

June 30, 2006: Testimony by Nina Shea, Vice Chair United States Commission on International Religious Freedom

Hearing on "The Plight of Religious Minorities: Can Religious Pluralism Survive?"

Before the House International Relations Committee of the United States
House of Representatives Subcommittee on Africa, Global Human Rights,
and International Operations

June 30, 2006

Mr. Chairman and distinguished Members of the Subcommittee, let me begin by thanking you for the opportunity to testify today at this important hearing. I plan to summarize the Commission's testimony in my oral remarks, but would like to request that my written statement be included in the record, as well as more extensive individual chapters from our Annual Report, released last month, on each of the countries I will speak about today.

The Commission was asked to testify today on religious freedom conditions in Egypt, Iran, Iraq, Pakistan, and Saudi Arabia and to offer recommendations for U.S. policy. Each of the five countries I will speak about poses serious and varied challenges for freedom of religion or belief. The Commission has found that three of the countries-Iran, Pakistan, and Saudi Arabia-have governments that commit systematic, ongoing, and egregious violations of religious freedom. Egypt is a country where widespread discrimination exists, and the grave situation in Iraq is one that requires immediate action and attention by the U.S. government.

With the exception of Iran, all of these countries are close partners with the United States in the war on terror and on maintaining regional stability. One way the Administration has determined to combat terrorism and to achieve stability in the region is to promote effective democracies. As the President stated in his 2006 National Security Strategy, "Because democracies are the most responsible members of the international system, promoting democracy is the most effective long-term measure for strengthening international stability; reducing regional conflicts; countering terrorism and terror-supporting extremism; and extending peace and prosperity." The Commission agrees that a demonstrated U.S. commitment to promoting human rights, including religious freedom, in the five countries being examined here is essential to any meaningful advances in the war on terrorism and to successes in the global promotion of democracy.

Due to time constraints, I will be able to highlight only some of our most serious religious freedom concerns and discuss just a few of our key policy recommendations for each country. Let me start, in alphabetical order, with Egypt.

Egypt

The Commission, which has included Egypt on its Watch List since 2002, has found that discrimination, intolerance, and other human rights violations affect a broad spectrum of Egyptian society, including Coptic Orthodox Christians, Baha'is, and Muslims who do not adhere to the state-favored interpretation of Sunni Islam. All religious minority groups cite widespread interference, harassment, and constant surveillance by Egyptian State Security Services—the government entity that oversees religious affairs in Egypt. Moreover, anti-Semitic rhetoric continues unabated in the state-controlled and semi-official media and education system.

Relations between Egypt's Muslims and Christians are increasingly strained. Knife attacks on Christian worshippers at three churches in Alexandria in April left an elderly man dead and up to 16 others wounded. Although the government claimed that a mentally disturbed man was the lone perpetrator, there is evidence that these attacks were religiously motivated. Three days of rioting followed the attacks, leaving one Muslim killed and almost 40 injured. Christians were also targets of extremists earlier this year near Luxor, where more than a dozen were injured, and last October in Alexandria, where three were killed during clashes.

Permits to build or repair non-Muslim houses of worship languish under restrictive rules. In December, President Mubarak announced he was easing restrictions on the maintenance of churches, which theoretically means approvals can be given at the local level. Yet, there are no signs so far that the situation has improved.

Baha'is, who have been banned from practicing their religion in Egypt for decades, continue to face severe challenges. A 1960 Presidential decree stripped Baha'is of legal recognition and as a result, many in the community of about 2,000 have no valid identity documents, which they need to comply with a law requiring all Egyptians to possess a valid identity card and for government services, including education. In April, Baha'is won the right in court to obtain identity documents without having to falsify their religious affiliation. But the victory was short-lived. After the Interior Ministry appealed the ruling on advice from religious authorities at Al-Azhar University, a higher court suspended the original verdict last month, leaving the Baha'i community in limbo until the Supreme Administrative Court rules on the appeal in September.

Human rights groups inside the country continue to be concerned that Islamic extremism is advancing in Egypt with detrimental effects on the prospects for democratic reform, religious tolerance, and the rights of women and girls and members of religious minorities. Some believe that the government is not acting to its fullest ability to counteract this problem, especially in the

areas of public education and the media, where the extremist influence is growing.

President Bush repeatedly has urged the Egyptian government to "show the way toward democracy in the Middle East," yet the Mubarak government has not made significant headway on democratic reform. In fact, there has been backsliding on several human rights, including religious freedom, in recent weeks and months.

A climate of greater respect for and compliance with Egypt's international human rights obligations is vital to improvement of its actions related to freedom of religion and treatment of religious minorities. To that end, the Commission recommends that:

- the U.S. government should establish a timetable for implementation of political and human rights reforms. If deadlines are not met, the U.S. government should re-consider the appropriate allocation of its assistance to the Egyptian government. Direct U.S. assistance to Egyptian human rights and other civil society groups should continue, without vetting by the Egyptian government.

High on the list of these reform benchmarks has to be that the Egyptian government removes de facto responsibility for religious affairs from the state security services with the exception of cases involving violence or the advocacy of violence.

In the near future, the Commission plans to reassess the overall situation in Egypt and whether or not conditions warrant raising Egypt to the status of a "country of particular concern," or CPC, from its current Watch List designation.

Iran

Over the past year, the Iranian government's poor religious freedom record deteriorated, especially for religious minorities and for Baha'is in particular. All minority groups are facing intensified harassment, detention, arrests, and imprisonment. Repression has risen to a level not seen since the years immediately following the 1979 revolution. President Ahmadinejad's repeated threats to destroy Israel and denials of the Holocaust have intensified fears among Iran's Jewish community. Dissident Muslims and political reformers continue to be imprisoned on criminal charges of blasphemy and criticizing the nature of the Islamic regime.

Over the years, hundreds of prominent Muslim activists and dissidents from among the Shi'a majority advocating political reform have been sentenced to lengthy prison terms by the Revolutionary Court, ostensibly on charges of seeking to overthrow the Islamic system in Iran. Reformists and journalists are regularly tried under current press laws and the Penal Code on charges of "insulting Islam," criticizing the Islamic Republic, and publishing materials that deviate from Islamic standards. Muslim minorities also face repression. Iranian Sunni leaders have reported widespread abuses and restrictions on their religious practice and the Sufi community is regularly intimidated and harassed by intelligence and security services and report widespread official discrimination.

In recent months, dozens of Baha'is have been arrested, detained, and interrogated before being released. In some cases, they have spent weeks or months in detention without being charged with any offense. In December 2005, Zabihullah Mahrami, a Baha'i who had been jailed for more than 10 years on charges of apostasy, died in prison under mysterious circumstances. In March 2006, the UN Special Rapporteur on Freedom of Religion or Belief exposed a confidential October 2005 letter from the Iranian Chairman of the Command Headquarters of the Armed Forces to several Iranian government agencies directing these entities to collect information on all members of the Baha'i community in Iran and to monitor their activities. Just last month, 54 Baha'is, mostly young females in their teens and 20s, were arrested in Shiraz while teaching underprivileged children non-religious subjects such as math and science. More than 120 Baha'is have been arbitrarily arrested since early 2005.

Christians in Iran continue to be subject to harassment, arrests, close surveillance, and imprisonment; many are reported to have fled the country. In the past 15 years, numerous Christians reportedly have been killed at the hands of government authorities and more than a dozen are reported missing or "disappeared." An evangelical pastor, Hamid Pourmand, remains in prison on charges of apostasy even after being acquitted in November 2005 by an Islamic court. Pourmand has been serving the balance of a three-year sentence handed down by a separate military court in February 2005. Furthermore, official policies promoting anti-Semitism are on the rise in Iran, though members of the Jewish community have always been singled out on the basis of "ties to Israel," whether real or perceived. Official government discrimination against Jews continues to be pervasive.

The government's monopoly on and enforcement of the official interpretation of Islam negatively affect the human rights of women in Iran, including their right to freedoms of movement, association, thought, conscience, and religion, and freedom from coercion in matters of religion or belief.

Since 1999, the State Department has designated Iran as a CPC. The Commission continues to recommend that Iran remain a CPC for severe religious freedom violations. In addition, the Commission recommends that the U.S. government should:

- at the highest levels, vigorously speak out publicly about the deteriorating conditions for freedom of thought, conscience, and religion or belief in Iran, including drawing attention to specific cases where severe violations have occurred, demonstrating that the U.S. government will not tolerate religious freedom abuses and is very closely monitoring developments in each individual case;
- ensure that new funding budgeted to promote democracy and human rights in Iran includes support for initiatives promoting freedom of religion or belief, as well as ways to promote rule of law programs that specifically seek to protect religious minorities in Iran; and
- increase funding for U.S. public diplomacy entities, such as Voice of America and Radio Farda, and develop new programming solely focusing on the situation of human rights-including the freedom of thought, conscience, and religion or belief-in Iran.

Iraq

Amid the widely-publicized cycle of Sunni-Shi'a sectarian violence in Iraq, non-Muslim religious minorities continue to suffer a disproportionate burden of violent attacks and other human rights abuses. These minority communities, including Christian Iraqis, Yazidis, and Sabeian Mandaeans, have been forced to fend for themselves in a continuing climate of impunity, and they remain particularly vulnerable given their lack of any tribal or militia structure to provide for their security.

In the face of this violence, members of these fragile communities continue to flee the country in an exodus that may mean the end of the presence in Iraq of ancient Christian and other religious minority communities that have lived on those same lands for 2,000 years.[i] Recently, the UN reported on "an explosion of Islamist extremist movements and militias which target, among others, members of religious minorities," and concluded that religious minorities "have become the regular victims of discrimination, harassment, and at times persecution, with incidents ranging from intimidation...[to] murder," and that "members of the Christian minority...appear to be particularly targeted." [ii]

As you already know, during the past two years, the indigenous, ancient Iraqi Christian community repeatedly has been the target of coordinated bombing attacks. This constant threat of violence has forced many worshippers to cease attending religious services or participate in religious events. Reports also alleged that the Kurdish Regional Government (KRG) has engaged in discriminatory behavior against religious minorities, including confiscation of ChaldoAssyrian property.[iii]

Islamic extremist elements also continue to target individual members of the Sabeian Mandaean community, solely on the basis of their religious belief. In a number of instances, attackers reportedly attempted forcibly to convert their victims before murdering them, sometimes going so far as to leave the victims' valuables behind to underscore the religious motivation for their acts.

In the past year, religiously motivated attacks on women, including non-Muslim women, continued, including acid attacks, kidnappings, and killings. The UN Special Rapporteur on Freedom of Religion or Belief reported that certain religious groups were issuing death threats against women pursuing advocacy or other political work.[iv] Women in particular are being forced to contend with the unlawful imposition of Islamic laws and principles by grassroots vigilante groups, as well as by the operation of illegal courts that seek to impose an extremist version of Islamic law on all Iraqis, regardless of their beliefs. The UN Special Rapporteur also concluded that the imposition of religious dress requirements in some academic institutions "led to a reduction in the number of girls and women attending schools and universities." This manner of dress was not forced, required, or even expected of women under the previous regime.

With respect to Iraq's new constitution, the Commission believes that ambiguous and potentially problematic provisions, as currently drafted, coupled with ongoing religiously-motivated sectarian violence, underscore the need for amendments that would clarify and strengthen human rights, as well as the promotion of implementing legislation to protect and enforce these rights. Such legislation should safeguard the right of every person to freedom of thought, conscience, and religion or belief, as well as establish an impartial and objective judiciary. In the face of Iraq's history of tyranny and the difficult efforts by those Iraqis who continue to support pluralism and freedom, these concerns are not merely theoretical. They are essential for genuine democracy and peace.

The Commission appreciates that significant security challenges continue to confront Iraq during its political transition. We also feel strongly that human rights protections-including safeguards for the individual right to freedom of religion or belief-represent a necessary component for successfully resolving these challenges. Therefore, the Commission recommends that:

- the State Department should immediately appoint and dispatch a senior Foreign Service officer to the U.S. Embassy in Baghdad to serve as the lead human rights official in Iraq, as previously endorsed by the Conference Report of the 2006 Science, State, Justice, Commerce, and Related Agencies Appropriations Act;
- Congress should urge the Administration to speak out at the highest level against religiously motivated violence, including violence targeting women and members of religious minorities; and, in cooperation with Iraqi law enforcement, take steps to: (a) enhance security at places of worship, particularly in areas where religious minorities are known to be at risk, and (b) locate and shut down illegal courts unlawfully imposing an extremist version of Islamic law; and
- Congress should direct unobligated Iraq reconstruction funds to deploy a group of human rights experts for consultations with the Iraqi Council of Representatives and the constitutional amendment committee, and to assist with legal drafting and implementation matters related to strengthening human rights provisions, including freedom of thought, conscience, and religion or belief.

- reconstruction and other funds should be proportionally allocated to ChaldoAssyrian communities, and their use determined by independent ChaldoAssyrian national and town civic representatives. Direct lines of input should be established with these independent ChaldoAssyrian civic structures through the allocation process of the Iraqi central government in Baghdad, separate from the Kurdish Regional Government."

Pakistan

The religious freedom problems in Pakistan come from two sources. First, there is the continued problem related to religious extremism and resulting violence. Pakistani government officials do not provide adequate protections from societal violence to members of the religious minority communities, including Shi'as, Ahmadis, Hindus, and Christians. With some exceptions, perpetrators of attacks on minorities are seldom brought to justice.

Second, there is the problem of discriminatory legislation-i.e., deliberate government policies. Because of the laws targeting the Ahmadi community, which numbers between 3 and 4 million in Pakistan, Ahmadis are prevented by law from engaging in the full practice of their faith. Among other restrictions, it is illegal for Ahmadis to preach in public, to seek converts, or to produce, publish, and disseminate their religious materials. Ahmadis have been arrested and imprisoned for terms of up to three years for all of the above acts, and they are reportedly subject to ill treatment from prison authorities and fellow prisoners. Blasphemy allegations, which are often false, result in the lengthy detention of, and sometimes violence against, Ahmadis, Christians, Hindus, and members of other religious minorities, as well as Muslims on account of their religious beliefs. The negative impact of the blasphemy laws is further compounded by the lack of due process involved in these proceedings. Several accused under the blasphemy laws have been attacked, even killed, by vigilantes, including while in police custody.

Many religious schools, or madrassas, in Pakistan provide ongoing ideological training and motivation to those who take part in violence targeting religious minorities in Pakistan and abroad. In mid-2005, the government of Pakistan renewed its effort to require all madrassas to register with the government. By year's end, and despite considerable outcry from some militant groups, most of the religious schools had registered. It remains unclear, however, whether these belated efforts to curb extremism through reform of the country's Islamic religious schools will prove effective. Moreover, these efforts do not adequately address the much wider problem of religious extremism in Pakistan and the continued strength of militant groups. It is not only Pakistan's religious schools that are cause for concern, however. The Commission is also concerned about the country's public school curriculum, which, according to the State Department, includes "derogatory remarks against minority religions, particularly Hindus and Jews," and the more general teaching that religious intolerance is acceptable.

And finally, Pakistan's Hudood Ordinances, which apply to Muslims and

non-Muslims alike, provide for harsh punishments, such as amputation and death by stoning, for violations of Islamic law. Women are particularly harshly affected by these laws: in October 2003, the National Commission on the Status of Women in Pakistan issued a report on the Hudood Ordinances that stated that as many as 88 percent of women prisoners, many of them rape victims, are serving time in prison for violating these decrees.

These religious freedom concerns continue amid the wider problem of the lack of democracy in Pakistan, an obstacle that, frankly speaking, the current government has done little to address. The absence of any meaningful democratic reform has been exacerbated by the Pakistani government's political alliance with militant religious parties, which has served to strengthen these groups and give them influence in the country's affairs disproportionate to their support among the Pakistani people.

In light of these persistent, serious concerns, the Commission continues to recommend that Pakistan be designated a CPC for severe religious freedom violations. In addition, the Commission recommends to the U.S. government that it urge the government of Pakistan to:

- make more serious efforts to combat Islamic extremism in that country and prevent sectarian violence;
- decriminalize blasphemy and, until such a time as that is possible, to implement procedural changes to the blasphemy laws that will reduce and ultimately eliminate their abuse; and
- rescind the laws targeting Ahmadis, which effectively violate their right to freedom of religion guaranteed in numerous international documents.

Saudi Arabia

The government of Saudi Arabia continues to enforce vigorously its ban on all forms of public religious expression other than the government's interpretation and enforcement of the Hanbali school of Sunni Islam. Members of the Shi'a and other non-Sunni communities, as well as non-conforming Sunnis, are subject to government restrictions on public religious practices and official discrimination in numerous areas, particularly in government employment. In past years, prominent Shi'a clerics and religious scholars were arrested and detained without charge for their religious views; some were reportedly beaten or otherwise ill-treated. Recent reports indicate that some of these Shi'a clerics have been released, but the current status of a number of others remains unknown.

Criminal charges of apostasy, blasphemy, and criticizing the nature of the regime are used by the Saudi government to suppress discussion and debate and silence dissidents. Promoters of political and human rights reforms, as

well as those seeking to debate the appropriate role of religion in relation to the state, its laws, and society, are typically the target of such charges. For example, in April, a Saudi journalist was arrested and detained by Saudi authorities for almost two weeks for "denigrating Islamic beliefs" and criticizing the Saudi government's strict interpretations of Islam. In November 2005, a Saudi high school teacher, accused for discussing topics such as the Bible, Judaism, and the causes of terrorism, was tried on charges of blasphemy and insulting Islam and sentenced to three years in prison and 750 lashes. Although he was pardoned by King Abdullah in December 2005, he nevertheless lost his job and suffered other repercussions.

There is also a continuing pattern of punishment and abuse of non-Muslim foreigners for private religious practice in Saudi Arabia, which often results in harassment, arrests, and abuse by the mutawaa, or religious police. Furthermore, the government continues to be linked to financing activities throughout the world that support extreme religious intolerance, hatred, and, in some cases, violence toward non-Muslims and disfavored Muslims.

In May, the Center for Religious Freedom at Freedom House, of which I, in my own professional capacity, am director, released an analysis of a dozen religious and other textbooks from the most recent school year's curriculum in Saudi Arabia and found that religious intolerance and hatred toward all "unbelievers" remains pervasive. The response to this report unfortunately reflects a pattern that we have seen before: contradictory messages from Saudi officials and an absence of tangible improvements. Saudi Ambassador to the United States Prince Turki al-Faisal, while acknowledging the problem and admitting that reform of the Saudi education system is a "massive undertaking," also said that the "Saudi government has worked diligently during the last five years to overhaul its education system, which includes textbooks, teacher training, and the introduction of new teaching methods." However, just two weeks ago, Saudi Interior Minister Prince Naif refuted the study and said publicly that Saudi textbooks are "progressive" and free of any kind of extremist ideology. Apparently, Ambassador Turki's comments were directed at a U.S. audience, while Prince Naif's comments were for a Saudi one, as they were made at a graduation ceremony of a university in Riyadh-contradictory messages for different audiences.

Moreover, the government's monopoly on the interpretation of Islam and other violations of freedom of religion adversely affect the human rights of women in Saudi Arabia, including freedom of speech, movement, association, and religion, freedom from coercion, access to education, and full equality before the law.

In September 2004, the State Department for the first time followed the Commission's recommendation and designated Saudi Arabia a "country of particular concern," or CPC. In September 2005, one year after the designation of Saudi Arabia, Secretary Rice approved a temporary 180-day waiver of further action, as a consequence of CPC designation, to allow for continued diplomatic discussions with the Saudi government and "to further the purposes of the International Religious Freedom Act." At that time, the Commission stated that the U.S. government should use the 180-day extension to directly engage the

Saudi government to achieve demonstrable progress by the end of that period of time. The waiver expired in late March 2006.

In the absence of such progress to date, and in accordance with IRFA, the Commission recommends that the U.S. government should:

- stop approving the export to Saudi Arabia of items such as thumbcuffs, leg irons, and shackles, which could be used by some agencies of the Saudi government to perpetrate human rights violations, such as torture; and
- bar those Saudi government officials from entry into the United States who are responsible for severe religious freedom violations or for propagating a religiously intolerant, hate-filled ideology throughout the globe.

Since its inception, the Commission has recommended, and continues to recommend, that Saudi Arabia be designated a CPC. Earlier this month, a State Department spokesman said that it will soon announce publicly the results of extensive discussions with the Saudi government on efforts to improve religious freedom conditions in that country. The Commission believes that if an agreement is announced, it should be closely and transparently monitored and that the State Department should report to Congress quarterly on the progress of such an agreement's implementation.

Conclusion

Mr. Chairman, one of the common themes that cuts across each of these countries, and several others for that matter, is the extent to which a government perpetuates hatred against religious minorities and fosters religious extremism within its society or even beyond its borders through its education system, the official media, and other government policies. To date, there has been no systematic reporting on this by the U.S. government. Yet bringing into the public eye information of this sort is very important to urging governments to change their practices or to encourage positive practices already being undertaken by a particular government.

The Commission believes that the State Department should describe the nature and extent to which any government, or entities funded by that government, sponsors activities that explicitly promote religious hatred, intolerance, and other human rights violations, including violence. Such a description should include a detailed review of any of the following that incite hate or violence: 1) textbooks and educational literature in schools; 2) other publications and Websites of the government, its ministries, or organizations receiving government funding; 3) publications and programs of state-controlled and semi-official print, radio, and television media; and 4) sermons in state-controlled places of worship. One tool that already exists which could include this kind of assessment would be the State Department's International Religious Freedom Report.

I want to thank you for the opportunity to share with you the Commission's views and recommendations. We look forward to continuing to work closely with the Congress to advance in U.S. policy respect for the freedom of religion or belief.

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

[i] According to the UNHCR, "Iraqi Christians continue to arrive in Syria and Jordan, however, in smaller numbers than in 2004." UNHCR, Guidelines Relating to the Eligibility of Iraqi Asylum-Seekers (October, 2005), p. 9 (<http://www.unhcr.org/cgi-bin/texis/vtx/publ/opendoc.pdf?tbl=RSDLEGAL&id=4354e3594&page=publ>).

[ii] Ibid.

[iii] U.S. Department of State, 2005 Country Reports on Human Rights Practices.

[iv] UN Special Rapporteur on Freedom of Religion or Belief, "Addendum: Summary of Cases Transmitted to Governments and Replies Received," March 27, 2006, UN Doc. E/CN.4/2006/5/Add.1, p. 50.