy any material given to them by charities or other entities that promote intolerance or hatred.
- Guarantee and protect the right to private worship for all, including non-Muslims who gather in homes for religious practice.
- Address grievances when the right to private worship is violated.
- Ensure that customs inspectors at borders do not confiscate personal religious materials.
- Ensure that members of the CPVPV do not detain or conduct investigations of suspects, implement punishment, violate the sanctity of private homes, conduct surveillance, or confiscate private religious materials.
- Hold accountable any CPVPV officials who commit abuses.
- Bring the Kingdom’s rules and regulations into compliance with human rights standards.

On July 28, 2014, the State Department re-designated Saudi Arabia a CPC but kept in place a waiver of any action citing the “important national interest of the United States,” pursuant to section 407 of IRFA.

Recommendations

USCIRF urges the U.S. government to address religious freedom issues actively and publicly with the Saudi government and to report openly on the government's success or failure to implement genuine reforms, in order to ensure that the Saudi government's initiatives will result in substantial, demonstrable progress. Specifically, USCIRF recommends that the U.S. government should:

- Continue to designate Saudi Arabia a CPC, no longer issue a waiver, and press the Saudi government to take concrete action towards completing reforms confirmed in July 2006 in U.S.-Saudi bilateral discussions; provide a detailed report on progress and lack of progress on each of the areas of concern;
- At the highest levels, press for and work to secure the release of Raif Badawi, his lawyer Waleed Abu al-Khair, and other prisoners of conscience, and press the Saudi government to end state prosecution of individuals charged with apostasy, blasphemy, and sorcery;
- Undertake and make public an annual assessment of the relevant Ministry of Education religious textbooks to determine if passages that teach religious intolerance have been removed;
- Press the Saudi government to publicly denounce the continued use around the world of older versions of Saudi textbooks and other materials that promote hatred and intolerance, to include the concepts of tolerance and respect for the human rights of all persons in school textbooks, and to make every attempt to retrieve previously distributed materials that contain intolerance;
- Press the Saudi government to continue to address incitement to violence and discrimination against disfavored Muslims and non-Muslims, including by prosecuting government-funded clerics who incite violence against Muslim minority communities or individual members of non-Muslim religious minority communities;
- Press the Saudi government to ensure equal rights and protection under the law for Shi'a Muslim citizens;

- Press the Saudi government to remove the classification of advocating atheism and blasphemy as terrorist acts in its 2014 terrorism law;
- Include Saudi religious leaders, in addition to government officials, in exchanges and U.S visitor programs that promote religious tolerance and interfaith dialogue; and
- Work with the Saudi government to codify non-Muslim private religious practice, and permit foreign clergy to enter the country to carry out worship services and to bring religious materials for such services.

The U.S. Congress should:

- Require the State Department to issue a public progress report on efforts and results achieved by the Saudi government to implement religious freedom reforms announced in July 2006.

Dissenting Statement of Vice Chair James J. Zogby:

I did not disagree with designating Saudi Arabia as a "country of particular concern" (CPC) because as the report makes clear Saudi Arabia does not allow "public expression of any religion of any religion other than Islam."

Where I strongly disagree is with USCIRF's decision to call on the Department of State to remove the waiver provision that defers any action that might be taken as a result of Saudi Arabia's CPC status.

What I would have preferred was a recommendation that would have coupled the CPC designation with a full review of the progress or lack of progress the Saudi government has made in implementing the 2006 "US-Saudi Discussions on Religious Practice and Tolerance."

That 2006 discussion paper included 32 specific areas where the Saudi government committed to make reforms. Saudi officials have said that they are making these reforms, not because of outside pressures, but because these are changes they know they need to make to move their country forward. Annually we report, in piecemeal fashion, on some of the progress the government has made in a number of these areas: removal of both intolerant literature from their schools and intolerant speech from their mosques, insuring the right to private worship, creating a Human Rights Commission,

etc. What we are lacking is a comprehensive review of just how much progress made and a list of the areas that still need to be addressed.

What the State Department should do is go back to the 2006 discussion paper and treat its 32 items as a check list. They should go through it with their Saudi interlocutors and report, in detail, on progress or lack of progress made in each case. In some instances, such engagement may provide opportunities for U.S. officials or USCIRF to offer assistance or new ideas to help Saudi officials find a way to move forward. In an effort to achieve progress, engagement with Saudi officials is the preferred and most effective course of action. On the other hand, should we move to end the waiver and enact the punitive measures that might flow from this action, we would risk shutting off further discussion. This would prove to be counterproductive.

**Additional Statement of Commissioners
Eric P. Schwartz and Thomas J. Reese, S.J.:**

We strongly supported and voted for the CPC designation, but we write to comment on the Commission recommendation to urge the Administration to remove the waiver provision, which, pursuant to the IRFA legislation, effectively constitutes a recommendation to impose sanctions absent a U.S.-Saudi “binding agreement” to improve religious freedom. To be sure, we believe that both a readiness to impose sanctions and the imposition of sanctions can send important signals to offending governments and help bring critical pressure to bear in efforts to improve conditions related to human rights and religious freedom. Commissioner Schwartz notes further that, as a White House and State Department official, he was in general quite reliably on the side of those supporting sanctions as a tool to promote human rights. In short, we should impose sanctions when we have a fair degree of confidence that, over time, they will strengthen the position of human rights activists or help to change behavior of offending governments. But sanctions can also be ineffective or sometimes even counterproductive. Policy goals can be frustrated if the sanctions have little economic impact, permit a government easily to stoke nationalist or religious fervor against perceived outside interference, or are imposed when our influence is uncertain. Thus, their possible imposition

merits careful discussion of costs and benefits. In this case, Commissioners did not subject their decision to such careful consideration, and, in the absence of such deliberation, we were not prepared to support elimination of the waiver.

TIER 1



2015 COUNTRY REPORTS: CPCS RECOMMENDED BY USCIRF

-CENTRAL AFRICAN REPUBLIC

-EGYPT

-IRAQ

-NIGERIA

-PAKISTAN

-SYRIA

-TAJIKISTAN

-VIETNAM

EGYPT

Key Findings

Since he assumed office in June 2014, President Abdel Fattah al-Sisi has made several important public statements and gestures encouraging religious tolerance and has urged changes to religious curricula, a significant shift in tone and rhetoric from his predecessors. In particular, President al-Sisi delivered a speech to senior Muslim religious authorities at Al Azhar University calling for reforms; he was the first head of state to attend a Coptic Christmas Eve mass; and he offered condolences in person to Coptic Pope Tawadros after the killing of 21 Copts in Libya. In addition, there was a decrease in the number of targeted, sectarian attacks when compared to the previous year. Nevertheless, the Egyptian government has not adequately protected religious minorities, particularly Coptic Orthodox Christians and their property, from periodic violence. Discriminatory and repressive laws and policies that restrict freedom of thought, conscience, and religion or belief remain in place. Egyptian courts continue to prosecute, convict, and imprison Egyptian citizens for blasphemy, and new government initiatives to counter atheism emerged during the year. While the 2014 constitution includes improvements regarding freedom of religion or belief, the interpretation and implementation of relevant provisions remain to be seen, in part due to the lack of an elected parliament. Based on these concerns, for the fifth year in a row, USCIRF recommends in 2015 that Egypt be designated a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA). USCIRF will continue to monitor the situation closely to determine if positive developments warrant a change in Egypt’s status in next year’s annual report.

Background

During the reporting period, Egypt continued its volatile political transition following the July 2013 ouster

of former president Mohamed Morsi by the military, led by then-General Abdel Fattah al-Sisi. The interim government continued to implement a roadmap to amend the constitution and to hold presidential and parliamentary elections. In January 2014, a new constitution was approved overwhelmingly by referendum, and in May, al-Sisi was elected president with nearly 97 percent of the vote with a turnout of 47.5 percent of eligible Egyptian voters. Parliamentary elections, originally scheduled for March and April 2015, were delayed indefinitely after the Supreme Constitutional Court ruled that the law on electoral constituencies was unconstitutional because it did not guarantee fair representation. Some of the improved religious freedom provisions in the constitution cannot be implemented until a new parliament is seated.

Despite President al-Sisi urging religious tolerance and moderation in several public statements during the year, including in a January 2015 speech

Egyptian courts continue to prosecute, convict, and imprison Egyptian citizens for blasphemy, and new government initiatives to counter atheism emerged during the year.

at Al Azhar University, the government’s efforts to combat extremism and terrorism have had a chilling impact on civil society activities in the country. Among the consequences have been severe limits on dissent and criticism of the government, resulting in a poor human rights situation overall, including for freedom of religion or belief. Sympathizers and members of the Muslim Brotherhood, journalists, and opposition figures continue to be harassed, jailed, and given harsh prison terms, including death sentences for Broth-

erhood members and other Islamists, sometimes on legitimate, but also on unfounded, security charges. Conditions for Coptic Orthodox Christians remained precarious, as most perpetrators of attacks in recent years have not been convicted, including from large-scale incidents that occurred between 2011 and 2013. Small communities of Baha'is and Jehovah's Witnesses remain banned and anti-Semitism persists in state-controlled and semi-official media.

Religious Freedom Conditions 2014–2015

Government Control of Islamic Institutions

The government increased its control over all Muslim religious institutions, including mosques and religious endowments. Egyptian officials have justified this regulation as necessary to counter extremism and terrorism. In February 2015, an administrative court upheld a September 2013 decree by the Ministry of Religious Endowments that prevents imams who are not graduates of Al-Azhar from preaching in licensed and unlicensed mosques. The ruling, which resulted in the closure of thousands of small mosques, bans unlicensed mosques from holding Friday prayers and requires Friday sermons to follow government “talking points.” The government appoints and pays the salaries of all Sunni Muslim imams and monitors sermons.

Coptic Christians, Violence and Continued Impunity

In January 2015, President al-Sisi became the first Egyptian head of state to attend a Coptic Christmas Eve mass at the St. Mark's Coptic Orthodox Cathedral in Cairo, and in February, he met with and offered condolences to Coptic Pope Tawadros at the cathedral after the killing by ISIL of 21 Copts in Libya. While the Coptic community in general welcomed these and other symbolic gestures, repressive laws and discriminatory policies against Copts remained in place, including blasphemy charges and convictions, limits on building and maintaining churches, limits on conversion from Islam, and lack of accountability for violent attacks.

Over the past year, the number and severity of violent incidents targeting Copts and their property decreased significantly when compared to the previous year; however, sporadic violence continued, particularly in Upper Egypt. In some parts of the country, Egyptian

security services increased protection of churches during significant religious holidays, which lessened the level of fear and insecurity among members of the Coptic community. Following the unprecedented violence in the summer of 2013, including against Coptic churches and their property, the Egyptian government formed a fact-finding commission to investigate the attacks and pledged to hold accountable those responsible for the violence and to rebuild the dozens of churches that were destroyed. In November 2014, the Egyptian government released an executive summary of its report, which found 52 churches were completely destroyed, another 12 damaged, and numerous Christian-owned properties destroyed. The report also found that 29 people died in sectarian-related killings, without any specific details surrounding the deaths. At the end of the reporting period, according to human rights groups, 10 percent of the destroyed churches and Christian properties were in the process of being rebuilt.

In December 2014, some 40 perpetrators who were found responsible for attacks on five churches in Assiut, Upper Egypt, were sentenced to prison terms ranging from one to 15 years. Some other cases are ongoing, and perpetrators have yet to be brought to justice. In some cases, police have not conducted adequate investigations, sometimes due to fear of retribution against them by violent extremists. The inability to protect Copts and other religious minorities, and successfully prosecute those responsible for violence, continued to foster an atmosphere of impunity.

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.” Authorities use this “contempt-of-religion,” or blasphemy, law to detain, prosecute, and imprison members of religious groups whose practices deviate from mainstream Islamic beliefs or whose activities are alleged to jeopardize “communal harmony” or insult Judaism, Christianity, or Islam. In January 2015, President al-Sisi issued a decree that permits the government to ban any foreign publications it deems offensive to religion.

Blasphemy cases have increased since 2011, and this trend continued during the reporting period.

While the majority of charges are leveled against Sunni Muslims, the majority of those sentenced by a court to prison terms for blasphemy have been Christians, Shi'a Muslims, and atheists, mostly based on flawed trials. In June 2014, separate courts in Luxor imposed blasphemy sentences of up to six years in prison on four individuals, including Coptic Christian Kirolos Shawqi Atallah, who was sentenced to six years for posting photos on a Facebook page deemed defamatory to Islam. In February 2014, a court sentenced Amr Abdullah, an Egyptian Shi'a, to five years in prison with labor on charges of blasphemy and defaming the Prophet Mohammed's companions for attempting to observe the Shi'a Ashura holiday at the al-Hussein mosque in Cairo. Bishoy Armia, previously known as Mohamed Hegazy, a Christian convert who was among the first to legally change his religion from Islam to Christianity, was sentenced in June 2014 to five years in prison for working as a journalist and reporting on anti-Christian activities in Minya, Upper Egypt. In July, he also was charged with "insulting Islam," charges that were previously filed against him in 2009. In December 2014, an appeals court dropped some of the charges, however, at the end of the reporting period, Armia remained in prison on the blasphemy charge.

Egyptian atheists saw a rise in blasphemy charges over the past year, as well as growing societal harassment and various Egyptian government campaigns to counter atheism. In December 2014, Dar al-Ifta, a Justice Ministry entity that issues religious edicts, published a survey claiming that Egypt was home to 866 atheists, supposedly the "highest number" of any country in the Middle East. Two officials from the office of the Grand Mufti - who heads Dar al-Ifta - publicly called this a "dangerous development." In June 2014, the Ministries of Religious Endowments and Sports and Youth initiated a national campaign to combat the spread of atheism among Egyptian youth. In March 2014, a high-level Ministry of Interior official publicly stated that a special police task force would be formed to arrest a group of Alexandria-based atheists who expressed their beliefs on Facebook and other social media platforms. In January 2015, Egyptian atheist student Karim Al-Banna was given a three-year prison sentence for blasphemy because a court found some of his Facebook posts to "belittle the divine." In March 2014, an Egyptian court

upheld a three-year prison sentence on "contempt-of-religion" charges for Egyptian author Karam Saber for publishing a book questioning the existence of God.

Baha'is and Jehovah's Witnesses

Baha'is and Jehovah's Witnesses have been banned since 1960 by presidential decrees. As a result, Baha'is living in Egypt are unable to meet or engage in public religious activities. Al-Azhar's Islamic Research Center has issued fatwas over the years urging the continued ban on the Baha'i community and condemning its members as apostates. In December 2014, the Ministry of Religious Endowments held a public workshop to raise awareness about the "growing dangers" of the spread of the Baha'i Faith in Egypt. Since Baha'i marriage is not recognized, married Baha'is cannot obtain identity cards, making it impossible to conduct daily transactions like banking, school registration, or car ownership. In recent years, the government has permitted Jehovah's Witnesses to meet in private homes in groups of fewer than 30 people, despite the community's request to meet in larger numbers. Jehovah's Witnesses are not allowed to have their own places of worship or to import Bibles and other religious literature. Over the past year, security officials continued to harass and intimidate Jehovah's Witnesses by monitoring their activities and communications and by threatening the community with intensified repression if it does not provide membership lists.

Anti-Semitism and the Jewish Community

In 2014, material vilifying Jews with both historical and new anti-Semitic stereotypes continued to appear in Egypt's state-controlled and semi-official media. This material included anti-Semitic cartoons, images of Jews and Jewish symbols demonizing Israel or Zionism, comparisons of Israeli leaders to Hitler and the Nazis, and Holocaust denial literature. Egyptian authorities failed to take adequate steps to combat anti-Semitism in the state-controlled media. Egypt's once-thriving Jewish community is now only a small remnant consisting of fewer than 20 people. It owns communal property and finances required maintenance largely through private donations.

Egypt's Constitution

There are some encouraging changes in the January 2014 constitution that could bode well for religious

freedom. Several problematic provisions from the 2012 constitution were removed: a provision that narrowly defined Islamic Shari'ah law; a provision potentially giving Al-Azhar a consultative role in reviewing legislation; and a provision that effectively banned blasphemy. In addition, a new provision, Article 235, requires the incoming parliament to pass a law governing the building and renovating of churches. This would potentially lift the longstanding requirement of governmental approval for building or repairing churches, which has served as a justification for sectarian-related violence targeting Christians. While Article 64 provides that "freedom of belief is absolute," like the 2012 constitution, this article limits the freedom to practice religious rituals and establish places of worship to only the "divine" religions: Islam, Christianity, and Judaism.

U.S. Policy

For many years, U.S. policy toward Egypt has focused on fostering strong bilateral relations, continuing security and military cooperation, maintaining regional stability, and sustaining the 1979 Camp David peace accords. Successive administrations have viewed Egypt as a key ally in the region. Egypt is among the top five recipients in the world of U.S. aid. The FY2015 Consolidated Appropriations Act provides Egypt with \$1.3 billion in foreign military financing (FMF) and \$150 million in economic support funds (ESF), the lowest level in more than three decades. During the reporting period, the Obama Administration publicly urged the Egyptian government to make progress on economic and political reforms, including on human rights concerns, although less so on specific religious freedom issues than it did in the three years following the January 25, 2011 revolution.

Public Law 113-235, the FY2015 Consolidated Appropriations Act, places conditions on U.S. assistance to Egypt related to limits on human rights, including religious freedom. Specifically, it requires the Secretary of State to certify that Egypt has taken steps to advance the democratic process, protect free speech, and protect the rights of women and religious minorities, among other things. However, the Act also authorizes the Secretary to provide assistance to Egypt without such certification if he or she determines that the assistance is important to the national security interests of the United States. At the end of the reporting period, the Secretary

of State has not made a determination that would waive human rights-related certification requirements and allow for the provision of assistance.

According to the State Department, officials at all levels of the U.S. government raised a range of religious freedom concerns with Egyptian counterparts during the reporting period. When President Barack Obama met with President al-Sisi in September 2014 on the sidelines of the UN General Assembly, President Obama raised some human rights concerns, although it was not clear if any religious freedom issues were discussed. Despite USCIRF recommending since 2011 that Egypt should be designated a "country of particular concern," the State Department has not taken such action.

Recommendations

Egypt continues to experience both progress and setbacks during its transition, the success of which hinges on full respect for the rule of law and compliance with international human rights standards, including freedom of religion or belief. In addition to recommending that the U.S. government designate Egypt as a CPC, USCIRF recommends that the U.S. government should:

- Ensure that a portion of U.S. military assistance is used to help police implement an effective plan for dedicated protection for religious minority communities and their places of worship, and provide direct support to human rights and other civil society or non-governmental organizations to advance freedom of religion or belief for all Egyptians;
- Press the Egyptian government to undertake immediate reforms to improve religious freedom conditions, including: repealing decrees banning religious minority faiths; removing religion from official identity documents; and passing a law for the construction and repair of places of worship once a new parliament is formed;
- Urge the Egyptian government to revise Article 98(f) of the Penal Code, which criminalizes contempt of religion, and, in the interim, provide the constitutional and international guarantees of the rule of law and due process for those individuals charged with violating Article 98(f);

- Press the Egyptian government to prosecute perpetrators of sectarian violence through the judicial system, and to ensure that responsibility for religious affairs is not under the jurisdiction of the domestic security agency, which should only deal with national security matters such as cases involving the use or advocacy of violence; and
- Place particular emphasis, in its annual reporting to Congress on human rights and religious freedom, on the Egyptian government's progress on the protection of religious minorities, prosecution of perpetrators of sectarian violence, and the ability of Egyptian non-governmental organizations to receive outside funding from sources including the U.S. government.

Dissenting Statement of Vice Chair James J. Zogby

With this report, USCIRF is recommending that the Department of State designate Egypt as a “country of particular concern” (CPC). I strongly disagree. This is the wrong recommendation, for the wrong country, at the wrong time.

While the overall human rights situation in Egypt is deplorable and a matter of concern, the same cannot be said for the status of religious freedom in the country. Matters of political repression and the out-of-control actions of an overzealous judiciary, though quite serious, are beyond the scope of our Commission unless they directly impact issues of religious liberty.

As is noted in the opening sentences of USCIRF's report, when it comes to matters of religious freedom, there were significant developments in Egypt during this past year. President al Sisi made unprecedented outreach to Coptic Christians to affirm that they are “equal citizens,” promising to protect their rights. And both the President and the Sheikh al Azhar have called for a “revolution in Islam” in order to help eliminate extremism. Even now major changes are being made in Egypt's educational materials and efforts are underway to limit the ability of extremists to develop congregations of followers. Furthermore, Coptic leaders with whom I have spoken have said that they feel more secure than they have in a long time.

The above report does include a number of other cases and charges against Egypt. Some of these are

serious, but they do not reach the “systematic, ongoing, and egregious” standard required to declare Egypt a CPC. In light of these positive developments, it simply makes no sense for USCIRF to be asking the State Department to now give Egypt a CPC status when the State Department has not done so before.

The challenges facing the government of Egypt at this time are to: defeat the terrorist threat they are facing, rein in their judiciary, restore rights to civil society, grow the economy, and move quickly to complete their “road map” by electing a new parliament. This will do more to advance religious liberty than imposing the ill-timed and uncalled for sanctions that might result from a CPC designation.

Additional Statement of Commissioners Eric P. Schwartz and Thomas J. Reese, S.J.

We abstained on the Commission vote to urge the State Department to designate Egypt as a country of particular concern. We don't question whether abuses against religious freedom remain serious and substantial, or even whether a CPC designation is legally defensible. But by its act, the Commission urges the Department of State to impose a new, condemnatory measure on Egypt for violations of religious freedom and therefore send a signal that could be reasonably inferred to mean we believe the religious freedom situation is deteriorating. This strikes us as a peculiar time for the State Department to send such a message, in light of the fact that President Sisi has made, by the Commission's own account, “important public statements and gestures” supporting religious tolerance, and at a time in which “targeted, sectarian attacks,” again by our own account, have diminished as compared to last year. We believe that recent developments made it possible for the Commission to defer from making a CPC recommendation to the State Department, and that is what we would have preferred. Let us be clear that we are no fans of the Sisi regime, which is guilty of systematic abuses of human rights that merit the strongest condemnation. But we also are not fans of making recommendations that, if implemented, would risk sending a confusing and counterproductive message. Of course, we will continue to monitor the situation in Egypt and hope to see improvements. And should conditions deteriorate, we'd be prepared to reconsider our position.

IRAQ



IRAQ

Key Findings

Iraq's overall human rights landscape, including for religious freedom, deteriorated significantly in 2014, especially in areas controlled by the U.S.-designated terrorist group the Islamic State of Iraq and the Levant (ISIL). In these areas the Iraqi government has little capacity to fight ISIL's advances or to protect religious communities from violent attack. ISIL targets all Iraqis who oppose its violent religious ideology, but the smallest non-Muslim minority communities, particularly Yazidis and Christians, suffered especially egregious and large-scale abuses. While ISIL was the most egregious perpetrator of religiously-motivated human rights and religious freedom violations in Iraq in the last year, the Iraqi government also contributed to the deterioration in religious freedom conditions. Security forces and Shi'a militias supported by the Iraqi government perpetrated grave human rights violations, particularly against Sunni Muslims. Millions of Iraqis are now refugees or are internally displaced. Based on these violations, perpetrated primarily by non-state actors but also by the state, USCIRF recommends in 2015 that the U.S. government designate Iraq as a "country of particu-

Background

Under Saddam Hussein, the Iraqi government maintained religious peace through intimidation and terror while favoring the Sunni Muslim minority. With the fall of Saddam in 2003, sectarian conflict exploded. The Shi'a Muslim majority took control of the government and effectively froze out the Sunni Muslim population. The Iraqi government under Prime Minister Nouri al-Maliki often acted in an authoritarian and sectarian manner, for example, raiding and disbanding peaceful Sunni protests, targeting Sunni areas, citizens and politicians for security sweeps and arrests, mistreating Sunni prisoners, and marginalizing Sunnis from government and security positions. This background helped create the conditions that allowed ISIL to rise, spread, and ultimately control significant areas of northern and central Iraq. Despite al-Maliki's resignation and replacement in August by new Prime Minister Haider al-Abadi, Sunni resentment and reports of abuses against Sunni Muslims by security forces and allied Shi'a militias continue.

Over the past decade, many Iraqis, Muslim and non-Muslim alike, have been victimized by religious-

ISIL targets all Iraqis who oppose its violent religious ideology, but the smallest non-Muslim minority communities, particularly Yazidis and Christians, suffered especially egregious and large-scale abuses.

lar concern," or CPC, under the International Religious Freedom Act (IRFA). USCIRF has recommended CPC designation for Iraq since December 2008. Post-Saddam Iraq has never been designated as a CPC by the State Department.

ly-motivated violence. The Iraqi government has proven unable or unwilling to stop this violence or bring perpetrators to justice, creating a perpetual sense of insecurity for all religious communities, particularly the smallest ones. While the 2005 Iraqi constitution states that it guarantees equality and religious freedom to all Iraqis,

these guarantees thus far have provided little actual protection, particularly, but not only, in the past year.

Even before ISIL's rise, the country's smallest religious communities – which include Catholics, Christian Orthodox, Protestants, Yazidis, and Sabeian Manda-

rights and religious freedom in Iraq and the region. ISIL espouses an extreme, violent religious ideology that allows for no religious diversity. While ISIL targets all Iraqis who oppose it, religious minority communities have suffered especially egregious, devastating, and

Despite al-Maliki's resignation and replacement in August by new Prime Minister Haider al-Abadi, Sunni resentment and reports of abuses against Sunni Muslims by security forces and allied Shi'a militias continue.

ans – were mere shadows of their already-small former presence. Pre-2003, non-Muslims amounted to only an estimated 3 percent of Iraq's population. They have long faced official and societal discrimination, and their small size and lack of militia or tribal structures have made it difficult for them to defend themselves against violence or protect their rights through the Iraqi political system. In 2013 the Christian population was estimated at 500,000, half the size estimated in 2003. Also in 2013, the Yazidis reported that since 2005 their population had decreased by nearly 200,000 to approximately 500,000, and the Mandaean reported that almost 90 percent of their community had left the country or been killed, leaving just a few thousand. The size of these religious communities continue to decline as the crisis in Iraq deepens, with Iraqi Christian leaders now stating that their community only numbers around 250,000-300,000. Between 2003 and 2008, many members of Iraq's smallest minority communities were driven out of the country or fled to northern Iraq, including areas in the semi-autonomous Kurdistan region (KRG), as well as other nearby areas that are now under ISIL's control. The KRG areas have been the safest part of Iraq, but minorities in areas nearby that are disputed between the KRG and the Iraqi central government have reported pressure from Kurdish officials and political parties to support their territorial claims.

Religious Freedom Conditions 2014-2015 Violations by ISIL and other Non-State Actors

ISIL's rise, spread and ultimately its June 2014 declaration of a so-called "Islamic State," which cuts across Iraq and Syria, is particularly threatening for the future of human

large-scale abuses, including forced expulsion from their historic homelands, forced conversion, rape and enslavement of women and children, torture, beheadings, and massacres. ISIL's takeover of northern Iraq could well mark the end of the presence in that area of its ancient Yazidi and Christian communities.

In June 2014, ISIL took the northern city of Mosul, overrunning Iraqi forces there, who dropped their weapons and fled. ISIL issued an ultimatum that all Christians must convert to Islam, leave Mosul, pay a tax, or face death. The Christian community in Mosul dates back more than 1,700 years, with an estimated 30,000 living there before the ISIL offensive. In August, ISIL captured Qaraqosh, the largest Christian town in northern Iraq, prompting an estimated 100,000 Christians to flee, and an assault on the Christian town of al-Kosh also led to an exodus of Christians. Nearly all Christians are believed to have left ISIL-held territory, with most fleeing to the KRG region.

ISIL's August 2014 attack on the largely Yazidi town of Sinjar, located in the Nineveh province of northern Iraq, led to the massacre of Yazidis, Assyrian Christians, Shi'a and others, and the destruction of religious sites that date back centuries. Yazidi contacts told USCIRF that the Kurdish forces protecting the town abandoned them during the night when ISIL was approaching, leaving them defenseless. According to the UN, 200,000 civilians, mostly Yazidis, fled Sinjar town for the mountain, which ISIL forces surrounded. Men, women, and children were stranded on Mount Sinjar with no escape and little access to food, water, or shelter, except for limited airlifts provided by Iraqi and Kurdish Peshmerga forces. Reportedly, as many as 500 Yazidis were massacred by

ISIL and dozens died of starvation and dehydration. For Yazidis, the ISIL ultimatum was to convert or die; they are not considered “people of the book” and therefore not afforded the options to leave or pay a tax. In addition, thousands of Yazidi women and girls, including those who had not reached puberty, were kidnapped, raped, sold as sex slaves, or killed. The Kurdish Peshmerga, with the assistance of U.S. airstrikes, was finally able to break through ISIL’s siege of Mt. Sinjar in December 2014. Peshmerga forces reported finding mass graves in the area.

ISIL also has killed Sunni Muslims who disagree with its extreme ideology. In October 2014, 150 Sunni

abuses committed by members of these groups against Sunni civilians. In an October 2014 report, Amnesty International named ‘Asa’ib Ahl al-Haq, the Badr Brigades, the Mahdi Army, and Kata’ib Hezbollah as perpetrators of human rights abuses, including mass killings of Sunni civilians.

U.S. Policy

After the U.S. military withdrew from Iraq in December 2011, the U.S. presence in the country decreased significantly between 2012 and 2014. However, the rise of ISIL and the formation of a new Iraqi government in

ISIL’s takeover of northern Iraq could well mark the end of the presence in that area of its ancient Yazidi and Christian communities.

Muslims from the Albu Nimr tribe were found in a mass grave, and in a separate case a few weeks earlier, 70 additional corpses from the same tribe were found. ISIL has also killed at least 12 Sunni clerics that rejected their extremist ideologies or attempted to assist or protect religious minorities.

Non-state actors other than ISIL have also perpetrated religiously-motivated attacks. As in previous years, 2014 saw a number of violent attacks targeting the country’s Shi’a majority, including pilgrims celebrating important holidays. These presumably were carried out by Sunni extremist groups, though the actual perpetrator of specific attacks is rarely known. For example, on May 22, multiple attacks in and around Baghdad killed at least 35 Shi’a pilgrims traveling to a shrine in Kadhimiya and injured dozens.

Violations by the Iraqi Government

The Iraqi government, under both former Prime Minister al-Maliki and current Prime Minister Haider al-Abadi, also has committed human rights abuses, including torture and extrajudicial killings of Sunni prisoners and civilians. In addition, the government is funding and arming Shi’a militias to fight ISIL, which operate outside any legal framework and with impunity. Human rights groups and the United Nations have documented summary executions and other severe

2014 have led the United States to once again deepen its involvement, including but not limited to, increased humanitarian aid, air strikes, and training and assisting Iraqi forces.

After years of supporting the al-Maliki government, by mid-2014 U.S. officials reportedly felt that al-Maliki could no longer govern Iraq due to his and his government’s sectarian and authoritarian actions, and pressured al-Maliki to step down to allow a new government to form. In August 2014, al-Maliki resigned and Haider al-Abadi was designated as Prime Minister by President Fuad Masum.

In August 2014, ISIL’s offensive in northern Iraq that targeted Yazidis and other minority communities and threatened U.S. personnel in Erbil led to U.S. airstrikes, the first since the 2011 troop withdrawal. In addition, the U.S. military began airdrops of food and water to the thousands of people trapped on Mount Sinjar. The same month, the U.S. government announced that it would provide Iraqi Kurdistan’s Peshmerga forces with light weaponry and ammunition and begin sending military advisers and trainers to assist Iraqi government forces. In addition, in August 2014, USAID deployed a Disaster Assistance Response Team (DART) to the region to coordinate U.S. humanitarian efforts in responding to the needs of newly displaced populations. According to a Congressional

Research Service February 2015 report, approximately 3,100 U.S. military non-combat personnel have been deployed to Iraq. The United States is now leading a coalition of 60 countries to combat ISIL's advance.

The Iraqi government, under both former Prime Minister al-Maliki and current Prime Minister Haider al-Abadi, also has committed human rights abuses, including torture and extrajudicial killings of Sunni prisoners and civilians.

Many of the countries conduct their own airstrikes, train and provide weaponry to Iraqi and Kurdish forces, provide humanitarian aid, and are working to cut off ISIL's funding sources. In September 2014, President Obama appointed retired General John Allen as the U.S. Special Presidential Envoy for the Global Coalition to Counter ISIL.

In addition, the United States is leading the international effort to provide aid for civilians whom ISIL forced to flee their homes and are now internally displaced or refugees in neighboring countries. The Congressional Research Service has reported that the total U.S. government humanitarian funding to Iraq in FY2014 and FY2015 (as of December 19, 2014) was more than \$213.8 million. The United States also continues to resettle Iraqi refugees to the United States. According to State Department statistics, 19,769 Iraqis were resettled to the United States in FY2014, the most from any single country.

In recent years, the U.S. government has made efforts to help address the problems facing Iraq's smallest religious and ethnic minorities. Since 2008, the State Department has designated officials in both Washington and Baghdad to coordinate its efforts on minority issues. In Washington, that responsibility is now held by the deputy to the Special Presidential Envoy for the Global Coalition to Counter ISIL. The United States also has funded civil society efforts to assist Iraq's minorities, such as the Support for Minorities in Iraq (SMI) program, which works with minority groups to

help them better represent themselves in civil society. In addition, after the reporting period, Assistant Secretary of State for Democracy, Human Rights and Labor Tom Malinowski and Ambassador-at-Large for International Religious Freedom David Saperstein raised concerns about minority issues and abuses perpetrated by Iraqi militias on a February 2015 visit to Iraq.

Recommendations

In addition to recommending that the U.S. government designate Iraq as a CPC, USCIRF recommends that the U.S. government should:

- Call for or support a referral by the UN Security Council to the International Criminal Court to investigate ISIL violations in Iraq and Syria against religious and ethnic minorities, following the models used in Sudan and Libya, or encourage the Iraqi government to accept ICC jurisdiction to investigate ISIL violations in Iraq after June 2014;
- Ensure that the efforts of the Global Coalition to Counter ISIL include steps to protect and assist the region's most vulnerable religious and ethnic minorities and, where appropriate, assist Iraqi government and KRG security forces in efforts to provide security to protect likely targets of sectarian or religiously-motivated violence;
- Develop a government-wide plan of action to protect religious minorities in Iraq and help establish the conditions for them to return to their homes; charge the Ambassador-at-Large for International Religious Freedom with engaging with the Inter-Governmental Contact Group on Freedom of Religion or Belief to coordinate similar efforts by other governments;
- Urge the Iraqi government to create structures to oversee and hold to account Shi'a militias, so they do not violate the human rights of non-combatant Sunni Muslims or religious minorities, and to investigate and prosecute perpetrators when violations occur;
- Include in all military or security assistance to the Iraqi and Iraqi Kurdistan governments a requirement that security forces are integrated to reflect the country's religious and ethnic diversity, and

provide training for recipient units on universal human rights standards and how to treat civilians, particularly religious minorities;

- Continue to task embassy officials with engaging religious minority communities, and work with Iraq's government and these communities and their political and civic representatives to help them reach agreement on what measures are needed to ensure their rights and security in the country;
- Urge the parties to include the protection of rights for all Iraqis and ending discrimination as part of negotiations between the KRG and the Iraqi government on disputed territories, and press the KRG to address alleged abuses against minorities by Kurdish officials in these areas;
- Focus U.S. programming in Iraq on promoting religious freedom and tolerance and ensure that marginalized communities benefit from U.S. and international development assistance; and
- Continue to prioritize the resettlement to the United States of vulnerable Iraqi refugees, including those who fled to Syria but are now refugees in a third country; interview applicants by video-conference when in-person interviews cannot be conducted for security reasons; and allocate sufficient resources to the Department of Homeland Security and other agencies to expeditiously process applications and conduct security background checks to facilitate resettlements without compromising U.S. national security.

Dissenting Statement of Vice Chair James J. Zogby

I disagree with the decision to name Iraq a “country of particular concern” for two reasons.

First, the main violators of religious freedom in Iraq today are non-state actors from the self-styled “Islamic State” (IS) to the armed sectarian militias that operate outside of the control of the central government. Both the IS and the armed sectarian militias have committed atrocities against those not of their faith, and the IS, in particular, has engaged in genocidal behavior towards Christians and other vulnerable religious minorities.

At present, the Administration is working with the Iraqi government to defeat the IS, to rebuild a non-sectarian army, and to implement political reforms that will create a more inclusive government. Declaring Iraq as a CPC does not contribute to this effort.

The second reason I am averse to making this designation is that it was hubris that led the Bush Administration to invade, occupy, and believe that it could restructure the governance of the country. The creation of the murderous sectarian militias took place on our watch in the middle of the last decade, as did the massive sectarian “cleansing” operations that resulted in the dislocation of one-fifth of the country’s population and the forced exile of two-thirds of Iraq’s Christian community.

The question we must ask now ourselves is: did we do everything in our power, when we left Iraq to insure that the country was on the path to national reconciliation and inclusive governance? Since the answer is clearly that we did not, it is, at best, insensitive for us to now declare the mess we left behind a “country of particular concern.”

While the non-state actors in Iraq deserve our condemnation, what the Iraqi government now needs from us is the political and military support we are providing to defeat the IS and put their house in order.

SYRIA

Key Findings

Syria's religious communities are largely deprived of religious freedom, and its history of religious diversity may be lost. After four years of conflict, religious diversity and freedom are victims of the actions of the al-Assad regime, as well as of internationally-recognized opposition fighters and U.S.-designated terrorist groups, in particular the Islamic State of Iraq and the Levant (ISIL). The Syrian crisis has evolved into a largely sectarian conflict. By the systematic targeting and massacre of primarily Sunni Muslims, the al-Assad regime created the environment in which ISIL could rise and spread, threatening the entire region and all religious communities that reject its violent religious ideology, with the smallest religious minority communities facing an existential threat. The al-Assad regime continues to target Sunni Muslim civilians and other individuals or groups that oppose it, including indiscriminately shelling civilian areas. Likewise, ISIL targets the regime, its supporters, religious minorities,

Background

The Syrian conflict began in March 2011 with peaceful protests by opponents of the al-Assad regime, mainly Sunni Muslims but also religious minorities. The initial protests were not overtly characterized by religious or sectarian undertones and sought repeal of the abusive emergency law, space for political parties, and President Bashar al-Assad's resignation. As the protests grew, al-Assad ordered an increasingly violent crackdown and he and his regime played on sectarian fears by utilizing religiously-divisive rhetoric. In support of the regime were U.S.-designated terrorist groups, such as Hezbollah and Shabiha. In opposition to the Assad regime, dozens of domestic and foreign groups, varying widely in goals, emerged. Some of these groups, including the U.S.-recognized National Coalition of Syrian Revolution & Opposition Forces (commonly known as the Syrian National Coalition (SNC)), espouse democratic reform. Others, such as ISIL, are motivated by religious ideologies espousing violence.

Now entering its fifth year, the conflict has become largely sectarian.

and any Muslims opposing its violent religious ideology. Well over half of Syria's pre-conflict population has fled to neighboring countries or is internally displaced. Moreover, it is not certain how many members of religious minority communities still live in Syria, a formerly religiously diverse country. Because of the actions of the al-Assad regime and non-state actors, in 2015 USCIRF recommends for the second year that Syria be designated a "country of particular concern," or CPC.

Now entering its fifth year, the conflict has become largely sectarian. Sunni Muslims generally associate all Alawites and Shi'a Muslims with the regime of President al-Assad, an Alawite himself, and many Alawites, Shi'a Muslims, Christians, and others believe that they will be killed by ISIL and other extremist Sunni groups if the al-Assad government falls.

Before the conflict, Syria's total population was approximately 22.5 million. Sunni Muslims constituted 74 percent; other Muslims, including Alawites, Ismailis, and Shi'a Muslims, were estimated at 13 percent of the

total population; Druze were about three percent of the population; and various Christian groups, including Syriac, Armenian, and Greek Orthodox communities, were estimated at 10 percent.

Religious Freedom Conditions 2014–2015 Violations by al-Assad Regime and Affiliated Groups

The regime's atrocities have been indiscriminate, primarily targeting the Sunni Muslim population and where they live, creating an environment where internationally-recognized and protected human rights, including religious freedom, do not exist. The UN and

beheadings and mass murders, are widespread and well documented. Moreover, ISIL and other similar groups that control significant areas of Syria have been establishing systems that resemble governing structures, including creating Shari'ah courts that violate human rights, in areas they control.

Opposition Groups

During the reporting year, the SNC did not effectively or adequately represent religious minorities, and internal politics hampered its effectiveness and ability to agree on whether to reopen negotiations with the al-Assad regime. Reports that the Free Syrian Army, its affiliates,

The UN and most of the international community, including the United States, have found that the al-Assad regime has committed crimes against humanity.

most of the international community, including the United States, have found that the al-Assad regime has committed crimes against humanity. The regime and its supporters, including terrorist groups, utilize tactics such as extra-judicial killings, rape, torture, chemical weapons, indiscriminate shelling of civilian sites, including mosques and churches, and withholding food and other aid to maintain the regime's power.

Violations by ISIL and other Extremist and Terrorist Groups

ISIL, al-Qaeda, Khorasan, al-Nusra and numerous other extremist groups and radicalized individuals from across the globe are fighting in Syria in opposition to the regime or in support of the spread of their extreme, violent religious ideology. ISIL's declaration of a so-called "Islamic State" in June 2014 that cuts across Syria and Iraq is especially troubling for human rights and religious freedom. ISIL and other similar groups and individuals espouse violence and allow no space for religious diversity, targeting religious minority communities that have existed in Syria for centuries, as well as Muslims that reject their worldview. ISIL and four years of conflict have seriously damaged the country's religious diversity. Its gruesome attacks, including

and opposition fighters have committed human rights atrocities, including massacres of Shi'a Muslim civilians, surfaced in the last year. In addition, opposition military units on occasion have worked with terrorist groups to secure strategic areas, making it difficult for the international community to separate Sunni extremists associated with ISIL or other U.S.-designated terrorist groups from Sunni Muslims opposing the brutal al-Assad regime.

Refugees, Sectarian Spillover, and Internally-Displaced People

The duration of the conflict and the large populations of refugees in neighboring countries are causing sectarian tensions, and increasing the risk of sectarian violence and instability, in those countries. Most Syrian refugees reside in urban or rural areas, rather than official refugee camps, creating a significant burden for the host countries' economies and infrastructure. Increasingly refugees are facing societal harassment because they are perceived as taking jobs and using limited resources.

As of mid-January 2015, the Syrian crisis had led to more than 3.3 million registered refugees, mostly in Lebanon, Jordan, Turkey, Iraq, and Egypt, according to the UN refugee agency. Hundreds of thousands more

are believed to be unregistered. More than three-quarters of the UN-registered refugees are women and children under the age of 17. Tens of thousands of babies have been born stateless, as they are ineligible for citizenship in the host countries where they were born. Additionally, Syrian refugees who fled to Iraq are once again finding themselves in a dangerous situation with conflict increasing there. In addition to the millions of refugees, an estimated 9.3 million people in Syria need basic assistance, such as food, water and shelter, including more than 6.5 million internally-displaced people.

U.S. Policy

U.S.-Syria relations have long been adversarial. Under the Hafez and Bashar al-Assad regimes, Syria has been on the U.S. list of state sponsors of terrorism since 1979. With the U.S. military presence in neighboring Iraq beginning in 2003, U.S.-Syria relations worsened. The

Coalition (formerly the Syrian Opposition Coalition) as the legitimate representative of the country's people and its offices in Washington, DC and New York as diplomatic missions, but it has stopped short of recognizing the Coalition as the official government of Syria.

The United States led in the creation of the Friends of Syria group, a collective of countries and organizations that periodically met outside of the UN Security Council to discuss the Syrian crisis. The group arose after Russia and China vetoed a number of Security Council resolutions that would have condemned the al-Assad regime's actions, and it met four times between 2012 and 2013. Most recently, China and Russia blocked a May 2014 UN Security Council Referral of Syria to the International Criminal Court. The United States also has been instrumental in the creation of the 60-nation Global Coalition to Counter ISIL. The United States and coalition members have been engaging in airstrikes

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al-Assad regime failed to prevent foreign fighters from entering Iraq, refused to deport from Syria Iraqis supporting the insurgency, and continued to pursue weapons of mass destruction, among other U.S. concerns. For these reasons, in 2004 the U.S. levied economic sanctions under the Syria Accountability Act, which prohibits or restricts the export and re-export of most U.S. products to Syria. In 2008, sanctions prohibiting the export of U.S. services to Syria were added.

The regime's violent response to peaceful protestors in 2011 led to further sanctions, with the U.S. government designating groups and individuals complicit in human rights abuses and supporters of the al-Assad regime. In 2012, the United States closed its embassy in Damascus, and in March 2014 it ordered the Syrian embassy and consulates in the United States to close. Since the beginning of the Syrian conflict, the United States has called for the al-Assad regime to step down. The U.S. government has recognized the Syrian National

Coalition as the legitimate representative of the country's people and its offices in Washington, DC and New York as diplomatic missions, but it has stopped short of recognizing the Coalition as the official government of Syria. The United States led in the creation of the Friends of Syria group, a collective of countries and organizations that periodically met outside of the UN Security Council to discuss the Syrian crisis. The group arose after Russia and China vetoed a number of Security Council resolutions that would have condemned the al-Assad regime's actions, and it met four times between 2012 and 2013. Most recently, China and Russia blocked a May 2014 UN Security Council Referral of Syria to the International Criminal Court. The United States also has been instrumental in the creation of the 60-nation Global Coalition to Counter ISIL. The United States and coalition members have been engaging in airstrikes

against ISIL-held territories in Syria. In addition, the United States has provided non-lethal aid and some light weaponry and funding to some groups fighting against ISIL in Syria. In January 2015, the Pentagon announced that several hundred U.S. military training personnel would be deployed to train and equip vetted Syrians beginning in spring 2015. The United States is the largest donor to the international humanitarian response to the Syrian crisis. According to a February 2015 Congressional Research Service report, the United States allocated more than \$3 billion to assist in the humanitarian crisis between September 2012 and mid-December 2014. As of early 2015, the U.S. government had resettled very few Syrian refugees to the United States, as compared to the scale of the crisis – only 450 since FY 2011. In December 2014, Assistant Secretary of State for Population, Refugees, and Migration Anne Richard said that the United States expected the resettlement of Syrians to “surge” in 2015

and beyond. In January 2015, Reuters reported that, according to a State Department official, 1,000-2,000 Syrian refugees were likely to be admitted in FY 2015 and a few thousand more in FY 2016.

Recommendations

All Syrians, including Sunni, Shi'a and Alawite Muslims, Christians, and the smallest communities, such as Yazidis and Druze, are living in bleak conditions and face a dire future. The prospect of achieving a post-conflict Syria that values religious diversity, minority rights, and religious freedom is fading, with an entire generation at risk from fighting, prolonged hunger, disease, poverty, and indoctrination into extremist ideologies. In addition to continuing to seek an end to the conflict, USCIRF recommends that the U.S. government should designate Syria as a CPC and should:

- Ensure that religious freedom and diversity are given a high priority in diplomatic planning and engagement that seeks to reach a political solution to the conflict;
- Encourage the Global Coalition to Counter ISIL, in its ongoing international meetings, to work to develop measures to protect and assist the region's most vulnerable religious and ethnic minorities, including by increasing immediate humanitarian aid, prioritizing the resettlement to third countries of the most vulnerable, and providing longer-term support in host countries for those who hope to return to their homes post-conflict;
- Ensure that U.S. government planning for a post-conflict Syria is a "whole-of- government" effort and includes consideration of issues concerning religious freedom and related human rights, and that USCIRF and other U.S. government experts on those issues are consulted as appropriate;
- Encourage the Syrian National Coalition to be inclusive of all religious and ethnic groups and provide training to members on international standards relating to human rights and religious freedom;
- Call for or support a referral by the UN Security Council to the International Criminal Court to investigate ISIL violations in Iraq and Syria against religious and ethnic minorities, and continue to call for an International Criminal Court investigation into crimes committed by the al-Assad regime, following the models used in Sudan and Libya;
- Initiate an effort among relevant UN agencies, NGOs, and like-minded partners among the Global Coalition to Counter ISIL to fund and develop programs that bolster intra- and inter-religious tolerance, alleviate sectarian tensions, and promote respect for religious freedom and related rights, both in neighboring countries hosting refugees (especially Lebanon, Jordan, Egypt and Turkey), and in preparing for a post-conflict Syria;
- Increase the U.S. refugee ceiling from 70,000 to at least 100,000, with additional reserves for the Middle East region.
- Consider issuing an exemption to U.S. immigration law's "material support bar" provision for Syrian refugees who supported specific U.S.-backed rebel groups or provided "support" by force or under duress to terrorist organizations, and properly apply existing exemptions, so that Syrians who pose no threat to the United States and are fleeing the al-Assad regime or terrorist groups are not erroneously barred from the U.S. refugee program;
- Allocate sufficient resources to the Department of Homeland Security and other agencies to expeditiously process applications and conduct security background checks to facilitate the resettlement of Syrian refugees in the United States without compromising U.S. national security; and
- Continue and increase funding and logistical support to the UN, humanitarian organizations, and refugee host nations (especially Lebanon, Jordan, Egypt and Turkey), and communities to provide humanitarian aid to refugees and internally displaced persons, and encourage other countries to do the same.

OTHER COUNTRIES MONITORED

- BAHRAIN
- BANGLADESH
- BELARUS
- CYPRUS
- KYRGYZSTAN
- SRI LANKA

BAHRAIN

USCIRF has concluded that the Bahraini government has made demonstrable progress in rebuilding mosques and religious structures it destroyed during unrest in the spring of 2011. Nevertheless, more needs to be done to implement recommendations from the Bahrain Independent Commission of Inquiry (BICI) to redress past abuses against Shi'a Muslims and further improve religious freedom conditions. In addition, Shi'a Muslims continued to be detained and arrested arbitrarily throughout the year. In December 2014, a USCIRF staff member traveled to Manama; in addition to visiting almost all of the destroyed religious sites identified in the BICI report, he met with U.S. Embassy personnel, civil society representatives, members of religious communities, human rights groups, and human rights defenders.

Background

Bahrain is a diverse country and Bahraini citizens have a deep sense of their culture and history going back centuries. With a population of approximately 1.3 million, approximately half are Bahraini citizens and half are expatriate workers, primarily from South Asian countries.

community, Hindus, and Sikhs, as well as a small Baha'i community that it recognizes as a social organization. Most Bahrainis acknowledge that their society has been historically tolerant of all faiths and religiously pluralistic to a degree that is notable in the region.

Progress and Concerns Related to Accountability for Past Abuses

Of the more than 4,600 public and private workers dismissed in 2011 as a consequence of the unrest, the vast majority were Shi'a Muslims. According to non-governmental interlocutors, only 80-90 cases remain unresolved. In a February 2014 BICI follow-up report, the Bahraini government stated that only 49 cases remain unresolved. A March 2014 agreement between the Bahraini government and the International Labor Organization (ILO) included a commitment to resolve all remaining cases. Among those that have been resolved, hundreds were not reinstated in their original jobs, but in lower level jobs and some in different private companies. According to interlocutors, the most important element of the ILO agreement is to ensure mechanisms

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Almost half of the expatriate workers are non-Muslim (approximately 250,000-300,000). The religious demography of Bahraini citizens is estimated at 60-65 percent Shi'a and 30-35 percent Sunni, with approximately 1-2 percent non-Muslims, including Christians, Hindus, Sikhs, Jews, and Baha'is. Compared to other countries in the region, Bahrain is among the most tolerant of non-Muslim religious minority communities. The government officially recognizes several Christian denominations, a tiny Jewish

that would prevent future discriminatory dismissals and improve transparency in recruiting and hiring.

The government created the Civilian Settlement Office to compensate families of victims who were killed and individuals who were physically harmed in the 2011 unrest, as well as an Office of the Ombudsman in the Ministry of Interior to ensure compliance with standards of policing and to receive reports of misconduct. However, the government still has not adequately

held high-level security officials accountable for serious abuses, which included targeting, imprisoning, torturing, and killing predominantly Shi'a demonstrators. Bahraini courts have tried, prosecuted, and convicted

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only a few lower-level police officers, with little or no transparency about the trials, convictions, and length of prison terms. The government has stated that there are ongoing investigations of commanding officers related to the 2011 abuses, but has not disclosed details.

Ongoing Abuses and Discrimination

In 2014, Shi'a Muslims continued to be detained and arrested arbitrarily. In December 2014, Shi'a cleric and prominent opposition leader Ali Salman was arrested and charged with several security-related crimes that could carry prison terms ranging from three years to life. Human rights defenders have said the charges are baseless, and UN experts have criticized them as violations of the freedoms of expression, association, and religion. At the end of the reporting period, Salman remains in detention. In April 2014, the government forced Shi'a cleric Hussain Mirza Abdelbaqi Najati to leave the country after revoking his Bahraini citizenship in November 2012. According to the UN Special Rapporteur on Freedom of Religion or Belief, the authorities expelled Najati on account of "religiously motivated discrimination."

Furthermore, government and pro-government media continued to use inflammatory, sectarian rhetoric. New media laws that would curb anti-Shi'a incitement, as recommended in the BICI report, have not been passed. According to interlocutors, members of the Shi'a community still cannot serve in the active military, only in administrative positions, and there are no Shi'a in the upper levels of the Bahrain government security apparatus, including the military and police.

Progress in Rebuilding Shi'a Mosques and Religious Structures

While the Bahraini government did not meet its end-of-2014 deadline, it made significant progress in rebuilding the destroyed structures over the past year. In early 2014, the government increased to approximately \$8 million the amount to rebuild Shi'a mosques and religious structures, nearly twice what it pledged in 2012. It also moved the deadline from 2018 to the end of 2014 to complete the construction of the 30 destroyed structures identified in the BICI report. As of December 2014, 14 mosques had been rebuilt, eight by the government and six by the Shi'a community, and 13 others were approximately 80-90 percent complete. The government helped secure legal permits for the six structures built by the Shi'a community, however, despite indicating a willingness in the past, officials have not committed to reimbursing the community.

There has been no progress on three of the 30 sites due to ongoing procedural and legal hurdles. Of the 27 completed or nearly complete, one mosque – the Mohammad Al Barbaghi mosque, which is religiously and historically significant to the Shi'a community – is nearly completed, but was rebuilt some 200 meters from its original site. The government says this was for security reasons, since the original mosque site is next to a major highway, but some members of the Shi'a community continue to insist that the mosque can only be built on the original location. In the past, Bahraini officials have committed to an ongoing dialogue with the Shi'a community to resolve the remaining disputed cases, although representatives from the Shi'a community do not believe the government is fully committed to the negotiations.

Recommendations

USCIRF urges the United States government to continue to press the Bahraini government to implement fully the BICI recommendations, including those related to freedom of religion and belief and accountability for past abuses against the Shi'a community. In addition, USCIRF continues to encourage the Bahraini government to reimburse the Shi'a community for expending its own funds to rebuild six mosques and religious structures that were demolished in 2011.