

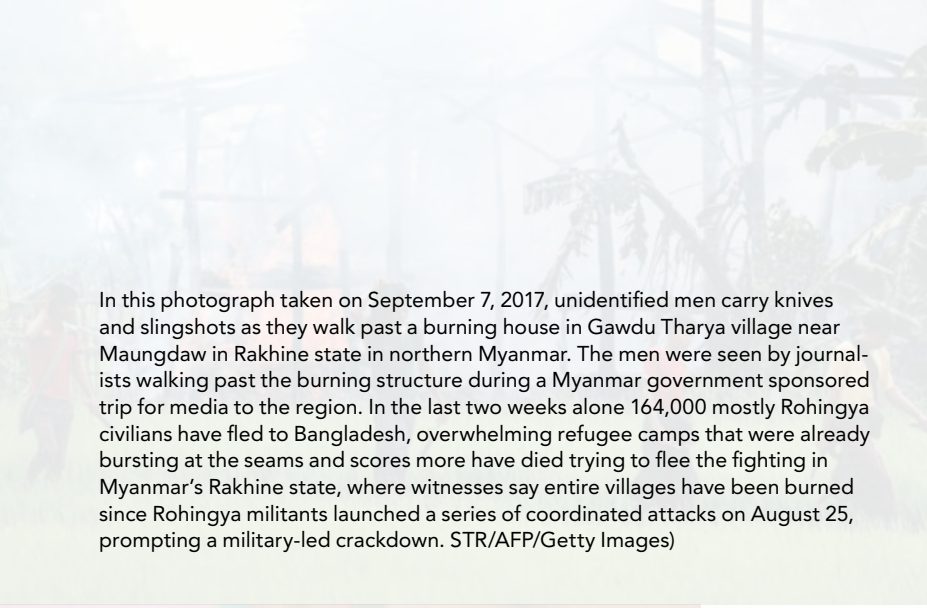


UNITED STATES COMMISSION ON  
**INTERNATIONAL  
RELIGIOUS  
FREEDOM**


2018 ANNUAL REPORT



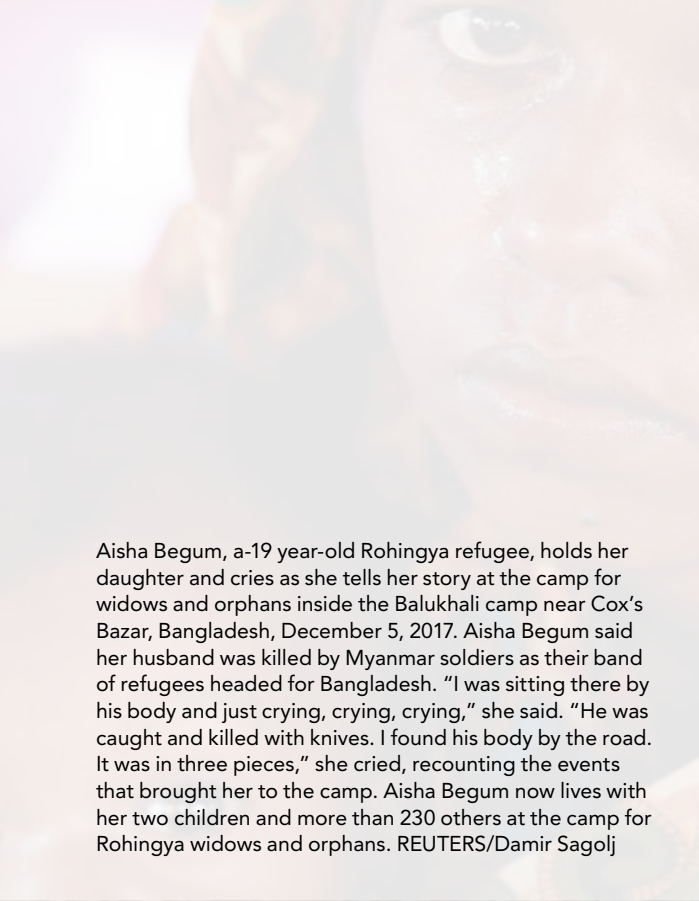




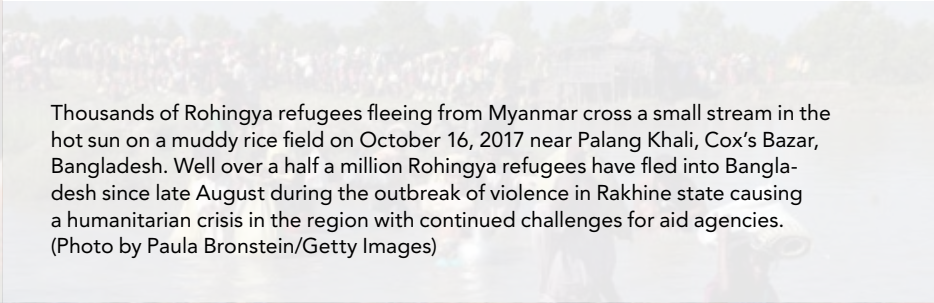
In this photograph taken on September 7, 2017, unidentified men carry knives and slingshots as they walk past a burning house in Gawdu Tharya village near Maungdaw in Rakhine state in northern Myanmar. The men were seen by journalists walking past the burning structure during a Myanmar government sponsored trip for media to the region. In the last two weeks alone 164,000 mostly Rohingya civilians have fled to Bangladesh, overwhelming refugee camps that were already bursting at the seams and scores more have died trying to flee the fighting in Myanmar's Rakhine state, where witnesses say entire villages have been burned since Rohingya militants launched a series of coordinated attacks on August 25, prompting a military-led crackdown. STR/AFP/Getty Images)



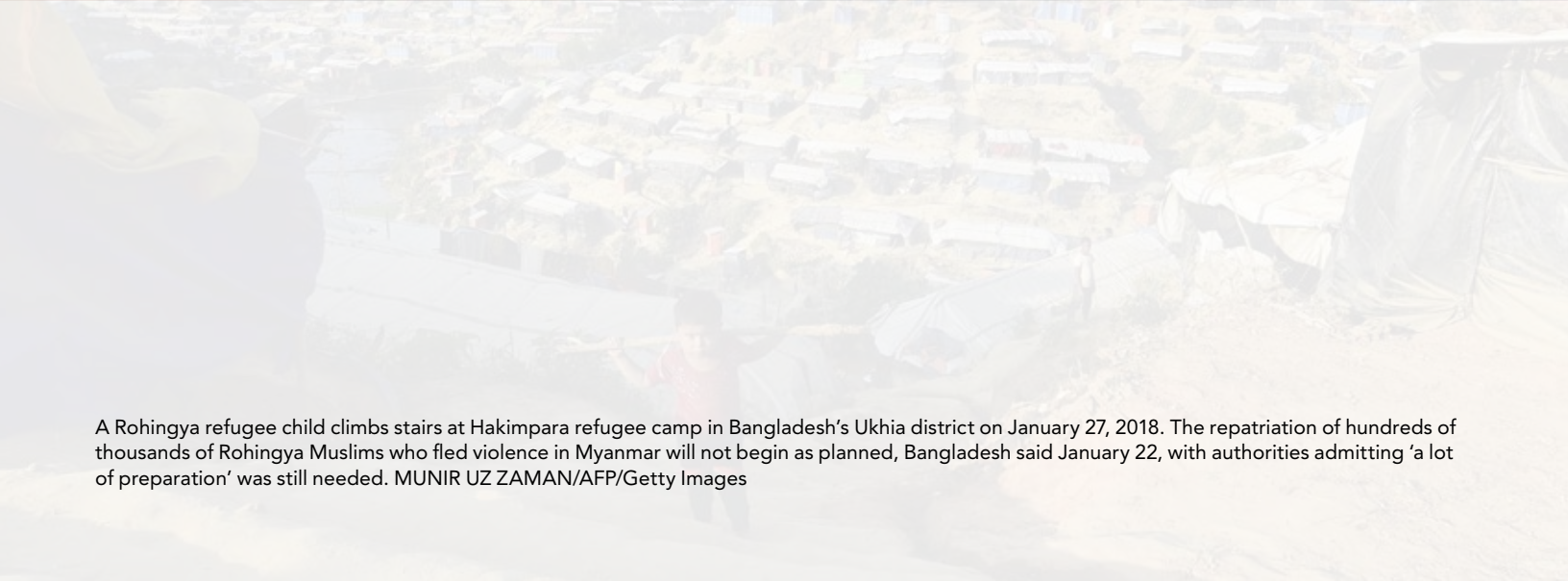
Supporters and monks belonging to the hardline Buddhist group Mabatha rally outside the US embassy in Yangon on April 28, 2016. The Buddhist ultra-nationalist group denounce the US embassy recent statement related to the deaths of the Rohingya Muslim minority from the April 19, 2016 boat accident in Sittwe. ROMEO GACAD/AFP/Getty Images)



Aisha Begum, a 19-year-old Rohingya refugee, holds her daughter and cries as she tells her story at the camp for widows and orphans inside the Balukhali camp near Cox's Bazar, Bangladesh, December 5, 2017. Aisha Begum said her husband was killed by Myanmar soldiers as their band of refugees headed for Bangladesh. "I was sitting there by his body and just crying, crying, crying," she said. "He was caught and killed with knives. I found his body by the road. It was in three pieces," she cried, recounting the events that brought her to the camp. Aisha Begum now lives with her two children and more than 230 others at the camp for Rohingya widows and orphans. REUTERS/Damir Sagolj



Thousands of Rohingya refugees fleeing from Myanmar cross a small stream in the hot sun on a muddy rice field on October 16, 2017 near Palang Khali, Cox's Bazar, Bangladesh. Well over a half a million Rohingya refugees have fled into Bangladesh since late August during the outbreak of violence in Rakhine state causing a humanitarian crisis in the region with continued challenges for aid agencies. (Photo by Paula Bronstein/Getty Images)



A Rohingya refugee child climbs stairs at Hakimpara refugee camp in Bangladesh's Ukhia district on January 27, 2018. The repatriation of hundreds of thousands of Rohingya Muslims who fled violence in Myanmar will not begin as planned, Bangladesh said January 22, with authorities admitting 'a lot of preparation' was still needed. MUNIR UZ ZAMAN/AFP/Getty Images



# ANNUAL REPORT

OF THE U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

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Roy Haskins, *Manager of Finance and Administration*

Henry Young, *Management and Program Analyst*

## U.S. Commission on International Religious Freedom

732 North Capitol Street, NW, Suite A714

Washington, DC 20401

202-523-3240, 202-523-5020 (fax)

[www.uscirf.gov](http://www.uscirf.gov)



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# INTRODUCTION

Religious freedom conditions continued to deteriorate in countries across the globe in 2017. This ongoing downward trend often intersected with authoritarian practices characterized by hostility toward dissent, pluralism, independent media, and active civil society, or took place under the guise of protecting national security or countering terrorism.

In the 28 nations addressed in this report, governments and nonstate actors targeted religious minorities, dissenting members of majority communities, and nonreligious persons. The most severe abuses included genocide and other mass atrocities, killings, enslavement, rape, imprisonment, forced displacement, forced conversions, intimidation, harassment, property destruction, the marginalization of women, and bans on children participating in religious activities or education.

For example, in 2017 in Burma's Rakhine State, the military and security forces, along with nonstate actors, committed what the United States and United Nations labeled "ethnic cleansing" against Rohingya Muslims. In China, the government created police states in Xinjiang and Tibet to persecute Uighur Muslims and Tibetan Buddhists and continued its brutal treatment of Falun Gong practitioners. In Cuba, government officials detained religious leaders and activists who advocated for religious freedom. In Iraq and Syria, the Islamic State of Iraq and Syria (ISIS) continued its genocidal campaign against Christians, Yazidis, and Shi'a Muslims despite losing territory, and the Assad regime and Iranian-backed militias in Syria increased sectarian attacks against Sunni Muslims. In Nigeria, the government failed to prevent or stop increasing violence along religious lines or hold perpetrators to account. In Pakistan, the country's strict blasphemy laws and increased extremist activity further threatened already marginalized minority communities, including Ahmadis, Christians, Hindus, Sikhs, and Shi'a Muslims. In Russia, the government banned the Jehovah's Witnesses and prose-

cuted for extremism peaceful Muslims and "nontraditional" groups, including Scientologists. In Turkey, the continued unjust detention of American Pastor Andrew Brunson had a chilling effect on Christians.

In addition to endangering individuals and communities, severe violations of religious freedom threaten the stability and security of nations and regions, underscoring the importance of U.S. efforts to address and prevent abuses of this fundamental human right. As this report details, U.S. law provides a range of tools to pressure egregious religious freedom violators—including in the International Religious Freedom Act (IRFA), the Frank R. Wolf International Religious Freedom Act, and the Global Magnitsky Human Rights Accountability Act—which the U.S. government should utilize fully. In addition, both the Trump Administration and Congress should amplify their international religious freedom efforts by: working with international partners, humanizing the issue by focusing on prisoners of conscience and victims of blasphemy laws, and stressing the importance of empowering women to fully exercise their rights to freedom of religion or belief.

Among the range of universal, interdependent human rights, the freedom to follow one's conscience in matters of religion or belief is essential to human dignity

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*Among the range of universal, interdependent human rights, the freedom to follow one's conscience in matters of religion or belief is essential to human dignity and human flourishing.*

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and human flourishing. Its full protection requires the freedoms of expression, assembly, and association; as a result, its expansion also bolsters these other fundamental rights.

This report is based on a year's work by Commissioners and staff

of the [U.S. Commission on International Religious Freedom](#) (USCIRF) to monitor freedom of religion or belief abroad, assess violations and progress, analyze U.S. policy, and develop independent policy recommendations. The results of USCIRF's work are provided through its findings and recommendations in public statements and reports.

In 2017 and early 2018, Commissioners and staff visited 12 countries to assess conditions: Egypt, Nigeria, Saudi Arabia, Pakistan, the Central African Republic, Turkey, Uzbekistan, Ukraine (regarding Russian-occupied areas), Burma, Bangladesh, Bahrain, and Iraq. In addition to its country monitoring, USCIRF prioritized several thematic issues during 2017.

The first theme was advocacy for specific prisoners through [USCIRF's Religious Prisoners of Conscience Project](#), to shine a light on their cases and press for their release. A focus on these individuals makes concrete and understandable the human impact of unjust laws and policies and underscores the need for reform. During the year, several religious prisoners of conscience highlighted by USCIRF were released from prison.

The second theme was the issue of blasphemy laws, to highlight both their [incompatibility with international human rights principles](#) and some of the [individuals](#) affected by their enforcement. These laws exist in at least 69 countries worldwide and should be repealed.

The third theme was [women and religious freedom](#), to explore the synergies between freedom of religion or belief and women's equality and dispel the common misperception that there is a clash between

these two universal human rights. In fact, women's rights to religious freedom and to equality are indivisible and interrelated, and freedom of religion or belief can play an important role in responding to harmful practices imposed on women in the name of tradition, culture, or religion.

While religious freedom violations in many parts of the world continue to be grave, there are real reasons for optimism 20 years after the U.S. Congress' land-

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*While religious freedom violations in many parts of the world continue to be grave, there are real reasons for optimism 20 years after the U.S. Congress' landmark passage of IRFA.*

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mark passage of IRFA. Severe violations still occur but are less likely to go unnoticed. The U.S. government, once nearly alone in this effort, has an increasing number of partners with which to work on freedom of religion abroad, including

international organization entities, foreign government bodies, and a global parliamentary network. The media and civil society in the United States and abroad are more focused on international religious freedom issues than ever before. And the growing recognition of freedom of religion or belief as a tool to empower women provides an opportunity to expand the coalition of those advocating for religious freedom for all, to include individuals and organizations interested in promoting women's rights.



# 2018 ANNUAL REPORT OVERVIEW

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

The 2018 Annual Report documents religious freedom violations and progress during calendar year 2017 in 28 countries and makes independent recommendations for U.S. policy. The report is divided into three sections. The first section focuses on the U.S. government's implementation of IRFA and provides recommendations to bolster U.S. efforts to advance freedom of religion or belief abroad.

The second section highlights 16 countries USCIRF concludes meet IRFA's standard for "countries of particular concern," or CPCs, for the period covered by this report, which USCIRF refers to as Tier 1 countries. IRFA requires the U.S. government to designate as a CPC any country whose government engages in or tolerates particularly severe religious freedom violations, meaning those that are systematic, ongoing, and egregious. The State Department most recently made CPC designations in December 2017, naming 10 countries, based on violations in 2016. At the same time, the State Department named

In 2018, USCIRF recommends that the State Department redesignate the following 10 countries as CPCs: Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, Tajikistan, Turkmenistan, and Uzbekistan. USCIRF also finds that six other countries meet the CPC standard and should be so designated: Central African Republic, Nigeria, Pakistan, Russia, Syria, and Vietnam.

Pakistan as the first—and only—country on its Special Watch List, a new category created in 2016 by the [Frank R. Wolf International Religious Freedom Act](#) (Frank Wolf Act) for governments that engaged in or tolerated severe violations but are deemed to not meet all the criteria of the CPC test.

The third section of the Annual Report highlights 12 countries USCIRF categorizes as Tier 2, defined by USCIRF as nations in which the violations engaged in or tolerated by the government during 2017 are serious and characterized by at least one of the elements of the "systematic, ongoing, and egregious" CPC standard.

In 2018, USCIRF places the following 12 countries on Tier 2: Afghanistan, Azerbaijan, Bahrain, Cuba, Egypt, India, Indonesia, Iraq, Kazakhstan, Laos, Malaysia, and Turkey.

Previous annual reports also included a section covering additional countries and regions that USCIRF monitored during the reporting year, but that did not meet the CPC or Tier 2 standards. The 2018 Annual Report does not include this section. USCIRF continues to monitor religious freedom globally but has decided to focus the annual report on Tier 1 and Tier 2 countries. The fact that other countries are not included in this report does not mean religious freedom issues do not exist in those countries or that concerns discussed in previous USCIRF annual reports have improved. Information on religious freedom conditions in all foreign countries may be found in the State Department's annual [International Religious Freedom reports](#). USCIRF also issues publications throughout the year on a variety of countries and topics, which can be found at [www.uscirt.gov](http://www.uscirt.gov).

As USCIRF's annual reports have long recognized, nonstate actors are among the most egregious violators of religious freedom. The Frank Wolf Act requires the

\*In this report, USCIRF uses the terms "religious freedom," "freedom of religion," and "freedom of religion or belief" interchangeably to refer to the broad right to freedom of thought, conscience, and religion or belief protected under international human rights law.

U.S. government to identify nonstate actors engaging in particularly severe violations of religious freedom and designate them as “entities of particular concern,” or EPCs. The law defines nonstate actor as “a nonsovereign entity that exercises significant political power and territorial control; is outside the control of a sovereign government; and often employs violence in pursuit of its objectives.” The State Department did not make any EPC designations in 2017. However, on March 5, 2018, after the end of the reporting period, then Secretary of State Rex Tillerson designated the following nonstate actors as EPCs for particularly severe religious freedom violations: “al-Nusra Front, al-Qa’ida in the Arabian Peninsula, al-Qa’ida, al-Shabab, Boko Haram, ISIS, ISIS-Khorasan, and the Taliban.”

In 2018, USCIRF recommends that the State Department designate the following organizations as EPCs: the Islamic State of Iraq and Syria (ISIS), the Taliban in Afghanistan, and al-Shabaab in Somalia.

In 2018, USCIRF recommends three organizations for designation as EPCs based on their violations during 2017: the Islamic State of Iraq and Syria (ISIS), the Taliban in Afghanistan, and al-Shabaab in Somalia. USCIRF also continues to report, in various country chapters, on particularly severe violations of religious freedom perpetrated by nonstate actors that do not meet the Frank Wolf Act’s definition because, for example, they do not exercise territorial control.

USCIRF 2018		
<p><b>CPC Recommendations (Tier 1):</b></p> <ul style="list-style-type: none"> <li>Burma*</li> <li>Central African Republic</li> <li>China*</li> <li>Eritrea*</li> <li>Iran*</li> <li>Nigeria</li> <li>North Korea*</li> <li>Pakistan</li> <li>Russia</li> <li>Saudi Arabia*</li> <li>Sudan*</li> <li>Syria</li> <li>Tajikistan*</li> <li>Turkmenistan*</li> <li>Uzbekistan*</li> <li>Vietnam</li> </ul> <p><small>*Designated as CPCs by the State Department on December 22, 2017</small></p>	<p><b>Tier 2 Countries:</b></p> <ul style="list-style-type: none"> <li>Afghanistan</li> <li>Azerbaijan</li> <li>Bahrain</li> <li>Cuba</li> <li>Egypt</li> <li>India</li> <li>Indonesia</li> <li>Iraq</li> <li>Kazakhstan</li> <li>Laos</li> <li>Malaysia</li> <li>Turkey</li> </ul>	<p><b>EPC Recommendations:</b></p> <ul style="list-style-type: none"> <li>The Islamic State of Iraq and Syria (ISIS)*</li> <li>The Taliban in Afghanistan*</li> <li>Al-Shabaab in Somalia*</li> </ul> <p><small>*Designated as EPCs by the State Department on March 5, 2018</small></p>

# USCIRF POLICY RECOMMENDATIONS FOR TIER 1 AND TIER 2 COUNTRIES

While the U.S. government must pursue freedom of religion or belief as a foreign policy objective within the specific context of each country covered in this annual report, certain common themes and policy options arise. The most common policy recommendations for states categorized by USCIRF as Tier 1 or Tier 2 countries appear below. These recommendations may not be

generalizable to all countries due to special circumstances, such as existing sanctions or lack of bilateral relations. Nonetheless, they represent the most pressing religious freedom concerns worldwide and the most promising avenues for addressing them through U.S. foreign policy.

FOR TIER 1 AND TIER 2 COUNTRIES	
<p>USCIRF recommends the U.S. government pursue the following goals . . .</p>	<ul style="list-style-type: none"> <li>• Urge the country’s government to cooperate fully with international human rights mechanisms, including by inviting visits by the United Nations (UN) Special Rapporteur on freedom of religion or belief;</li> <li>• Press the country’s government to bring national laws and regulations, including registration requirements for religious communities, into compliance with international human rights standards;</li> <li>• Press the country’s government to conduct professional and thorough investigations—and to prosecute perpetrators—of incidents of sectarian violence, terrorism, and other violations of religious freedom;</li> <li>• Press for at the highest levels and work to secure the unconditional release of prisoners of conscience and religious freedom advocates, and press the country’s government to treat prisoners humanely and allow them access to family, human rights monitors, adequate medical care, and lawyers, and the ability to practice their faith;</li> </ul>
<p>. . . through methods including these policy options.</p>	<ul style="list-style-type: none"> <li>• Enter into a binding agreement with the foreign government of a country designated by the State Department as a CPC, as authorized under section 405(c) of IRFA (<a href="#">22 U.S.C. §6445(c)</a>), setting forth mutually agreed commitments that would foster critical reforms to improve religious freedom;</li> <li>• Use targeted tools against specific officials, agencies, and military units identified as having participated in or being responsible for religious freedom violations, including visa denials under section 604(a) of IRFA (<a href="#">section 212(a)(2)(G) of the Immigration and Nationality Act</a>) and visa denials and asset freezes under the <a href="#">Global Magnitsky Human Rights Accountability Act</a> and <a href="#">Executive Order 13818</a>;</li> <li>• Raise consistently religious freedom concerns at high-level bilateral meetings with the country’s leaders;</li> <li>• Coordinate with other diplomatic missions and foreign delegations, including the UN and European Union, about human rights advocacy in meetings with the country’s officials and during visits to the country;</li> <li>• Ensure that the U.S. Embassy and U.S. consulates, including at the ambassadorial and consular general levels, maintain active contacts with human rights activists.</li> <li>• Help to train the country’s governmental, civil society, religious, and/or educational professionals to better address sectarian conflict, religion-related violence, and terrorism through practices consistent with international human rights standards.</li> </ul>





# IMPLEMENTATION OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT

## KEY FINDINGS

The [International Religious Freedom Act](#) (IRFA) gives the U.S. government a range of tools to respond to religious freedom violations abroad and encourage improvements. Although no administration in IRFA's 20-year existence has implemented the law to its full potential, U.S. international religious freedom policy has been more robust since 2015. In 2016, the [Frank R. Wolf International Religious Freedom Act](#) (Frank Wolf Act) amended IRFA to address implementation concerns and better reflect current conditions. During 2017, the Trump Administration emphasized its commitment to international religious freedom through statements from President Donald Trump, Vice President Michael Pence, and other high-level officials, as well as in the National Security Strategy. In a year of transition, there was no Ambassador-at-Large

for International Religious Freedom for most of 2017, and a U.S. State Department reorganization that would elevate the Ambassador-at-Large within the bureaucracy and increase the functions and staff of the Office of International Religious Freedom (IRF Office) was not complete by year's end. In December, the State Department redesignated as "countries of particular concern," or CPCs, the same 10 nations designated in 2016, and placed Pakistan on its new Special Watch List. The State Department did not designate any nonstate actors as "entities of particular concern," or EPCs, in 2017. With Ambassador-at-Large Sam Brownback in place as of February 1, 2018, after the end of the reporting period, the Trump Administration has an opportunity to build on recent progress and fully implement IRFA, including the new tools provided by the Frank Wolf Act.

## RECOMMENDATIONS TO THE ADMINISTRATION

- Ensure that the Ambassador-at-Large has the necessary authority and resources to carry out IRFA's mandates, including sufficient funding and staffing for the IRF Office.
- Appoint promptly a qualified and experienced individual to be Special Adviser to the President on International Religious Freedom within the National Security Council (NSC) staff, as IRFA envisions.
- Develop and issue a whole-of-government strategy to guide the U.S. government's promotion of religious freedom abroad for all, as well as action plans for specific countries, and establish an interagency working group, chaired by the Ambassador-at-Large, to oversee implementation.
- Implement fully all of IRFA's and the Frank Wolf Act's requirements, including through diplomatic engagement; annual CPC, Special Watch List, and EPC designations; and corresponding actions—especially targeted actions such as visa denials and asset freezes against specific violators.
- Prioritize efforts to seek the release of prisoners identified by the State Department or USCIRF as imprisoned for their religious beliefs, activity, identity, or religious freedom advocacy, especially in countries designated as CPCs or recommended by USCIRF for such designation.
- Engage multilaterally to advance religious freedom abroad, including by participating in and supporting relevant United Nations (UN) and Organization for Security and Cooperation in Europe (OSCE) entities and activities and continuing to lead and participate in the International Contact Group on Freedom of Religion or Belief.
- Resettle vulnerable refugees, including those fleeing religious persecution, through the U.S. Refugee Admissions Program (USRAP) and address the longstanding flaws in the treatment of asylum-seekers in Expedited Removal that USCIRF has documented since 2005.

## RECOMMENDATIONS TO CONGRESS

- Ensure sufficient appropriations for the Ambassador-at-Large and the IRF Office to fully execute and effectively achieve IRFA's mandates.
- Focus on competence in international religious freedom during confirmation hearings for relevant officials in the State Department and other agencies.
- Hold annual oversight hearings on the implementation of IRFA and the Frank Wolf Act, as well as hearings on specific religious freedom issues, and raise religious freedom in country-specific hearings and ambassadorial confirmation hearings.
- Support legislation that promotes freedom of religion or belief abroad and, through legislation and appropriations, develop an international religious freedom strategy.
- Examine, during delegation trips abroad, conditions for persons of all faiths and beliefs or none, including by meeting with targeted religious communities, religious freedom advocates, and prisoners held for their religion or belief or their religious freedom advocacy.
- Participate in the Tom Lantos Human Rights Commission's [Defending Freedoms Project](#) to advocate for the release of prisoners of conscience abroad.
- Participate in the [International Panel of Parliamentarians for Freedom of Religion or Belief](#), an informal network of legislators working to counter religious persecution and promote the internationally protected right to religious freedom.
- Exercise oversight of Expedited Removal and press for reforms to address concerns about the treatment of asylum-seekers in that process that USCIRF has identified since 2005.

## LEGAL PROVISIONS

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

### Government Institutions

Inside the U.S. executive branch, IRFA created the position of Ambassador-at-Large (an appointee nominated by the president and confirmed by the Senate), to head a State Department office focused on religious freedom abroad: the [IRF Office](#). The law also urges the appointment of a special adviser dedicated to the issue on the White House NSC staff, although no administration since the law's enactment has done so. The Frank Wolf Act reiterates this position's importance. Outside the executive branch, IRFA created [USCIRF](#), an independent body mandated to review religious freedom conditions globally, evaluate U.S. policy, and make policy recommendations to the president, secretary of state, and Congress.

### Monitoring and Reporting

IRFA mandates that the State Department prepare an annual report on religious freedom conditions in

each foreign country (the [IRF Report](#)), in addition to the department's annual human rights report. It also requires that USCIRF issue its own [annual report](#) setting forth its findings and providing independent policy recommendations. IRFA further requires the State Department to maintain country-by-country lists of prisoners and issues of concern for use by executive and legislative branch officials, and the Frank Wolf Act now requires that USCIRF, to the extent practicable, make available online lists of prisoners and other victims of governments or nonstate actors that USCIRF recommends for CPC or EPC designation.

### Consequences for Violators

IRFA requires the president—who has [delegated](#) this power to the secretary of state—to designate CPCs annually and take action designed to encourage improvements in those countries. CPCs are defined as countries whose governments either engage in or tolerate “particularly severe” violations of religious freedom. A menu of possible actions is available, including negotiating a bilateral agreement, imposing sanctions, taking “commensurate action,” or issuing a waiver. The Frank Wolf Act amends this provision to add a “Special Watch



List” category, in which the State Department is to place countries it deems to have engaged in or tolerated severe violations of religious freedom. The term “severe violations” is not defined. No specific actions are required or delineated for Special Watch List countries.

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

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

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

## International Standards

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

## Programs and Training

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

## Refugee and Asylum Issues

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

## DEVELOPMENTS IN 2017

### High-Level Commitment

During 2017, the Trump Administration emphasized its commitment to international religious freedom through statements from high-level officials, including President Trump, Vice President Pence, and then Secretary of State Rex Tillerson. For example, in February, President Trump [called](#) freedom of religion “a sacred right” and noted the need to address threats against it, especially terrorism. In his April 14 weekly address, the president expressed hope for a future “where good people of all faiths, Christians and Muslims and Jewish and Hindu, can follow their hearts and worship according to their conscience.” In June, Vice President Pence [repeatedly stressed](#) that the Trump Administration would “condemn persecution of any faith in any place at any time” and that “protecting and promoting religious freedom is a foreign policy priority” of this administration. In

August, then Secretary Tillerson [stated](#): “Where religious freedom is not protected, we know that instability, human rights abuses, and violent extremism have a greater opportunity to take root. . . . The Trump Administration has committed to addressing these conditions in part by advancing international religious freedom around the world. The State Department will continue to advocate on behalf of those seeking to live their lives according to their faith.” In November, in a speech in Sudan, Deputy Secretary of State John Sullivan [stated](#) that “President Trump, Vice President Pence, and Secretary Tillerson have made clear that the protection and promotion of religious freedom is a foreign policy priority of the Administration” and that “the United States will not ignore violations of human rights, including the right to religious freedom” in its relationship with Sudan.

The December 2017 [National Security Strategy](#) also reflects this commitment. In its fourth pillar (on advancing American influence), the document states that the United States will champion American values, including by “supporting and advancing religious freedom—America’s first freedom.” One of the five priority actions in this area

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*The December 2017 National Security Strategy . . . states that the United States will champion American values, including by “supporting and advancing religious freedom—America’s first freedom.”*

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is “protecting religious freedom and religious minorities”; in this regard, the document declares that the United States “will advocate on behalf of religious freedom and religious minorities,” and will prioritize protecting minority communities from attacks and preserving their cultural heritage.

### Ambassador-at-Large and Related Positions

On January 20, 2017, David Saperstein completed his service as Ambassador-at-Large for International Religious Freedom. During his 2015 to 2017 tenure, and with bipartisan Congressional support, the IRF Office expanded its diplomatic, policy, programmatic, and training activity and reinvigorated the CPC process. After the reporting period, on February 1, 2018, [Sam Brownback](#) was sworn into the position. President Trump nominated him in July 2017 and the Senate confirmed him in late January 2018. Ambassador Brownback, who most recently served as the governor of Kansas, is the fifth Ambassador-at-Large for International Religious Freedom. As a U.S. senator from

1996 to 2011, he was a key sponsor of IRFA and a co-chair of the Congressional Human Rights Caucus. Pursuant to IRFA, the Ambassador-at-Large is also an ex officio USCIRF Commissioner, and USCIRF welcomed Ambassador Brownback’s [nomination](#) and [confirmation](#).

Under IRFA, the Ambassador-at-Large is to be a “principal adviser to the President and the Secretary of State regarding matters affecting religious freedom abroad” and, under the Frank Wolf Act, is to report directly to the secretary of state. In previous administrations, the Ambassador-at-Large had not reported directly to the secretary. In August 2017, as part of a department-wide reorganization effort, then Secretary Tillerson proposed that the Ambassador-at-Large report to the Undersecretary for Civilian Security, Democracy, and Human Rights. The undersecretary is a more senior official than the Assistant Secretary for Democracy, Human Rights, and Labor, to whom the Ambassador-at-Large previously reported.

Over the years, various administrations and Congress created other State Department positions with overlapping or related mandates, such as special representatives or envoys on religion and global affairs, to Muslim

communities, to the Organization of Islamic Cooperation (OIC), and to monitor and combat anti-Semitism, as well as a special advisor for religious minorities in the Near East and South and Central Asia. Most of these positions were empty during 2017. Then Secretary Tillerson’s reorganization proposal would eliminate the special representative or envoy positions relating to religion and global affairs, Muslim communities, and the OIC, and move their functions and staff into the IRF Office. The proposal also would move the position on religious minorities in the Near East and South and Central Asia into the IRF Office and move the position on anti-Semitism into the Bureau of Democracy, Human Rights, and Labor.

### CPC and Special Watch List Designations

On December 22, 2017, then Secretary Tillerson [redesignated](#) as CPCs, for engaging in or tolerating particularly severe religious freedom violations, the 10 countries previously designated as such in October 2016: Burma,

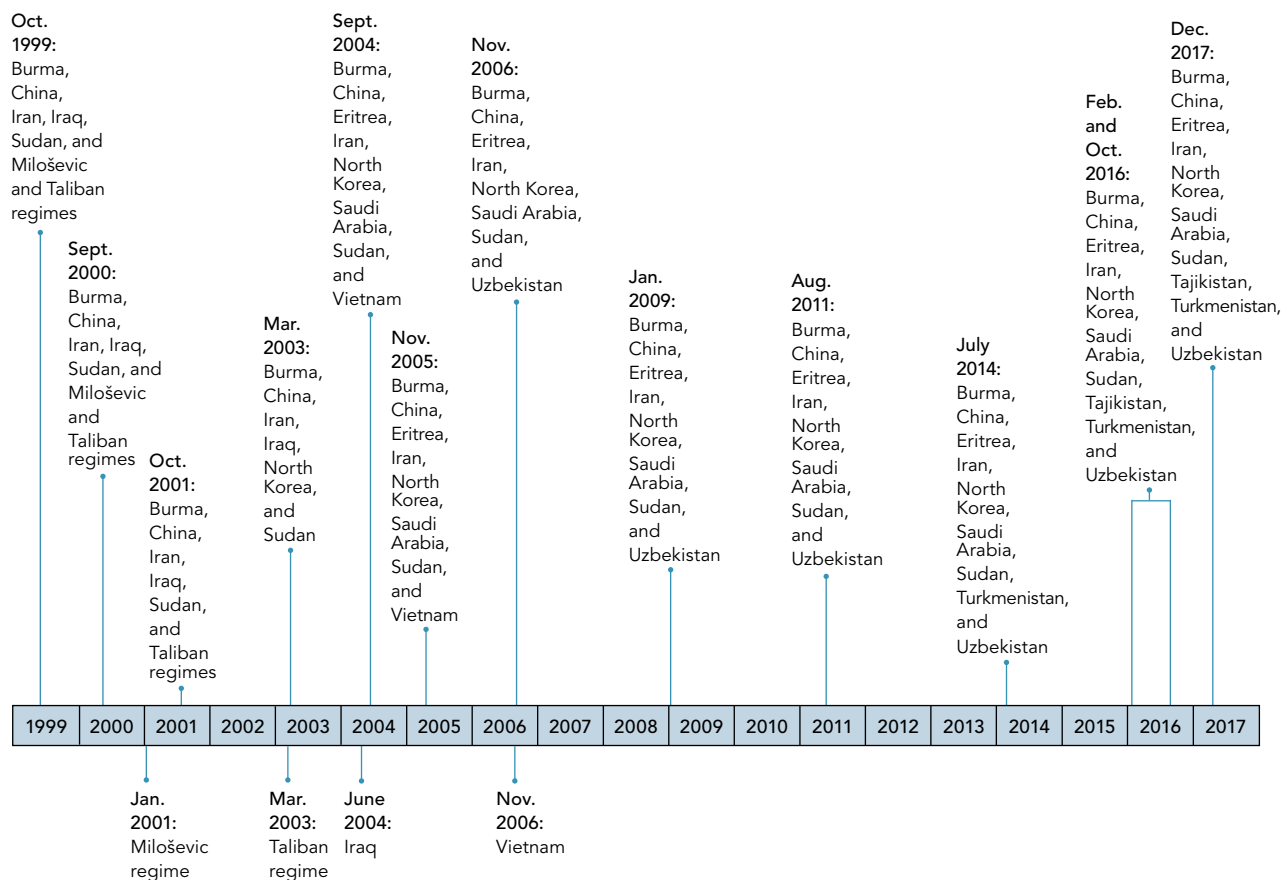
China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, Tajikistan, Turkmenistan, and Uzbekistan. USCIRF [welcomed](#) these designations and urged that the six other countries USCIRF had recommended as CPCs in the 2017 annual report also be designated. The December 2017 designations were the State Department’s 13th set of CPC designations over IRFA’s existence, and most of the countries had been named for a decade or more. The most recent addition to the State Department’s CPC list was Tajikistan, which was added for the first time in February 2016.

On the same date as the 2017 CPC designations, then Secretary Tillerson also designated Pakistan as the first—and only—country on the department’s Special Watch List, the Frank Wolf Act’s new category for countries that engaged in or tolerated severe violations of religious freedom, a level of violations below the CPC threshold but that neither IRFA nor the Frank Wolf Act define more explicitly.

The Frank Wolf Act requires the State Department to make its CPC and Special Watch List designations annually, not later than 90 days after the issuance of the IRF Report. The IRF Report covering 2016, on which these designations were based, was issued on August 15, 2017, meaning that the CPC and Special Watch List designations should have been made by November 13.

The December 2017 CPC designations continued the same presidential actions as the 2016 designations, which are shown in the table below. Of the 10 CPC designees, six are subject to preexisting, or “double-hatted,” sanctions, and four have waivers. Successive administrations have relied on such an approach, and while the statute permits it, USCIRF has long expressed concern that using preexisting sanctions or indefinite waivers provides little incentive for CPC-designated governments to reduce or halt egregious religious freedom violations.

### 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, updated by USCIRF



## PRESIDENTIAL ACTIONS FOR 2017 CPC DESIGNATIONS (AS DESCRIBED IN THE FEDERAL REGISTER)

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

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 (P.L. 101-246), pursuant to section 402(c)(5) of IRFA.

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

For Iran, the existing ongoing travel restrictions in section 221(c) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (TRA) for individuals identified under section 221(a)(1)(C) of the TRA in connection with the commission of serious human rights abuses, pursuant to section 402(c)(5) of IRFA.

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

For Saudi Arabia, a waiver as required in the "important national interest of the United States," pursuant to section 407 of IRFA.

For Sudan, the restriction in the annual Department of State, Foreign Operations, and Related Programs Appropriations Act on making certain appropriated funds available for assistance to the government of Sudan, currently set forth in section 7042(j) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (Div. K, P.L. 114-113), and any provision of law that is the same or substantially the same as this provision, pursuant to section 402(c)(5) of IRFA.

For Tajikistan, a waiver as required in the "important national interest of the United States," pursuant to section 407 of IRFA.

For Turkmenistan, a waiver as required in the "important national interest of the United States," pursuant to section 407 of IRFA.

For Uzbekistan, a waiver as required in the "important national interest of the United States," pursuant to section 407 of IRFA.

The Frank Wolf Act requires the State Department to notify Congress of CPC designations not later than 90 days after they are made. The State Department [did so](#) for the December 22, 2017, designations on January 3, 2018. Also pursuant to the Frank Wolf Act, the notification letter included justifications for the waivers on taking action against Saudi Arabia, Tajikistan, Turkmenistan, and Uzbekistan. For all four countries, the State Department cited "the necessity for cooperating with [these governments] on certain core U.S. national security interests, including our collective efforts to counter violent extremism and transnational terrorism," and additionally for Saudi Arabia, "on energy security for the United States." Under the Frank Wolf Act, these waivers are permitted to continue for 180 days; after that period, the law gives the

president waiver authority if the president determines and reports to Congress that the foreign government has ceased violations or that the waiver is required in the important national interest of the United States.

### Individual Violators

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

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

Laws other than IRFA also provide tools to sanction individual violators. Some of these apply to specific countries, such as the Comprehensive Iran Sanctions and Divestment Act (CISADA, [P.L.111-195](#)), which has been used to sanction Iranian officials for human rights violations, including eight officials USCIRF identified as egregious religious freedom violators. More broadly, the [Global Magnitsky Human Rights Accountability Act](#), enacted in December 2016, allows the president to deny U.S. visas to and freeze the U.S.-based assets of any foreigner responsible for “extrajudicial killings, torture, or other gross violations of internationally protected human rights” against someone seeking to expose illegal government activity or to exercise or defend internationally protected rights. The president [delegated](#) these authorities to the secretaries of treasury and state on September 8, 2017. On December 21, 2017, the [State](#) and [Treasury Departments](#) announced the initial set of Global Magnitsky sanctions, including against General Maung Maung Soe, who as head of the Burmese Army’s Western Command oversaw atrocities against Rohingya Muslims. USCIRF [welcomed](#) the first use of this important new accountability tool. Also on December 21, the White House issued [Executive Order 13818](#), which authorizes visa bans and asset freezes against foreign persons involved in “serious human rights abuse,” providing an additional—and potentially even more expansive—basis for targeted sanctions.

The Frank Wolf Act requires the State Department to establish, maintain, and submit to Congress every 180 days “designated persons lists” of foreign individuals denied visas or subject to financial sanctions or other measures for particularly severe violations of religious freedom. No designated persons lists were made public in 2017.

## EPC Designations

The State Department did not make EPC designations during 2017. On March 5, 2018, after the end of the

reporting period, then Secretary Tillerson [designated](#) the following nonstate actors as EPCs for particularly severe religious freedom violations: “al-Nusra Front, al-Qa’ida in the Arabian Peninsula, al-Qa’ida, al-Shabab, Boko Haram, ISIS [the Islamic State of Iraq and Syria], ISIS-Khorasan, and the Taliban.”

## Prisoners

During 2017, the Trump Administration prioritized seeking the release of American citizens unjustly imprisoned abroad. One of these cases, that of [Pastor Andrew Brunson](#) in Turkey, is also a high priority for USCIRF, and is part of USCIRF’s [Religious Prisoners of Conscience Project](#). President Trump, Vice President Pence, and then Secretary Tillerson pressed for Pastor Brunson’s release at the highest levels of the Turkish government, but he remained in prison at the end of 2017. USCIRF Vice Chairwomen Sandra Jolley and Kristina Arriaga met with Pastor Brunson in Kiriklar Prison in October 2017, the first nonconsular, nonfamily delegation to visit him.

## Refugee and Asylum Issues

Under the USRAP, the president sets a ceiling on how many vulnerable refugees the United States will accept from abroad each year; under IRFA, religious persecution should be considered in this determination. Since 2001, the refugee admission ceiling has ranged from 70,000 to 110,000, averaging 75,000 per year. The Trump Administration suspended the USRAP for part of 2017 to put in place enhanced vetting procedures and set the ceiling for Fiscal Year (FY) 2017 and FY 2018 at 50,000 and 45,000, respectively. While resettlement to a third country is only possible for less than 1 percent of the world’s refugees, USCIRF has [emphasized](#) its importance for the most vulnerable, especially at a time of appalling mass atrocities and unprecedented forced displacement.

Pursuant to IRFA’s authorization, USCIRF has conducted extensive research into the U.S. government’s treatment of asylum-seekers in Expedited Removal. USCIRF’s reports on the subject—released in [2005](#), [2007](#),

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*Laws other than IRFA also provide tools to sanction individual violators.*

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2013, and 2016—document major problems, which successive administrations have not addressed. In 2017, the Trump Administration expanded the use of Expedited Removal, which allows Department of Homeland Security (DHS) officers to quickly deport, without immigration court hearings, noncitizens who arrive at U.S. ports of entry or cross the border without proper documents, unless they establish a credible fear of persecution or torture. USCIRF’s monitoring of Expedited Removal over more than a decade has revealed that DHS officials often fail to follow required procedures to

identify asylum-seekers and refer them for credible fear determinations, and that they detain asylum-seekers in inappropriate, prison-like conditions. To ensure the fair and humane treatment of asylum-seekers while protecting U.S. borders, USCIRF has recommended that DHS (1) appoint a high-level official to coordinate refugee and asylum issues and oversee reforms, (2) improve quality assurance measures, (3) give officers additional training, (4) use non-prison-like detention facilities, and (5) increase funding for asylum officers and immigration courts to promptly and fairly adjudicate claims. USCIRF also has urged Congress to exercise oversight on these issues, including by requesting that the Government Accountability Office conduct a study to assess whether noncitizens removed to their home countries under Expedited Removal have faced persecution or torture upon their return.

### ADDITIONAL STATEMENT OF CHAIRMAN DANIEL MARK

It has been my privilege for the past four years to serve on USCIRF, promoting and defending what we rightly call in this country the “first freedom.” For Americans, religious liberty is our first freedom in part because it comes first in our Bill of Rights. But, in a much deeper way, religious liberty is the first freedom because of its fundamental, foundational nature. It is noteworthy that, twenty years ago, Congress created the U.S. Commission on International Religious Freedom, not on International Human Rights. Human rights,

properly understood, are inalienable and inviolable, but Congress saw then—and many continue to see—that religious freedom deserves pride of place. Though profoundly intertwined with other basic rights such as freedom of expression and association, freedom of

religion stands out as the right for which people are most willing to suffer and die. This is because religious freedom safeguards the right to recognize what is most sacred and to live one’s life according to one’s sacred obligations. Moreover, religious freedom is the ultimate bulwark against totalitar-

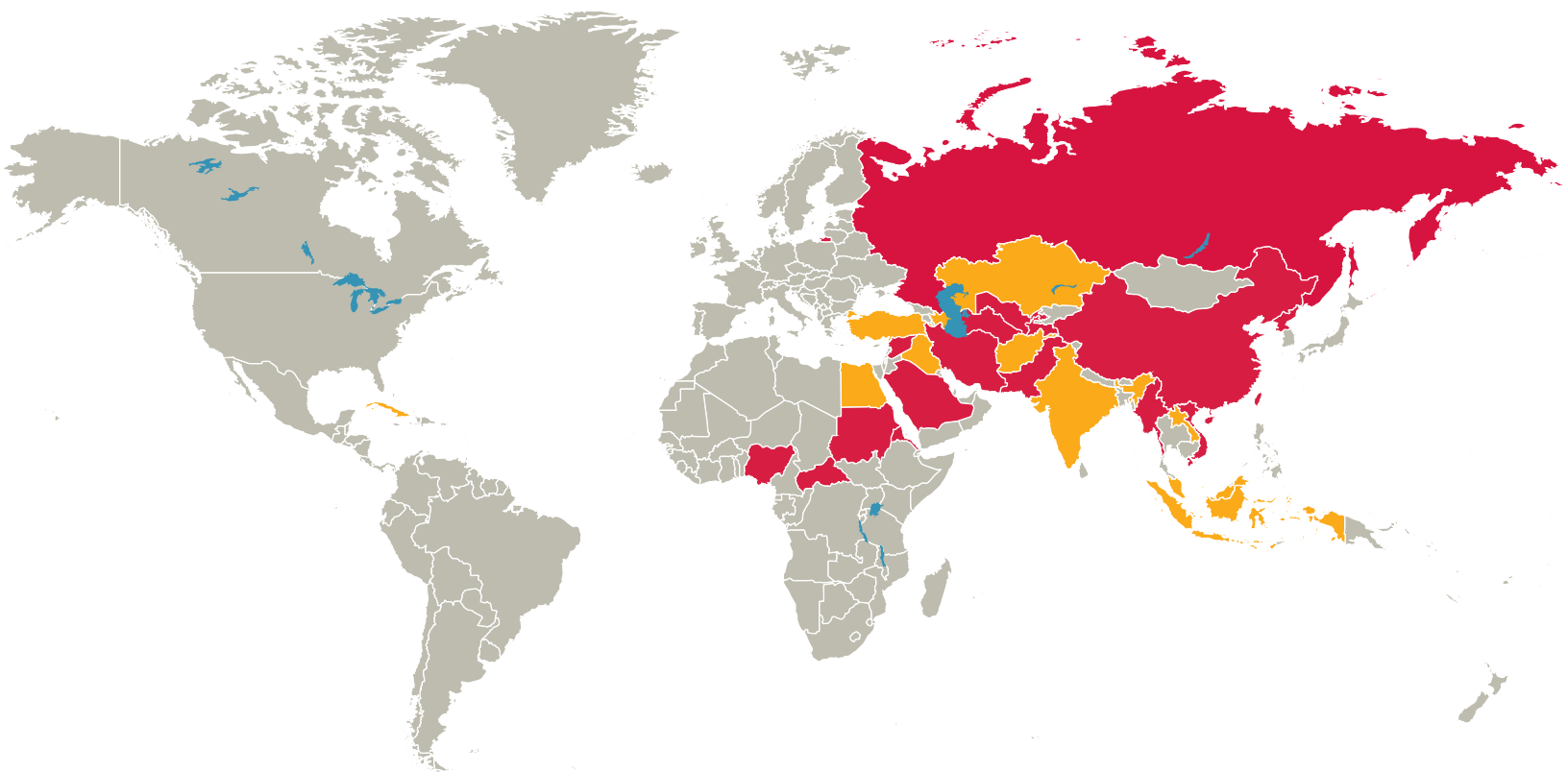
ianism because it stands as a testament to the notion that the human being does not belong to the state and that the person’s highest commitments lie beyond the control of government. This is an especially critical lesson in our age of rising authoritarianism, and it may underpin the emerging case that religious freedom is a prerequisite for democracy, rather than the other way around. Finally, with mounting evidence that ties religious freedom tightly to peace and prosperity, we also know it is in nations’ interest to respect this paramount right. Though they resist the conclusion at every turn, regimes that wish for stability and development must accept that religious freedom is not the problem but the solution.

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*USCIRF’s monitoring of Expedited Removal over more than a decade has revealed that DHS officials often fail to follow required procedures to identify asylum-seekers and refer them for credible fear determinations, and that they detain asylum-seekers in inappropriate, prison-like conditions.*

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# 2018 COUNTRIES



## ■ TIER 1 COUNTRIES OF PARTICULAR CONCERN

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

## ■ TIER 2 COUNTRIES

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

### KEY FINDINGS

Of the myriad religious freedom challenges the government of Burma (also known as Myanmar) confronted in 2017, the crisis in Rakhine State was the most exigent. Military and security forces launched a brutal response to attacks carried out by Rohingya Muslim insurgents against border guard and law enforcement personnel in October 2016 and August 2017. The retaliatory acts included indiscriminate and disproportionate attacks against innocent civilians, even children: looting, burning, and destroying property; arbitrary detentions and arrests; rape and other sexual violence; enforced disappearances; and extrajudicial killings. U.S. and United Nations (UN) officials characterized the abuses as ethnic cleansing. The violence, which was also perpetrated by nonstate actors in Rakhine State, first prompted 74,000 Rohingya Muslims to flee to Bangladesh, followed by upward of 688,000, a number that continued to grow after the reporting period. Extreme nationalist sentiment among some Buddhists continued to drive

enmity toward Muslims in Burma in 2017, and some Buddhist leaders propagated chauvinistic and racist attitudes. Decades-long discriminatory policies and practices perpetuated by successive governments and the military also continued to restrict religious freedom for religious and ethnic minorities. For example, some Christians face bureaucratic hurdles and societal pressure that make it difficult to gather in public to worship or obtain permission to build churches, and converts to Christianity experience harassment. In November 2017, a USCIRF delegation visited Burma to assess religious freedom conditions. Based on the systematic, ongoing, egregious violations of religious freedom occurring in the country, in 2018 USCIRF again finds that Burma merits designation as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA). The U.S. State Department has designated Burma as a CPC since 1999, most recently in December 2017.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Redesignate Burma as a CPC under IRFA;
- Maintain the existing, ongoing arms embargo referenced in 22 CFR 126.1 of the International Traffic in Arms Regulations;
- Use targeted tools against specific officials, agencies, and military units identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the “specially designated nationals” list maintained by the U.S. Department of the Treasury’s Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the Global Magnitsky Human Rights Accountability Act, and asset freezes under the Global Magnitsky Act;
- Work with bilateral and multilateral partners to put concerted pressure on Burma’s government and military to allow an independent investigation into the root causes of conflict and the human rights violations in areas like Rakhine, Kachin, and Shan states, and to hold accountable perpetrators or inciters of severe violations of human rights and humanitarian laws, including specific abuses related to freedom of religion or belief;
- Retain the position of the U.S. Special Representative and Policy Coordinator for Burma and ensure that religious freedom is a priority for that office and for U.S.-Burma relations, including by:
  - Urging the government of Burma, representatives from all religious communities residing in Burma (including leaders and laypersons), and other relevant stakeholders to combat intolerance and promote inclusivity in the spirit of the [Rabat Plan of Action](#) on the prohibition of advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence;
  - Advising Burma’s government to draft its bill protecting against hate speech consistent with international standards and review existing laws, policies, and regulations to ensure that they combat intolerance, discrimination, and incitement to violence without restricting speech;
- Encouraging Burma’s government to become party to the International Covenant on Civil and Political Rights;
- Work with Burma’s government in support of a credible path to citizenship for Rohingya Muslims, to ensure their freedom of movement, and to restore their political rights to vote and run for office;
- Use the term “Rohingya” both publicly and privately, which legitimizes their status and respects the right of Rohingya Muslims to identify as they choose; and
- Press for at the highest levels and work to secure the unconditional release of prisoners of conscience and persons detained or awaiting trial, and press Burma’s government to treat prisoners humanely and allow them access to family, human rights monitors, adequate medical care, and lawyers, and the ability to practice their faith.



## COUNTRY FACTS

### FULL NAME

Union of Burma, also known as Myanmar, or the Union of Myanmar

### GOVERNMENT

Parliamentary Republic

### POPULATION

51,486,000+

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Buddhism, Christianity, Islam, Hinduism, and Animism

### RELIGIOUS DEMOGRAPHY\*

89.8% Buddhist  
 6.3% Christian  
 2.3% Muslim (4.3% when accounting for nonenumerated Muslims in Rakhine State at the time of the 2014 census)  
 0.8% Animist  
 0.5% Hindu  
 0.2% Other  
 0.1% None

\* Population and religious demography figures sourced from Burma's 2014 census; all other data from the CIA World Factbook

## BACKGROUND

Throughout 2017, the horrific human rights abuses in Rakhine State drew the international community's strong condemnation, directed at both the Rohingya insurgents who targeted security personnel and the military's brutal response. Yet Burma met the international community's scrutiny with silence, denial, and distortions of fact. Rather than embrace transparency and collaboration, Burma's military and ruling National League for Democracy (NLD) government closed ranks, largely cutting off access to affected areas by international human rights monitors, independent media, and humanitarian aid workers. While the scope and scale of the human rights and humanitarian crisis—including religious freedom violations—in Rakhine State is unique to Rohingya Muslims, it is nonetheless symptomatic of the endemic abuses perpetrated for decades by both state and nonstate actors against religious and ethnic minorities in Burma. For nearly seven decades, anyone not belonging to the majority Bamar ethnic group or the majority Buddhist faith has been at risk of discrimination, deprivation of rights, imprisonment, and violence, particularly violence stemming from the military's longstanding conflicts with ethnic armed organizations (EAOs). In fact, in 2017, fighting

intensified in Kachin State and northern Shan State as the government-led peace process failed to move forward. Moreover, the internal and external displacement prompted by these conflicts heightened the risk of trafficking and exploitation, particularly of individuals who attempted to cross the country's border. (For further information describing how religious freedom and related human rights concerns transcend borders, refer to USCIRF's September 2017 report, [A Right for All: Freedom of Religion or Belief in ASEAN.](#))

During the year, authorities detained, arrested, or charged journalists and social media users, constricting both freedom of the press and freedom of expression. For example, in July 2017, authorities arrested Swe Win, *Myanmar Now* editor-in-chief, for alleged online defamation after he wrote a Facebook post criticizing U Wirathu, a firebrand monk long associated with Burma's extreme nationalist and anti-Muslim movements; his trial was ongoing at the end of the reporting period. The increasingly limited space for peaceful speech and dissent could diminish further as the government considers legislation to protect against hate speech. In September 2017, Burma's Ministry of Religious Affairs and Culture submitted to parliament a draft anti-hate speech bill that human rights organizations viewed as

inconsistent with international standards. Although the version of the bill submitted in September no longer contained limits on blasphemy or political speech, it focused on censorship and broadly defined hate speech in a manner that would allow the government to further suppress criticism and dissent. At the end of 2017, the bill remained pending in parliament. Drafting legislation against hate speech was among the last projects on which prominent lawyer and NLD advisor U Ko Ni, who was Muslim, worked prior to his assassination in January 2017. At year's end, the primary suspect in his killing remained at large.

In 2017, the UN made several attempts to investigate human rights abuses, all of which Burma's government rebuffed. In March 2017, the UN Human Rights Council created an independent international fact-finding mission to examine human rights abuses in the country, particularly Rakhine State, but the government refused to grant visas to the three-person team. By the end of the reporting period, the mission had traveled to Bangladesh and Malaysia to gather information, and its interim and final reports are expected in March and September 2018, respectively. The visa denial came just prior to the July 2017 visit of the UN Special Rapporteur on the situation of human rights in Myanmar, Yanghee Lee; it was her sixth official visit and perhaps her last after the government in December 2017 barred her planned January 2018 visit.

In November 2017, a USCIRF delegation traveled to Burma to meet with government officials, civil society, and religious representatives in Rangoon, Mandalay, and Naypyidaw. In January 2018, after the reporting period, USCIRF staff traveled to Dhaka and Cox's Bazar, Bangladesh, to gather information on the situation of Rohingya Muslim refugees.

## RELIGIOUS FREEDOM CONDITIONS 2017

### The Rakhine State Crisis—Rohingya Muslims and Others

On August 25, 2017, a group of Rohingya insurgents known as the Arakan Rohingya Salvation Army (ARSA) attacked an army base and several police posts in

northern Rakhine State. The international community condemned ARSA's attacks—which resulted in the deaths of 12 security officials and several dozen insurgents—and Burma's government labeled the group a terrorist organization. Rather than apprehend the perpetrators and protect innocent civilians and other security personnel from further violence, Burma's military, aided by local Buddhists acting as vigilantes, swiftly implemented a brutal crackdown against Rohingya Muslims. Collectively, their indiscriminate and disproportionate attacks resulted in the deaths of at least 6,700 Rohingya Muslims in the first month, including hundreds of children. By year's end, more than 350 villages were partially or completely burned. The attacks have produced unknown numbers of internally displaced persons, including Muslims, Buddhists,

*The attacks have produced unknown numbers of internally displaced persons, including Muslims, Buddhists, and Hindus, as well as ethnic Mro, Daignet, Thet, and Mramgyi . . .*

and Hindus, as well as ethnic Mro, Daignet, Thet, and Mramgyi; according to the Inter Sector Coordination Group, 688,000 Rohingya Muslim refugees had fled to Bangladesh as of January 2018. Successive

governments in Burma have abused, discriminated against, denied citizenship to, and sought to deny the identity of Rohingya Muslims for generations. ARSA's October 2016 and August 2017 attacks in northern Rakhine State handed the government, the military, and some civilians justification—in the name of combatting terrorism—to exterminate and forcibly evict Rohingya Muslims from the only homeland the majority of them have ever known.

The humanitarian crisis deepened for the Rohingya Muslims and others who remained in Rakhine State when Burma blocked deliveries of virtually all humanitarian assistance. The government also prohibited access by international human rights monitors and independent media to northern Rakhine State, making it difficult to assess conditions.

Burma's government and military consistently distanced themselves from responsibility and wrongdoing. In her first public remarks about the crisis, de facto leader and state counsellor Aung San Suu Kyi in September 2017 condemned human rights violations,

yet questioned why Rohingya Muslims fled. Later that month, in an address to the UN Security Council, Burma's national security advisor suggested the international community had been misled by terrorist propaganda, asserted that neither ethnic cleansing nor genocide had occurred, and claimed that what happened in Rakhine was due to terrorism, not religion. In November 2017, the military released its investigation into alleged abuses in Rakhine State in which it found no such abuses and absolved itself of all wrongdoing. However, at a December 2017 special session of the UN Human Rights Council, High Commissioner Zeid Ra'ad Al Hussein posited the [question](#), "Can anyone rule out that elements of genocide may be present?"

Rohingya Muslims' statelessness leaves them especially vulnerable to human rights abuses. In August 2017, the Advisory Commission on Rakhine State—a body created in 2016 by the state counsellor's office and led by former UN Secretary-General Kofi Annan—[recommended](#), among other measures, that Burma's government swiftly implement a citizenship verification process and also review the underlying 1982 Citizenship Law, which in practice facilitated Rohingya Muslims' loss of citizenship. While Burma's government tasked an implementation committee with fulfilling the Advisory Commission's recommendations, it achieved little discernible progress by year's end. Moreover, even Muslims who are not Rohingya experience discrimination because of their faith: for example, USCIRF heard during its November visit that Muslims are not allowed to indicate on their ID cards that they are from Burma, but rather must list a foreign country of origin, such as India or Pakistan, which often makes it difficult to obtain a bank loan, rent an apartment, or get a civil service job.

USCIRF also learned during its January 2018 visit to Rohingya Muslim refugee camps in Bangladesh that the military and nonstate actors in Rakhine State restricted Rohingya Muslims' religious freedom in several ways before they fled Burma. For example, authorities often interfered with Ramadan and Eid festivals; locked and burned down madrassas and mosques, preventing Rohingya Muslim children from attending madrassas and imams from receiving

training; desecrated and burned Qur'ans; prevented burials according to Muslim tradition; and targeted imams for detention, torture, and killings.

### Chauvinism toward and Discrimination against Muslims

Extreme nationalist sentiment among some Buddhists continues to drive enmity toward Muslims in Burma. Some Buddhist leaders propagated chauvinistic and racist attitudes, conferring authority and influence to words and actions that the loyal Buddhist laity largely left unchallenged. For example, in October 2017, prominent extreme nationalist monk Sitagu Sayadaw delivered an inflammatory sermon to Burma's military in Kayin State, in which he used an ancient parable to downplay and excuse the military's indiscriminate and disproportionate human rights violations directed at Rohingya Muslims in Rakhine State. Government and Buddhist authorities whom USCIRF met in Burma just weeks later defended the sermon.

In April 2017, local officials in Thaketa Township, Rangoon, closed two Islamic schools following pressure from a mob of nationalist Buddhists. Less than two weeks later, nationalist Buddhists prompted police to search a Rangoon neighborhood for Rohingya Muslims allegedly living there. But once the police raid uncovered no illegal residents, Rohingya or otherwise, a mob

*... there were examples of governmental and societal resistance to extreme nationalist elements throughout the year.*

of nationalist Buddhists became aggressive, and the ensuing violence between Buddhists and Muslims left two injured. Police detained several of the nationalist Buddhists

for their role in instigating the violence against Muslims. In May 2017, police charged three Muslim men for failing to obtain permission to pray in public after they led a Ramadan prayer service outside one of the closed Islamic schools in Thaketa Township. At the end of the reporting period, both schools remained closed.

Nevertheless, there were examples of governmental and societal resistance to extreme nationalist elements throughout the year. In March 2017, the official monk-led association that manages the country's Buddhist clergy—the State Sangha Maha Nayaka Committee, or Ma Ha Na—imposed a one-year ban on public sermons

and speeches by U Wirathu. In May 2017, Ma Ha Na ordered the nationalist group known as Ma Ba Tha to cease using that name and take down all signs and posters; Ma Ha Na had declared it never endorsed Ma Ba Tha in 2016. Ma Ba Tha still operates, however, though now under the auspices of a group called the Buddha Dhamma Parahita Foundation, and some of its supporters have tried to form a political party. When extreme nationalist Buddhist monks and supporters organized protests in Rangoon and Mandalay in August 2017 to accuse the government of undermining Buddhism, authorities in both locations intervened. Also in 2017, concerned Buddhist laity formed the Anti-False Buddhist Doctrine Committee, a campaign to counter the words and actions of extreme nationalists like Wirathu. Religious leaders, youth, and other stakeholders also continued to gather for discussions about interfaith cooperation and conflict prevention, although some of this momentum deflated when Ma Ha Na issued a November 2017 edict disallowing Buddhist monks and nuns from participating in interfaith prayer rallies and dialogues due to protocol concerns after a rally where monks sat on the floor while others sat in chairs.

### Discrimination and Abuses Targeting Christian Minorities

The legacy of military rule still negatively affects Christians' everyday lives in innumerable, discriminatory ways—maltreatment that has been ongoing for decades. For example, local-level, military-run bureaucracies impose land restrictions on houses of worship and deny permits or other necessary approvals to construct churches and erect crosses. In 2017, Karen Christians corroborated other reports received by USCIRF that Christians are often not allowed to worship in their homes.

The military's long-standing conflicts with multiple ethnic groups in Burma make it difficult to parse out whether the abuses that have occurred—and

continue to occur—against Christians or other religious minorities are directly related to religious freedom. In June 2017, Amnesty International reported that Burma's military had targeted ethnic and religious minorities for

decades with near complete impunity and often in violation of human rights and humanitarian law. But this complexity and nuance does not diminish the very serious and sometimes fatal consequences of the military's violent attacks on places of worship and forced relocation and destruction of Christian cemeteries.

For more than six years after the 2011 ceasefire agreement collapsed, fighting between Burma's military, or Tatmadaw, and EAOs has resulted in violence against persons and property in largely Christian Kachin State. More than 100,000 people remain internally displaced in camps in Kachin State and northern Shan State, some of whom have been displaced multiple times. The longstanding conflicts, while not religious in nature, have deeply impacted Christian and other faith communities, and the military's blockades on humanitarian assistance restrict civilians' access to food, shelter, health care, and other basic necessities for long periods of time. Religious organizations, such as the Kachin Baptist Convention and others, continue to assist the displaced. Also, authorities regularly detain, arrest, or otherwise target Christians and others who they assume are affiliated or working with one of the EAOs. In September 2017, six soldiers confessed to killing three internally displaced persons in Kachin; their fate following a hearing in a military court was unknown at the end of the reporting period.

### Burma-Vatican Relations and the Pope's Visit to Burma

In May 2017, the Vatican and Burma established full diplomatic relations, paving the way for both sides to appoint respective ambassadors. In November 2017, Pope Francis visited Burma where he performed an

open-air mass and met with President Htin Kyaw, State Counsellor and Foreign Minister Aung San Suu Kyi, and Senior General Min Aung Hlaing. While the pope did not use the term "Rohingya"—

*In 2017, Karen Christians corroborated other reports received by USCIRF that Christians are often not allowed to worship in their homes.*

which the government does not recognize—in public while in Burma, he reportedly raised concerns about their situation in his private conversations, and he met with Rohingya refugees and used the term while in

Bangladesh immediately thereafter. Some, including Burma's first-ever cardinal, Cardinal Charles Maung Bo, advised Pope Francis not to use the term out of concern that extreme Buddhist nationalists might retaliate against Christians. The pope previously used the term; for example, in February 2017 he asked an audience in Vatican City to pray "for our Rohingya brothers and sisters: driven out of Myanmar. . . . They have been tortured, killed, simply because they carry on their traditions, their Muslim faith."

### Arrests and Imprisonments

As of December 2017, the Assistance Association for Political Prisoners (Burma) calculated 236 political prisoners in the country, including those currently serving sentences and those awaiting trial both inside and outside prison. In October 2017, a court sentenced two Kachin Baptist leaders, Dumdaw Nawng Lat and Lang Jaw Gam Seng, to four years, three months and two years, three months in prison, respectively, for allegedly supporting the Kachin Independence Army. Authorities apprehended the men, both members of the Kachin Baptist Convention, in 2016 after they assisted local journalists following a military airstrike on St. Francis Xavier Catholic Church in Mong Ko. On December 12, 2017, police invited two Reuters reporters, Wa Lone and Kyaw Soe Oo, to dinner but later arrested the pair for allegedly intending to share information they accused the reporters of illegally acquiring. The reporters had been investigating a mass grave found in Inn Din Village in Rakhine State. Prosecutors formally charged the reporters in January 2018, shortly after the end of the reporting period, under the colonial-era Official Secrets Act; if convicted, the two men could face up to 14 years in prison.

In a positive development, on May 24, 2017, authorities released interfaith activists Zaw Zaw Latt and Pwint Phyu Latt, both Muslim, who each had been serving two, two-year sentences with hard labor on charges related to their peaceful interfaith work. Until their release, USCIRF advocated on behalf of both Zaw Zaw Latt and Pwint Phyu Latt as part of USCIRF's [Religious Prisoners of Conscience Project](#). In November 2017, USCIRF

Commissioners and staff met with both activists in Burma and learned that their movements are monitored by authorities and nonstate actors.

### U.S. POLICY

Throughout 2017, the U.S. government repeatedly condemned the attacks in northern Rakhine State and called on Burma's military to cease its atrocities against Rohingya Muslims. Following the onset of violence beginning in August 2017, at a September 2017 UN Security Council meeting, U.S. Ambassador to the UN Nikki Haley referred to the crisis in Rakhine State as "a brutal sustained campaign to cleanse the country of an ethnic minority." In October, then Secretary of State Rex Tillerson said the United States held Burma's military leadership accountable for what had transpired in Rakhine State; days later, the State Department terminated travel waivers for current and former military leaders, rescinded invitations to U.S.-sponsored events, and cut off U.S. assistance programs to military and security personnel who took part in the abuses.

In November, then Secretary Tillerson visited Naypyidaw and met with State Counsellor Aung San Suu Kyi and Senior General Min Aung Hlaing. In a [joint press appearance](#) with Aung San Suu Kyi, he called for respect for the rights of "all individuals—regardless of their race, religion, or ethnicity." A week after his visit, then Secretary Tillerson issued a [press statement](#) declaring, among other things, "It is clear that the situation in northern Rakhine state constitutes ethnic cleansing against the Rohingya." On December 21, 2017, President Donald Trump signed an [executive order](#) sanctioning General Maung Maung Soe, former head of the Burmese army's Western Command, under the Global Magnitsky Human Rights Accountability Act

(P.L. 114-328), for overseeing military operations and myriad human rights abuses in Rakhine State.

The United States also supported the findings and recommendations of the Advisory

Commission on Rakhine State, and supported the mandate of the UN fact-finding mission. Between August

*In a positive development, on May 24, 2017, authorities released interfaith activists Zaw Zaw Latt and Pwint Phyu Latt, both Muslim . . .*



and November 2017, the U.S. government reported providing more than \$87 million in humanitarian assistance for the Rakhine State crisis, including assistance to Bangladesh for hosting the vast majority of Rohingya Muslim refugees. These funds are part of the overall humanitarian assistance the U.S. government provides to displaced persons in and from Burma, as well as other funding for democratic governance, civil society, and natural resource management, among other things.

In addition to its public response to the Rakhine State crisis, the U.S. Embassy in Burma expressed concern about the October 2017 sentencing of the two Kachin Baptist leaders.

The U.S. government also publicly weighed in on a range of other human rights concerns in Burma during the year, including advocating for the release of detained journalists. The U.S. government's decision to improve Burma's ranking in the Trafficking in Persons report and remove Burma from the list of countries identified as using child soldiers surprised many human rights advocates, given that the UN still names Burma's military and several EAOs for using and recruiting child soldiers.

The State Department last redesignated Burma as a CPC in December 2017. In lieu of prescribing sanctions specific to the CPC designation, the State Department again applied "double-hatted" sanctions against Burma, in this case extending the existing arms embargo restrictions referenced in 22 CFR 126.1.



# CENTRAL AFRICAN REPUBLIC

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

### KEY FINDINGS

The Central African Republic (CAR) remains violent, fragile, and fractured along religious lines. In 2017, targeted killings based on religious identity escalated in the center and east of the country. Violence was reminiscent of the extensive killing and displacement of Muslims that took place in 2014; armed groups especially targeted the ethnoreligious minority Peuhl population. In early August, then United Nations (UN) Emergency Relief Coordinator Stephen O'Brien warned that the early signs of genocide are present in CAR. Militias that formed along opposing Muslim and Christian lines killed individuals based on their religious identity and displaced tens of thousands. More than one million Central Africans were displaced as of late 2017, the highest number since 2014. CAR's Muslim population remains disproportionately displaced, with 80 percent of that community having been driven from the country. In the western part of the country,

some Muslims cannot practice their faith, move freely, or equally access services. A USCIRF delegation that traveled to CAR in May was disappointed by senior government officials' dismissive response to concerns about conditions for Muslims. Government officials failed to acknowledge that the conflict has resulted in gross violations of religious freedom, including widespread killing based on religious identity, the ethnic cleansing of Muslims, separation of communities based on religion, and the destruction of houses of worship. The CAR government has taken some steps to address interfaith tensions but needs to increase its reconciliation efforts to prevent the ethnic cleansing of Muslims and improve interfaith relations. USCIRF again finds in 2018 that CAR merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA), as it has since 2015.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Designate CAR as a CPC under IRFA;
- Increase engagement with CAR authorities, the UN, and international donors to ensure that issues related to ending sectarian violence and impunity, increasing interfaith reconciliation, and affirming the rights of religious freedom and religious minorities are supported and raised in all engagements with relevant parties;
- Press CAR authorities to undertake initiatives to ensure that Muslims have a future in the country by:
  - Issuing statements that Muslims are full and equal citizens;
  - Undertaking development missions in the northeast;
  - Ensuring Muslim participation in government administration;
  - Safeguarding sustainable returns of Muslim refugees and internally displaced persons (IDPs) to their homes;
  - Recognizing Muslim holidays as national holiday; and
  - Rebuilding destroyed mosques and Muslim properties;
- Work with the UN Security Council to continue to sanction ex-Séléka and anti-balaka members responsible for organizing and/or engaging in sectarian violence, ethnic cleansing, and crimes against humanity, and continue to speak out regularly against sectarian violence and gross human rights abuses;
- Condition ongoing support for security sector reform on the establishment of security forces and police units that reflect the country's diversity;
- Continue to support programs to re-establish and professionalize CAR's judiciary, and fully fund the Special Criminal Court;
- Expand support for reconciliation programs and interfaith dialogue to rural areas; and
- Continue to support humanitarian assistance for refugees and displaced persons, as well as rebuilding projects.

## COUNTRY FACTS

### FULL NAME

Central African Republic

### GOVERNMENT

Presidential Republic

### POPULATION

5,625,118

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

N/A

### RELIGIOUS DEMOGRAPHY\*

51% Protestant  
29% Roman Catholic  
10% Muslim  
5% Unaffiliated  
5% Other

\*U.S. Department of State

## BACKGROUND

In CAR, sectarian violence and targeted killing based on religious identity started after the 2013 coup. The coup resulted in rampant lawlessness and the complete collapse of government control. Despite efforts of the internationally supported transitional government from 2014 to 2016 and the election of President Faustin-Archange Touadéra in 2016, the current government and scant security forces have almost no presence outside of the capital. Ongoing violence between Muslim-majority ex-Séléka militias and Christian-majority anti-balaka militias has resulted in thousands of people dead, 2.4 million in need of humanitarian assistance, and more than [542,000 refugees and 688,000 IDPs](#) as of the end of 2017—the highest number of displaced Central Africans since 2014. In December 2014, the [UN Commission of Inquiry on the Central African Republic \(COI\) issued a report](#) finding a “pattern of ethnic cleansing committed by the anti-balaka in the areas in which Muslims had been living.” By the end of the height of CAR’s sectarian conflict in mid-2014, 417 of 435 mosques in the country were destroyed, 80 percent of CAR’s Muslims had fled the country, and those who remained

*Ongoing violence between Muslim-majority ex-Séléka militias and Christian-majority anti-balaka militias has resulted in thousands of people dead, 2.4 million in need of humanitarian assistance, and more than 542,000 refugees and 688,000 IDPs as of the end of 2017. . .*

sought safety in UN peacekeeper-protected enclaves. In Bangui, 99 percent of the capital’s Muslim population fled.

Fourteen armed groups control an estimated 60 percent of the country, and government officials, the police, and the judiciary have neither the infrastructure nor the resources to stop ongoing fighting or to bring perpetrators of violence to justice. Nevertheless, the CAR government, armed groups, and diplomats continue to engage in political negotiations for a peace

agreement. On June 19, government officials and representatives of 13 armed groups signed a peace agreement negotiated by the Community of Sant’Egidio and established a ceasefire. However, violence between accord signatories resumed within days.

In an effort to stabilize the country, the UN maintains a peacekeeping force of 13,751 personnel called the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA). Deployed in 2014, MINUSCA faces serious challenges in fulfilling its mandate, including being targeted by armed groups. Christian militias have portrayed UN peacekeepers

from Muslim-majority countries as part of a broader campaign of foreigners to infiltrate the country, increasing local suspicions of Muslims and MINUSCA.

On February 15, 2017, the CAR government appointed Toussaint Muntazini Mukimapa from the Democratic Republic of Congo as prosecutor of the Special Criminal Court, a hybrid court composed of CAR and international judges to prosecute those accused of committing gross war crimes since 2003. While some judges have been appointed, the court faces significant challenges in becoming operational. In addition, accountability for violence against civilians, in particular sexual and gender-based violence, remains absent.

In May 2017, USCIRF Commissioners traveled to Bangui and Boda and assessed religious freedom conditions for CAR's minority-Muslim population, government reconciliation efforts, the status of the conflict, and the country's rule of law challenges. The delegation met with senior CAR officials, religious leaders, UN representatives, and civil society actors.

## RELIGIOUS FREEDOM CONDITIONS 2017

### Sectarian Violence and Ethnic Cleansing

Since May, targeted killings based on religious identity increased dramatically and clashes between armed groups continued across the country. Violence was reminiscent of the extensive killing and displacement of Muslims that occurred in 2014; armed groups are especially targeting the ethnoreligious minority Peuhl population. In early August, then UN Emergency Relief Coordinator Stephen O'Brien warned again that the early signs of genocide are present in CAR. As in previous reporting periods, CAR authorities lacked the capacity to investigate the killings or hold the perpetrators accountable.

On May 13–14, in Bangassou, anti-balaka militias attacked and killed Muslims, including the town's imam, Mahamat Saleh. The fighters sought to eliminate Muslims from the town, even trapping Muslims who sought refuge in a mosque and hospital. Cardinal Dieudonne Nzapalainga, Archbishop of Bangui and a founder of the national interfaith Religious Leaders Platform, had to negotiate their release and

escort them to the town's Catholic cathedral, where an estimated 2,000 still reside as IDPs. Days later, in Bria, ex-Séléka militias attacked and killed Christians. Other small towns, such as Alindo and Mombaye, also experienced sectarian violence in May. The UN reports that overall, the violence resulted in more than 100 dead and 40,000 displaced.

On October 13, anti-balaka fighters attacked the Djimbi mosque in Kembe, killing 26, including the imam and deputy imam. Survivors reported that the militants surrounded the mosque before attacking it, with dozens inside.

Since June, in Batangafo, Zemio, Bria, and Pombolo, ex-Séléka and anti-balaka fighters engaged in repeated religious-based violence, killing hundreds and displacing tens of thousands. Human rights groups reported that between August and October alone, approximately 250 civilians were killed in this violence.

### Marginalization of Muslims

During USCIRF's May 2017 visit to CAR, the delegation concluded that despite some positive efforts to reverse the displacement of Muslims from the capital and west, notable concerns remained and CAR's Muslim population remains highly marginalized.

Muslims continue to face severe limitations on their ability to move freely within and outside of their communities. Imams in Bangui and Boda stated that some Muslims in their cities could move outside of

their enclaves; however, it remained unsafe for Muslims to travel to other areas, especially in Islamic garb. Representatives of the Office of the UN High Commissioner

*Violence was reminiscent of the extensive killing and displacement of Muslims that occurred in 2014.*

for Refugees (UNHCR) and civil society told USCIRF that throughout western CAR, especially in rural areas, predominantly Christian communities limit the movement of Muslims and prohibit them from returning to their homes or their previous jobs in the mining sector. UNHCR and human rights groups also reported that in some western villages, Muslim returnees are prohibited from practicing their faith.

Muslims in CAR were already marginalized prior to the current conflict, which has further hardened views



on Muslim Central African identity and citizenship. Muslims endure social and structural discrimination related to access to education, healthcare, and identity documents. They suffer hate speech and harassment frequently, including by security officers who treat them as foreigners, asking for multiple forms of identification.

On a positive note, in Bangui and Boda, imams and Muslim leaders reported to USCIRF that physical barriers and peacekeepers stationed to protect Muslim residents had been removed and that some Muslim IDPs had returned to their home villages.

### Abusive Witchcraft Accusations

Witchcraft is a part of many Central Africans' lives, and accusations of witchcraft can lead to human rights violations. Women, the elderly, children, and people with disabilities are common targets of witchcraft accusations, which have resulted in detention, torture, or death. Such abuses continued in 2017 and were carried out by the anti-balaka.

### Prospects for Reconciliation

Despite further peace initiatives and ceasefire negotiations in 2017, the government of CAR still faces major obstacles to executing any reconciliation strategy or dealing with core issues of the conflict. During USCIRF's 2017 visit to CAR, senior government officials were dismissive about concerns over Muslims' inability to move freely as well as their general safety concerns. CAR government officials also did not acknowledge that the conflict has resulted

in gross violations of religious freedom—including killings based on religious identity, the ethnic cleansing of Muslims, separation of communities based on religion, and the destruction of houses of worship—but instead stated that the conflict is not religious in nature.

CAR authorities signed onto the Sant'Egidio-facilitated political agreement and ceasefire of June 2017, but heavy clashes continued that same week. With international support, Muslim and Christian religious leaders signed an action plan toward reconciliation in

December. In another internationally-supported initiative, anti-balaka and 3R armed groups signed a local ceasefire agreement in Nana-Mambéré Province.

In 2017 the government of CAR launched a pilot disarmament, demobilization, reintegration, and repatriation (DDRR) program, launched a new Roadmap for Peace and Reconciliation with the African Union, and created a committee to establish a truth, justice, reparations, and reconciliation commission. President Touadéra reshuffled and expanded his government, increasing the Cabinet size from 23 to 34 and Muslim ministers from three to eight. CAR has two ministers for national reconciliation and adopted a National Human Rights and Fundamental Freedoms Commission, yet officials were unable to provide USCIRF clear information on the government programs. In 2016, President Touadéra launched a plan for local peace and reconciliation committees nationwide. At the end of the reporting period, 10 peace and reconciliation committees were established, the majority in Bangui.

Given the failure of past peace accords and ceasefires, Central Africans remain skeptical of new initiatives. Greater international coordination on peace efforts is also needed. Many interlocutors

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informed USCIRF that while social cohesion programs concentrated in targeted cities such as Bangui and Boda have allowed for increased contact and decreased mistrust between Muslims and Christians, they called for continued and increased U.S. government support for

reconciliation programs, especially in rural areas.

### U.S. POLICY

The U.S. government reduced its engagement in CAR in 2017, although it continued financial support for humanitarian assistance, conflict mitigation, peacebuilding, and rule of law programs. U.S. forces, alongside Ugandan and other African troops, previously supported peacekeeping efforts in the east of CAR but drew down in fall 2017 after progress was made in the operation against

the Lord's Resistance Army and its commander Joseph Kony. In Fiscal Year 2017, the U.S. government was the largest contributor of humanitarian assistance, providing \$124,990,467. In November 2017 the US also supported the extension of MINUSCA's mandate for an additional year, including an increase in troops and other measures to improve the capabilities of the force. On May 9, 2017, President Donald Trump announced he would continue to implement [Executive Order 13667](#), which declared a national emergency in CAR and sanctioned the following persons identified by the UN Security Council for threatening CAR's stability: former president Bozizé, former transitional president Michel Djotodia, ex-Séléka leaders Nourredine Adam and Abdoulaye Miskine, and anti-bal-aka "political coordinator" Levy Yakite.

U.S. Embassy Bangui strongly advocated for religious freedom, interfaith dialogue, national reconciliation, and justice. Then U.S. Ambassador to CAR Jeffrey Hawkins regularly met with President Touadéra, senior government officials, and religious leaders to promote reconciliation and security nationwide.



### KEY FINDINGS

In 2017, China advanced its so-called “sinicization” of religion, a far-reaching strategy to control, govern, and manipulate all aspects of faith into a socialist mold infused with “Chinese characteristics.” The strategy amplifies the Chinese government’s existing pervasive policies that, over time, have intruded into various communities. While the faithful in China are burgeoning, Xinjiang and Tibet increasingly resemble police states, further limiting freedom of religion or belief for Uighur Muslims and Tibetan Buddhists, respectively, and authorities continue to crack down on unregistered and registered churches and persecute Falun Gong practitioners. In 2017, the Chinese government increasingly targeted religious individuals and organizations

believed to have foreign connections, particularly to Islam and Christianity. Throughout 2017, mounting reports revealed how Chinese authorities use torture against lawyers, human rights defenders, and other prisoners of conscience and those held in detention, often without charge, not only to intimidate, but also to force confessions and compel individuals to renounce their faith. Based on the government’s systematic, ongoing, and egregious violations of religious freedom, USCIRF again finds that China merits designation in 2018 as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA). The U.S. Department of State has designated China as a CPC since 1999, most recently in December 2017.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Redesignate China as a CPC under IRFA;
- Maintain the existing, ongoing export restrictions to China under the Foreign Relations Authorization Act of 1990 and 1991 (P.L. 101-246);
- Use targeted tools against specific officials and agencies identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the “specially designated nationals” list maintained by the U.S. Department of the Treasury’s Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the Global Magnitsky Human Rights Accountability Act, and asset freezes under the Global Magnitsky Act;
- Integrate religious freedom and related human rights strategies into the bilateral relationship, including in annual dialogues and in both public and private fora, and across all U.S. government agencies and entities, and devise aspects tailored to specific communities, including:
  - Appoint and confirm a Special Coordinator for Tibetan Issues and urge the Chinese government to resume dialogue with the Tibetan people;
  - Meet with house church leaders and advocates, both at their houses of worship and at the U.S. Embassy in Beijing and U.S. consulates in China;
  - Call on the Chinese government to cease equating Islam with terrorism, separatism, extremism, or other perceived threats to state security; and
  - Call on the Chinese government to cease labeling Falun Gong as a cult and lift the ban on its practice;
- Press for at the highest levels and work to secure the unconditional release of prisoners of conscience and religious freedom advocates, and press the Chinese government to treat prisoners humanely and allow them access to family, human rights monitors, lawyers, and adequate medical care from independent health care professionals, and the ability to practice their faith;
- Press the Chinese government to abide by its commitments under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and also independently investigate reports of torture among individuals detained or imprisoned, including reports of organ harvesting; and
- Press China to uphold its international obligations to protect North Korean asylum seekers crossing its borders, including by allowing the United Nations (UN) High Commissioner for Refugees and international humanitarian organizations to assist them, and by ending repatriations, which are in violation of the 1951 Refugee Convention and Protocol and/or the Convention against Torture.

The U.S. Congress should:

- Cosponsor and approve the Reciprocal Access to Tibet Act of 2017 ([H.R. 1872/S. 821](#));
- Send regular Congressional delegations focused on religious freedom and related human rights to China and request to visit areas deeply impacted by the government’s severe religious freedom abuses, such as Tibet, Xinjiang, and Zhejiang Province; and
- Advocate on behalf of individual prisoners of conscience and persons whom the Chinese government has detained or disappeared, as well as their family members.

## COUNTRY FACTS

### FULL NAME

People's Republic of China

### GOVERNMENT

Communist State

### POPULATION

1,379,000,000+

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Buddhism, Taoism, Islam, Catholicism, and Protestantism; officially atheist

### RELIGIOUS DEMOGRAPHY\*

18.2% Buddhist

5.1% Christian

1.8% Muslim

21.9% Folk religions

52.2% Unaffiliated

### OTHER GROUPS

Taoist, Hindu, Jewish, and others

\*Estimates compiled from the CIA World Factbook

## BACKGROUND

In 2017, China's Communist Party held its 19th Party Congress, not only securing Xi Jinping's place as president for at least the next five years, but also enshrining in the Party constitution (and subsequently the country's constitution) "Xi Jinping Thought," a framework that marries Party policy with his personal and political ideology and elevates him among the Party's pantheon of leaders. With this set of guiding principles, along with the so-called "sinicization" of religion, Beijing and the Communist Party aim to fortify their ever-growing stranglehold on religion. For instance, Chinese authorities increasingly use the term "cult" to describe religious organizations, including several Christian groups, such as the Church of Almighty God, and the Falun Gong. Also, in September 2017 China released new Regulations on Religious Affairs that draw a strong correlation between religion and religious extremism, and also between religious activities and terrorist activities, including separatism. The regulations, which came into effect after the reporting period on February 1, 2018, introduce new government oversight of online discussions, increase fines (e.g., for those who organize unsanctioned religious events), and explicitly restrict unregistered groups from establishing religious schools or taking part in trainings or meetings overseas. Wang Zuoran, then head of the State Administration for

Religious Affairs (SARA), explained that the new law was necessary in light of "the foreign use of religion to infiltrate [China] . . . and [the spread of] religious extremist thought." Religious organizations that refuse to register with the state could be declared illegal and their clergy subject to criminal punishment.

Throughout 2017, the Chinese government continued to target lawyers, human rights defenders, and other advocates. By the end of the reporting period, nearly 300 individuals had been arrested, detained, or disappeared as part of a nationwide crackdown that began on July 9, 2015 (also known as the 709 Crackdown). On August 13, 2017, human rights lawyer Gao Zhisheng—known for defending Christians, Falun Gong practitioners, and others—was disappeared and remained in secret detention at the end of the reporting period; reports indicated he may have first escaped house arrest before police captured him. Authorities have disappeared, imprisoned, and tortured Gao on numerous occasions, in part because he has chronicled China's myriad human rights abuses, including religious freedom violations. In November 2017, a court sentenced Christian human rights lawyer and advocate Jiang Tianyong to two years in prison for allegedly "inciting subversion of state power." As permitted under Chinese law, authorities held him in secret for six months before formally arresting him. His wife, Jin Bianling, alleges he was tortured in deten-



tion, an accusation Chinese authorities refuted. Authorities similarly rebuffed lawyer Xie Yang's claims of torture and released him on bail in May 2017 after he retracted his statements about police torture; since Xie's release, a court in December 2017 found him guilty of "subverting state power" but did not issue any additional punishment. Xie is one of three human rights activists—along with Hu Shigen and Zhou Shifeng—whom the UN Working Group on Arbitrary Detention [recommended](#) in October 2017 for immediate release. Mounting evidence of prisoner torture tempered the otherwise good news of the release of brothers and human rights lawyers Li Chunfu and Li Heping in January and May 2017, respectively; Li Heping was released on a suspended sentence and deprived of his political rights. Authorities rounded up both men in the 709 Crackdown, and at the end of the reporting period, both were suffering the ill effects of being forcibly medicated and brutally tortured during their detentions.

Numerous advocates and international figures have called on the Chinese government to cease its surveillance of and restrictions on Liu Xia, the wife of Nobel Peace Prize laureate and democracy advocate Liu Xiaobo who died in custody in July 2017 after Chinese authorities denied him adequate medical treatment for his liver cancer. He had been serving an 11-year sentence for allegedly "inciting subversion of state power." At the end of the reporting period, authorities continued to keep Liu Xia under unlawful house arrest.

## RELIGIOUS FREEDOM CONDITIONS 2017

### Uighur Muslims

In 2017, authorities in the Xinjiang Uighur Autonomous Region instituted new and intrusive measures to further restrict Uighur (also spelled Uyghur) Muslims' basic human rights. These measures include discriminatory profiling at newly built armed checkpoints and police stations; travel restrictions both within and outside of China; increased security staff and financing; and the use of Global Positioning System (GPS) tracking systems, facial and iris recognition, DNA sampling, and voice pattern sampling to target Uighur Muslims.

*Authorities also monitor Uighurs' phones for political and religious content and regularly confiscate religious materials such as prayer mats and Qur'ans.*

This occurred in the context of ongoing restrictions, such as bans on fasting during Ramadan, prohibitions on children under 18 going to mosques, and authorities' efforts to diminish the Uighur language. In April 2017, new regional legislation identified 15 types of behavior the government views as extremist, such as wearing an "abnormal" beard, wearing a veil, or following halal practices (Muslim dietary laws). Also in April 2017, authorities applied across the region a list of banned Islamic baby names considered "extreme,"

later expanding it further to all children under the age of 16. Authorities also monitor Uighurs' phones for political and religious content and regularly confiscate religious materials such as prayer mats and Qur'ans. During Rama-

dan 2017, authorities embedded Party cadres in Uighur homes to ensure that Muslims did not fast or pray.

In addition to enhanced restrictions, in 2017 the Chinese government took unprecedented steps to round up Uighur Muslims both at home and abroad and force them into so-called "reeducation camps"; by the end of the reporting period, thousands of Uighur Muslims were believed to be in these government-run camps. Throughout 2017, Beijing ordered Uighur students studying abroad to return to their hometowns, in some cases detaining students' family members in Xinjiang. Citing the need to investigate their political views, authorities disappeared or jailed some students upon their return. Some students studying in Egypt stayed there or attempted to flee to other countries; beginning on July 4, 2017, and at the request of the Chinese government, Egyptian authorities detained approximately 200 Uighur students, some of whom were later released, while others were deported or imprisoned, or their whereabouts are unknown.

Uighur Muslims are not the only detainees in the reeducation camp system. During 2017, Chinese authorities in Xinjiang increasingly targeted Kazakh and Kyrgyz Muslims for their purported close ties to Uighur Muslims, raiding homes and businesses, restricting travel, and reportedly forcing some into the camps.

The Chinese government regularly targets Uighur advocates and their families. In July 2017, Italian police detained Dolkun Isa—a German citizen originally from Xinjiang and current president of the Munich-based World Uyghur Congress—on his way to speak before the Italian Senate about the Chinese government’s restrictions against the Uighur people; police released him after several hours. The incident occurred just months after UN security in New York City removed Isa from an official UN meeting about indigenous peoples and rights, an event for which he was registered; UN security never explained his removal nor why they barred him from later reentering the building, and supporters believe it occurred under pressure from the Chinese government. In October 2017, reports surfaced that Chinese officials had detained as many as 30 relatives of Rebiya Kadeer, a prominent leader among the Uighur people and a former political prisoner. Also, Uighur Muslim prisoners commonly receive

unfair trials and harsh treatment in prison. Well-known Uighur scholar Ilham Tohti is currently serving a life sentence after being found guilty in 2014 of separatism in a two-day trial that human rights advocates called a sham. In November 2017, Professor Tohti was awarded Liberal International’s Prize for Freedom at a ceremony at The Hague. Gulmira Imin, who was a local government employee at the time of her arrest, also continues to serve a life sentence for her alleged role organizing protests in the regional capital, Urumqi, in July 2009—an allegation she denies. Throughout the year, USCIRF advocated on behalf of Ms. Imin as part of the Commission’s [Religious Prisoners of Conscience Project](#).

### Tibetan Buddhists

The Chinese government continues to pursue a strategy of antagonism and hostility toward Tibetan Buddhists and the Dalai Lama. Authorities control monks’ and nuns’ education, decide whether religious venues can be built or repaired, and restrict religious gatherings. In 2017, authorities confiscated Tibetans’ passports and regularly refused to issue them new ones, in part to restrict their travel to attend religious ceremonies and

celebrations overseas. Ahead of and during the October 2017 19th Party Congress, the Chinese government reportedly increased the security presence in the Tibet Autonomous Region and certain counties of Qinghai Province and imposed travel restrictions in various counties of Sichuan Province.

The Chinese government accuses the Dalai Lama of blasphemy and “splittism” and cracks down on anyone suspected of so-called separatist activities. Monks and nuns who refuse to denounce the Dalai Lama or pledge loyalty to Beijing have been expelled from their monasteries, imprisoned, and tortured. Chinese officials continued to protest foreign officials meeting the Dalai Lama, including a planned August 2017 visit to Botswana,

which the Dalai Lama later canceled due to exhaustion. During 2017, authorities released several Tibetans from prison before they served their full sentences; however, many others continue to languish in prison.

For example, reports in December 2017 indicated that Tibetan monk Choekyi’s health was declining in prison; he is serving a four-year sentence after being arrested for celebrating the Dalai Lama’s birthday. Also, renowned Tibetan language advocate Tashi Wangchuk faced a one-day trial in January 2018, after the reporting period, connected to his March 2016 arrest and January 2017 indictment on separatism charges; the judge did not issue a verdict, but Mr. Tashi could face up to 15 years in prison.

One prisoner whose whereabouts have been a secret for more than two decades is Gedhun Choekyi Nyima. Selected by the Dalai Lama at the age of six as the 11th Panchen Lama, Gedhun holds the second-highest position in Tibetan Buddhism. Throughout the year, USCIRF advocated on behalf of the Panchen Lama as part of the Commission’s [Religious Prisoners of Conscience Project](#). Dialogues between Beijing and the Dalai Lama have been stalled since January 2010. In protest of repressive government policies, at least 152 Tibetans have self-immolated since February 2009, including two Tibetan monks, Tenga and Jamyang Losal, who both died in 2017 from injuries related to their self-immolations.

*Monks and nuns who refuse to denounce the Dalai Lama or pledge loyalty to Beijing have been expelled from their monasteries, imprisoned, and tortured.*

In 2017, the Chinese government intensified the pervasive presence of Communist Party officials at Buddhist sites: at the Larung Gar Buddhist Institute in Tibet, new restrictions and checkpoints and Party cadres were installed in top positions to oversee so-called “patriotic education” classes. Through June 2017, the government’s increased control and interference at Larung Gar led to the destruction of more than 4,700 structures, including homes, and the eviction of more than 4,800 monks and nuns. In August 2017, authorities commenced another phase of similar demolitions and evictions at the Yachen Gar Buddhist Center. Authorities reportedly had plans to demolish approximately 2,000 homes and expel 2,000 monks and nuns from Yachen Gar.

## Christians

In 2017, the Chinese government escalated its efforts to prevent Protestant churches from operating outside the state-sanctioned Three-Self Patriotic Movement (TSPM). As a result, unregistered churches were pressured to register with the state, labeled as “evil cults,” and faced ongoing destruction of purportedly “illegal” church properties. Churches experienced increased restrictions and surveillance, including a campaign to install security cameras on church premises, primarily in Zhejiang Province. Local authorities also used physical violence against parishioners trying to save their churches, such as

in June 2017 at Shuangmiao Christian Church in Henan Province where authorities beat and detained parishioners. Observers note that some language in the new Regulations on Religious Affairs appears to target the existence and activities

of unregistered churches. While most persecution occurs outside the official TSPM, officially sanctioned churches also have faced property destruction and cross removal, such as in September 2017 at the state-sanctioned Holy Grace Protestant Church in Henan Province.

Authorities continued to harass, arrest, interrogate, and detain clergy and parishioners. For example, authorities in Xinjiang raided house churches, confiscated religious paraphernalia, and arrested several dozen Christians. In February 2017, a court sentenced former

deacon Zhang Xiuhong of the Living Stone Church—an unregistered Protestant house church in Guizhou Province—to five years in prison for alleged “illegal business operations.” In August 2017, authorities released Zhang, though she will face restrictions as she serves the balance of her five-year suspended sentence. Her sentencing came just one month after Pastor Yang Hua—also known as Li Guozhi—of the Living Stone Church was sentenced to two and a half years in prison for allegedly “divulging state secrets”; in March 2017, Pastor Yang was hospitalized, and his family and fellow parishioners remain concerned about his health in prison.

Authorities’ mistreatment of clergy extends to state-sanctioned TSPM churches. In December 2017, authorities unexpectedly released former Pastor Joseph Gu Yueese from prison and dropped the embezzlement charges against him. In addition to arresting him multiple times, state officials dismissed Gu from his post as pastor at Chongyi Church, a Protestant, state-run megachurch in Zhejiang Province, and removed him from his role with the local state-run China Christian Council. In 2017, reports surfaced that authorities have tortured Pastor Zhang Shaojie of the state-sanctioned Nanle County Christian Church; Pastor Zhang is serving 12 years in prison for “gathering a crowd to disrupt public order.” The government’s growing restrictions on state-run churches and clergy further exemplifies

its expansive control over Protestantism in China.

The year 2017 marked 60 years since the establishment of the state-run Chinese Catholic Patriotic Association (CCPA). Despite overtures by Pope Francis and other Catholic

*Churches experienced increased restrictions and surveillance, including a campaign to install security cameras on church premises, primarily in Zhejiang Province.*

officials and reports of an agreement, talks between Beijing and the Vatican about appointing bishops remained unresolved at the end of the reporting period. China has stipulated that the Vatican must cut relations with Taiwan and agree not to interfere in China’s internal affairs. For instance, China accused the Vatican of interfering when the latter expressed “grave concern” about authorities’ May 2017 detention of Bishop Peter Shao Zhumin of Wenzhou. Reportedly, this was Bishop Shao’s fourth detention since September 2016; the government has pressured him

to join the CCPA since he is recognized by the Vatican and not Beijing. In early January 2018, shortly after the reporting period, authorities released him.

## Falun Gong

Since 1999, the Chinese government has banned the practice of Falun Gong, labeling it an “evil cult” under article 300 of China’s Criminal Law. Falun Gong’s 18-year persecution was initiated by then President Jiang Zemin, who also created the infamous 610 Office, an extrajudicial security apparatus wholly designed to eradicate Falun Gong. Authorities regularly target Falun Gong practitioners and force them into labor camps or prisons; many disappear without being heard from again. While detained, Falun Gong practitioners suffer psychiatric and other medical experimentation, unnecessary medical tests, sexual assault/violence, torture, and organ harvesting, often as efforts to force them to renounce their faith. Authorities have detained some Falun Gong practitioners multiple times. For example, on September 19, 2017, police in Nanjing detained Ma Zhenyu, who had been arrested five times previously for practicing Falun Gong, served time in prison, and was subjected to multiple interrogations and torture. Also in 2017, authorities continued to monitor Falun Gong practitioner and former prisoner of conscience Zhiwen Wang, restricting his freedom of movement and preventing him from reuniting with his family in the United States.

In February 2017, human rights advocates objected to a Chinese official’s prominent role at the Vatican’s Pontifical Academy of Sciences’ Summit on Organ Trafficking and Transplant Tourism. Although China claims it ended the practice of harvesting organs from prisoners (many of whom are believed to be Falun Gong practitioners or other religious followers) on January 1, 2015, advocates believe the practice has continued. Dr. Huang Jiefu, a surgeon and former vice minister for health, represented China at the summit and spoke of China’s attempts to reform its organ transplant systems and processes; however, critics noted his direct role in performing transplant surgeries and directing China’s transplant program. In July 2017,

*... police in Nanjing detained Ma Zhenyu, who had been arrested five times previously for practicing Falun Gong ...*

the World Organization to Investigate the Persecution of Falun Gong (WOIPFG) added updated information to its list of more than 37,000 organizations and 80,000 individuals believed to have persecuted Falun Gong practitioners; the newest additions include government officials from the Ministry of State Security, as well as personnel from the 610 Office, public security, and the judiciary.

## Forced Repatriation of North Korean Refugees

Each time it forcibly returns individuals to North Korea without evaluating each person’s case to determine whether they qualify for refugee status, China violates its obligations under the 1951 UN Refugee Convention and its 1967 Protocol. In 2017, China detained dozens of North Koreans, and far more likely went unrecorded.

Among those China not only detained but also arrested were a mother and her four-year-old son who fled North Korea via China en route to join her husband in South Korea; the pair were among a

group of 10 defectors whom China forcibly repatriated to North Korea in November 2017. In 2017, Chinese officials also arrested two South Korean pastors and forcibly removed more than 60 South Korean Christians after alleging the individuals acted as missionaries for their work assisting North Korean refugees in China.

## U.S. POLICY

In 2017, the United States and China conducted reciprocal high-level visits. At the April 2017 meeting between President Donald Trump and President Xi in Florida, the two leaders modified the structure of the relationship, elevating bilateral talks to a U.S.-China Comprehensive Dialogue with four pillars: the Diplomatic and Security Dialogue, the Comprehensive Economic Dialogue, the Law Enforcement and Cybersecurity Dialogue, and the Social and Cultural Issues Dialogue. In a [statement](#) following the visit, the White House reported that President Trump raised “protecting human rights and other values.” In November 2017, while in Beijing giving remarks during his first official visit to China, President

Trump [said](#) that “the United States also continues to advocate for reforms that advance economic freedom, individual rights, and the rule of law.”

In past years, the United States joined in several multilateral letters and statements critiquing China’s human rights record, including at least two instances in 2016. The United States was not among the signatories to a February 2017 letter to China’s Minister of Public Security about the detention and torture of human rights lawyers, but a U.S. Embassy spokesperson noted that the embassy regularly raises human rights concerns with China, “including raising individual cases of people in China who have been harassed, detained without trial and allegedly tortured.” Also, while describing his March 2017 visit to Beijing, then Secretary of State Rex Tillerson said, “And I made clear that the United States will continue to advocate for universal values such as human rights and religious freedom.” The State Department similarly raised concerns, for example, in June 2017 when it worsened China’s ranking in the [2017 Trafficking in Persons Report](#), downgrading it to the Tier 3 level, in part for its use of North Korean forced laborers and forcible repatriation of North Korean asylum-seekers. Also, in July 2017 then Secretary Tillerson issued a [statement](#) noting the “tragic passing” of well-known dissident Liu Xiaobo and calling on the Chinese government to “release Liu Xia from house arrest and allow her to depart China, according to her wishes.” On June 29 and August 22, 2017, the Treasury Department sanctioned Chinese individuals and companies that conduct business with North Korea. And on December 21, 2017, President Trump imposed sanctions on Gao Yan under the Global Magnitsky Human Rights Accountability Act (P.L. 114-328, Subtitle F). The Treasury Department’s [press release](#) identifies Gao Yan as director of the Beijing Public Security Bureau Chaoyang Branch where human rights activist Cao Shunli died in custody in March 2014; authorities denied her access to medical treatment and legal representation. With respect to freedom of religion or belief, in August 2017 then Secretary Tillerson noted China’s abuse of religious freedom in his [public remarks](#) at the launch of the 2016 International Religious Freedom Report, specifically naming violations against Falun Gong practitioners, Uighur Muslims, and Tibetan Buddhists.

The State Department last redesignated China as a CPC in December 2017. At the same time, then Secretary Tillerson extended the existing sanctions related to restrictions on exports of crime control and detection instruments and equipment.

## ADDITIONAL STATEMENT OF COMMISSIONER TENZIN DORJEE

The reincarnation system is unique to the Nalanda Tradition of Tibetan Buddhism. His Holiness the Dalai Lama is the highest reincarnation of Tibet followed by His Holiness the Panchen Lama. The Chinese leadership has disappeared Panchen Gedhun Choekyi Nyima for over twenty years and he will be 29 on April 25, 2018. Unfortunately, Communist China controls and manipulates the reincarnation system of Tibet for political agenda and domination. Chinese leadership simply awaits the demise of the Dalai Lama to select his next reincarnation. For religious freedom and the return of His Holiness to Tibet, to date, 152 Tibetans self-immolated, including six in 2017. His Holiness the Dalai Lama meanwhile seeks to resolve Sino-Tibetan issues nonviolently through the mutually beneficial Middle Way Approach. His Holiness seeks a genuine autonomy for all of Tibet, within China’s federation, to preserve her distinctive identity, language, religions, culture and traditions. If China looks at the Tibet issue from all angles, she can become more open and receptive to resolve it for the good of all. However, if the Tibet issue remains unresolved, His Holiness said it clearly, as early as in the 80s, that he will reincarnate in a free country, not under China’s control of Tibet, to continue his unfinished work. In this regard, China cannot control the next Dalai Lama and the Tibet issue will continue over generations. In accordance with the Tibetan Policy Act of 2002, the U.S. government should engage China internationally and multilaterally to resolve the Tibet issue for regional and global peace and stability.





### KEY FINDINGS

The Eritrean government continues to repress religious freedom. Thousands of Eritreans are detained because of their religious beliefs or practice. Systematic, ongoing, egregious religious freedom violations include torture or other ill treatment of religious prisoners, arbitrary arrests and detentions without charges, a prolonged ban on public religious activities of unregistered religious groups, forced conversions, and interference in the internal affairs of recognized religious groups. The government recognizes only four religious communities: the Coptic Orthodox Church of Eritrea, Sunni Islam, the Roman Catholic Church, and the Evangelical Church of Eritrea, a Lutheran-affiliated denomination. All others are unregistered and treated as illegal. The situation is particularly grave for unregistered Pentecostal and Evangelical Christian communities and Jehovah's Witnesses. Several Evangelical and Pentecostal pastors have been detained for more than 10 years. Over the past year, the Eritrean government increased its persecution of Pentecostal and Evangelical Christians. Security forces arrested followers of these faiths for participating in clandestine prayer meetings and religious ceremonies. In addition, authorities conducted door-to-door searches and arrested individuals identified as Pentecostal or Evangelical solely for their religious

identity. Since 1994, Jehovah's Witnesses have been denied Eritrean citizenship and barred from obtaining government-issued identity and travel documents, government jobs, and business licenses. The government requires indefinite national service with no alternative for conscientious objectors, and Eritreans who refuse to participate are detained, sentenced to hard labor, abused, and have their legal documents confiscated. Religious practice is prohibited in the military and conscripts are severely punished if found with religious materials or participating in religious gatherings. Three Jehovah's Witnesses have been imprisoned without trial since 1994 for refusing military service. The government dominates the internal affairs of the Coptic Orthodox Church of Eritrea, the country's largest Christian denomination, and suppresses the religious activities of Muslims. Eritrean Orthodox Church Patriarch Abune Antonios has been held under house arrest since 2007 for opposing government interference in internal church affairs. In light of these violations, USCIRF again finds in 2018 that Eritrea merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). The U.S. Department of State has designated Eritrea as a CPC repeatedly since 2004, most recently in December 2017.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Redesignate Eritrea as a CPC under IRFA;
- Maintain the existing, ongoing arms embargo referenced in 22 CFR 126.1(a) of the International Traffic in Arms Regulations;
- Use bilateral and multilateral diplomatic channels to urge the government of Eritrea to:
  - Release unconditionally and immediately detainees held on account of their peaceful religious activities, including Orthodox Patriarch Antonios;
  - End religious persecution of unregistered religious communities and register such groups;
  - Grant full citizenship rights to Jehovah's Witnesses;
  - Provide for conscientious objection by law in compliance with international human rights standards;
  - Bring national laws and regulations, including registration requirements for religious communities, into compliance with international human rights standards;
- Bring the conditions and treatment of prisoners in line with international standards; and
- Extend an official invitation for unrestricted visits by the United Nations (UN) Special Rapporteur on the situation of human rights in Eritrea, the UN Special Rapporteur on freedom of religion or belief, the UN Working Group on Arbitrary Detention, and the International Red Cross;
- Use targeted tools against specific officials and agencies identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the "specially designated nationals" list maintained by the U.S. Department of Treasury's Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the [Global Magnitsky Human Rights Accountability Act](#), and asset freezes under the Global Magnitsky Act;
- Seek a meeting for U.S. Embassy officials with Eritrean Orthodox Church Patriarch Antonios;
- Support the renewal of the mandate of the UN Special Rapporteur on human rights in Eritrea;
- Encourage the African Union to establish an accountability mechanism to investigate, prosecute, and try individuals accused of committing crimes against humanity in Eritrea, as recommended in 2016 by the UN Commission of Inquiry on Human Rights in Eritrea and the UN Human Rights Council; and
- Sponsor a UN General Assembly resolution denouncing Eritrea's gross religious freedom and human rights violations.

## COUNTRY FACTS

### FULL NAME

State of Eritrea

### GOVERNMENT

Presidential Republic

### POPULATION

5,918,919

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Coptic Orthodox Church of Eritrea, Sunni Islam, the Roman Catholic Church, and the Evangelical Church of Eritrea

### RELIGIOUS DEMOGRAPHY\*

48–50% Christian

48–50% Muslim

\*U.S. Department of State

## BACKGROUND

President Isaias Afwerki and the Popular Front for Democracy and Justice (PFDJ) have ruled Eritrea with absolute authority since the country's independence from Ethiopia in 1993. No private newspapers, political opposition parties, or independent nongovernmental organizations exist. Thousands of Eritreans are imprisoned for their real or imagined opposition to the government, and the 2015 and 2016 reports of the [UN Commission of Inquiry on Human Rights in Eritrea](#) (COI-E) describe extensive use of torture and forced labor, including of religious prisoners of conscience.

The government requires all physically and mentally capable people between the ages of 18 and 70 to perform a full-time, indefinite, and poorly paid national service obligation, which includes military, development, or civil service components. Eritrean authorities argue that the national service is necessary because the country remains on a war footing with Ethiopia, which has not implemented the demarcated border between the two countries. While national service does include a civil service component, all Eritreans are required to undertake military training, all

forms of service are supervised by military commanders, and Eritreans cannot choose which type of service they must complete. Hence, there is no alternative for conscientious objectors. Further, a civilian militia program requirement for most males and females between the ages of 18 and 50 not in the military portion of national service also does not provide an alternative for conscientious objectors. The UN and various human rights groups have reported that persons who refuse to participate in national service are detained, sentenced to hard labor, abused, and have their legal documents confiscated. Religious practice is prohibited in the military and conscripts are severely punished for possessing religious materials or participating in religious gatherings.

In 2016, the COI-E found “reasonable grounds to conclude” that crimes against humanity had been committed, and urged the UN Security Council to refer the

situation in Eritrea to the International Criminal Court. In July 2016, the UN Human Rights Council adopted the COI-E recommendation that the African Union establish an accountability mechanism to investigate,

prosecute, and try individuals accused of committing crimes against humanity in Eritrea, including engaging

*Religious practice is prohibited in the military and conscripts are severely punished for possessing religious materials or participating in religious gatherings.*

in torture and overseeing Eritrea's indefinite military service, which the COI-E equated to slavery.

There are very few legal protections for freedom of religion or belief in Eritrea. Those that do exist are either not implemented or are limited by other laws or in practice. The Eritrean constitution provides for freedom of thought, conscience, and belief; guarantees the right to practice and manifest any religion; and prohibits religious discrimination. Nevertheless, the constitution has not been implemented since its ratification in 1997. In May 2014, President Afwerki announced that a new constitution would be drafted, although no action had been taken by the end of the reporting period.

## RELIGIOUS FREEDOM CONDITIONS 2017

### Registration

In 2002, the government imposed a registration requirement on all religious groups other than the four officially recognized religions: the Coptic Orthodox Church of Eritrea; Sunni Islam; the Roman Catholic Church; and the Evangelical Church of Eritrea, a Lutheran-affiliated denomination. All other religious communities are required to apply annually for registration with the Office of Religious Affairs. Registration requirements include a description of the group's history in Eritrea; detailed information about its foreign sources of funding, leadership, assets, and activities; and an explanation of how it would benefit the country or is unique compared to other religious communities. Registration also requires conformity with Proclamation No. 73/1995 "to Legally Standardize and Articulate Religious Institutions and Activities," which permits registered religious institutions the right to preach, teach, and engage in awareness campaigns but prohibits "infringing upon national safety, security and supreme national interests, instigating refusal to serve national service and stirring up acts of political or religious disturbances calculated to endanger the independence and territorial sovereignty of the country."

To date, no other religious communities have been registered. The Baha'i community, the Presbyterian Church, the Methodist Church, and the Seventh-day Adventists all submitted the required applications in 2002; however, the Eritrean government has yet to

act on their applications. The government's inaction means unregistered religious communities lack a legal basis on which to practice their faiths, including holding public and private services or other religious ceremonies. Most nonregistered religious communities' houses of worship are closed and the government has not approved their building of new ones. Leaders and members of unregistered communities who continue to practice their faith are punished with imprisonment and fines.

## Torture of Religious Prisoners of Conscience

Reports of torture and other abuses of religious prisoners continue. While the country's closed nature makes exact numbers difficult to determine, the State Department reports 1,200 to 3,000 persons are imprisoned on religious grounds in Eritrea. The vast majority of religious prisoners of conscience are members of unregistered churches. During 2017, there was an increase in the number of arrests.

Religious prisoners are routinely sent to the harshest prisons and receive some of the cruelest punishments. Released religious prisoners continue to report that they were kept in solitary confinement, crowded conditions, or underground barracks, and subjected to extreme temperature fluctuations. In addition, reports of deaths of religious prisoners due to harsh treatment or denial of

medical care continue.

Religious prisoners are not formally charged, permitted access to legal counsel, or accorded due process. Prisoners are not permitted to pray

aloud, sing, or preach, and religious books are banned. Evangelicals, Pentecostals, and Jehovah's Witnesses released from prison report being pressured to recant their faith, forced to sign statements that they would no longer gather to worship, and warned not to reengage in religious activities.

## Pentecostals and Evangelicals

The Eritrean government is suspicious of newer religious communities, in particular Protestant Evangelical and Pentecostal communities. As a consequence, Pentecostals and Evangelicals comprise the

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*Religious prisoners are not formally charged, permitted access to legal counsel, or accorded due process.*

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vast majority of religious prisoners. The government characterizes these groups as being part of a foreign campaign to infiltrate the country, engaging in aggressive evangelism alien to Eritrea's cultural traditions, and causing social divisions.

In 2017, the Eritrean government increased its persecution of Pentecostal and Evangelical Christians. Security forces arrested followers of these faiths for participating in clandestine prayer meetings and religious ceremonies. In a new development, police also undertook door-to-door searches and arrested individuals identified as Pentecostal or Evangelical solely for their religious identity. In May, authorities arrested almost 100 Christians nationwide, including 49 Evangelicals at a secret wedding in Asmara. In June, police arrested an additional 70 Pentecostals and Evangelicals in house-to-house searches. In August, authorities arrested 23 Christians in Asmara.

Several Evangelical and Pentecostal pastors have been detained for more than 10 years, including Southwest Full Gospel Church Founder and Pastor Kiflu Gebremeskel (since 2004), Massawa Rhema Church Pastor Million Gebreselasie (since 2004), Full Gospel Church Pastor Haile Naigzhi (since 2004), Kale Hiwot Church Pastor Ogbamichael Teklehaimanot (since 2005), and Full Gospel Church Pastor Kidane Weldou (since 2005).

### Jehovah's Witnesses

Jehovah's Witnesses are persecuted for their political neutrality and conscientious objection to military service, which are aspects of their faith. On October 25, 1994, President Afwerki issued a decree revoking Jehovah's Witnesses' citizenship for their refusal to take part in the country's independence referendum and to participate in national service. Since 1994, Jehovah's Witnesses have been barred from obtaining government-issued identity and travel documents, government jobs, and business licenses. Eritrean identity cards are required for government food rations, legal recognition of marriages, or land purchases. The State Department has reported that some local authorities have denied water and gas services to Jehovah's Witnesses.

Moreover, the government requires that high school students complete their final year at the Sawa Training and Education Camp, which includes six months of military training. This effectively denies Jehovah's Witnesses an opportunity to attend their last year of high school and graduate because their faith prohibits them from participating in the military training. Some children of Jehovah's Witnesses have been expelled from school because of their refusal to salute the flag or pay for membership in the officially sanctioned national

organization for youth and students.

Whole congregations of Jehovah's Witnesses have been arrested while attending worship services in homes or in rented facilities, and indi-

vidual Witnesses are arrested regularly and imprisoned for expressing their faith to others or for conscientious objection. Some are released quickly, while others are held indefinitely without charges. As of October 2017, the Eritrean government held in detention 55 Jehovah's Witnesses without charge.

Jehovah's Witnesses Paulos Eyassu, Issac Mogos, and Negede Teklemariam are Eritrea's longest-serving religious prisoners. They have been imprisoned in Sawa Prison without trial since September 24, 1994, for refusing military service.

### Recognized Religious Communities

The Eritrean government also strictly controls the activities of the four recognized religious communities. These groups are required to submit activity reports every six months, instructed not to accept funds from coreligionists abroad (an order with which the Eritrean Orthodox Church reportedly said it would not comply), and have had religious leaders appointed by government officials. There also are reports of government surveillance of services of the four recognized religions. Eritrean officials visiting the United States reportedly pressured diaspora members to attend only Eritrean government-approved Orthodox churches in the United States. Muslims opposed to the government are labeled as fundamentalists. The Catholic Church is granted a few more—but still restricted—freedoms

*Police also undertook door-to-door searches and arrested individuals identified as Pentecostal or Evangelical solely for their religious identity.*

than other religious communities, including the permission to host some visiting clergy, to receive funding from the Holy See, to travel for religious purposes and training in small numbers, and to receive exemptions from national service for seminary students and nuns.

The Eritrean government has appointed the Patriarch of the Eritrean Orthodox Church and the Mufti of the Eritrean Muslim community, as well as other lower-level religious officials. Hundreds of Orthodox Christian and Muslim religious leaders and laity who protested these appointments remain imprisoned.

The government-deposed Eritrean Orthodox Patriarch Abune Antonios, who protested government interference in his church's affairs, has been held under house arrest since 2007. His case has been highlighted by

USCIRF's [Religious Prisoners of Conscience Project](#).

In response to increased international pressure on the Eritrean government to release Patriarch Antonios, he was seen in public on July 16, 2017, for the first time in more than 10 years when government officials

escorted him to attend Mass at St. Mary's Cathedral in Asmara. However, Patriarch Antonios was surrounded by security officers and prevented from giving a sermon or speaking or praying with congregants. On July 19, the government moved Patriarch Antonios to a new location, reportedly with better living conditions, where he remains under house arrest.

## U.S. POLICY

Relations between the United States and Eritrea remained poor in 2017. The government of Eritrea expelled USAID in 2005, and U.S. programs in the country ended in fiscal year 2006. Since 2010, the Eritrean government has refused to accredit a new U.S. ambassador to the country; in response, the U.S. government revoked the credentials of the Eritrean ambassador to the United States. U.S. government officials raise religious freedom violations when speaking about human rights conditions in Eritrea.

U.S. policy toward Eritrea is concentrated on security concerns. In response to the Eritrean government's

assistance to North Korea, on March 21, 2017, the U.S. government imposed a two-year sanction banning it and private exporters from doing business with the Eritrean Navy.

In 2009, the United States joined a 13-member majority to adopt [UN Security Council Resolution 1907](#), sanctioning Eritrea for supporting armed groups in Somalia and failing to withdraw its forces from the Eritrea-Djibouti border following clashes with Djibouti. The sanctions include an arms embargo, travel restrictions, and asset freezes on the Eritrean government's political and military leaders, as well as on other individuals designated by the Security Council's Committee on Somalia Sanctions. In 2010, then President Barack Obama announced [Executive Order 13536](#),

blocking the property and property interests of several individuals for their financing of al-Shabaab in Somalia. In 2011, the United States voted in favor of [UN Security Council Resolution 2023](#), which calls on UN member states to imple-

ment Resolution 1907's sanctions and ensure their dealings with Eritrea's mining industry do not support activities that would destabilize the region. In 2017, the U.S. government voted in the UN Security Council to retain an arms embargo on Eritrea and to renew for another year the mandate of its Monitoring Group on Somalia and Eritrea.

U.S.-Eritrean relations also are adversely influenced by strong U.S.-Ethiopian ties. Gaining independence in 1993, Eritrea fought a costly border war with Ethiopia from 1998 to 2000. However, Eritrean-Ethiopian relations remain tense due to Ethiopia's refusal to permit demarcation of the boundary according to the Hague's Eritrea-Ethiopia Boundary Commission's 2002 decision. The U.S. government views the Commission's decision as "final and binding" and expects both parties to comply.

In September 2004, the State Department first designated Eritrea as a CPC. When redesignating Eritrea in September 2005 and January 2009, the State Department announced specific religious freedom sanctions

*In response to increased international pressure on the Eritrean government to release Patriarch Antonios, he was seen in public on July 16, 2017, for the first time in more than 10 years.*

by denying commercial export to Eritrea of defense articles and services covered by the Arms Export Control Act, with some items exempted. The State Department most recently redesignated Eritrea as a CPC in December 2017, and continued the presidential action of the arms embargo, although since 2011 this has been under the auspices of UN Security Council Resolution 1907 (see above).



### KEY FINDINGS

In the past year, religious freedom in Iran continued to deteriorate for both recognized and unrecognized religious groups, with the government targeting Baha'is and Christian converts in particular. While several high-profile Baha'i prisoners were released during the reporting period following completion of their sentences, others were arbitrarily detained based on their religion, and long-term trends of economic and educational persecution of the community continue. Christian converts and house church leaders faced increasingly harsh sentencing; many were sentenced to at least 10 years in prison for their religious activities. Religious reformers and dissenters faced prolonged detention and possible execution, while the government's growing ability to enforce official interpretations of

religion online posed new threats to the freedom and safety of internet users. In a new, troubling development, the suspension of a Zoroastrian elected to the local council of Yazd sparked national debate about limiting the political rights of religious minorities. While the Rouhani Administration signaled its intent to address some religious freedom violations, these promises have yet to be implemented and the number of individuals imprisoned for their beliefs continues to climb. Based on these particularly severe religious freedom violations, USCIRF again recommends in 2018 that Iran be designated as a "country of particular concern," or CPC. Since 1999, the U.S. Department of State has designated Iran as a CPC under the International Religious Freedom Act (IRFA), most recently in December 2017.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Redesignate Iran as a CPC under IRFA;
  - 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;
  - Work closely with European and other allies to apply pressure through a combination of advocacy, diplomacy, and targeted sanctions for religious freedom abuses, especially leading up to Iran's 2019 Universal Periodic Review;
  - Press for and work to secure the release of all prisoners of conscience;
  - Speak out publicly and frequently at the highest levels about the severe religious freedom abuses in Iran, and highlight the need for the international community to hold authorities accountable in specific cases;
  - Identify Iranian government agencies and officials responsible for severe violations of religious freedom, freeze those individuals' assets, and bar their entry into the United States, as delineated under the [Comprehensive Iran Sanctions, Accountability, and Divestment Act \(CISADA\)](#), the [Global Magnitsky Human Rights Accountability Act](#), and related executive orders, citing specific religious freedom violations;
  - Call on Iran to cooperate fully with the United Nations (UN) Special Rapporteur on the human rights situation in Iran, including allowing the Special Rapporteur—and other relevant UN entities, such as the UN Special Rapporteur on freedom of religion or belief and the Working Group on Arbitrary Detention—to visit;
  - Maintain leadership in supporting 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:
- Continue to pass resolutions condemning the Iranian government's repression of the religious minorities, such as the Baha'i community; and
  - Reauthorize and ensure implementation of 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.

## COUNTRY FACTS

### FULL NAME

Islamic Republic of Iran

### GOVERNMENT

Theocratic Republic

### POPULATION

82,021,564

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

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

### RELIGIOUS DEMOGRAPHY\*

99% Muslim (89–94% Shi'a, 5–9% Sunni)  
< 1% Other (includes Baha'is, Christians, Jews, Sabeen-Mandaeans, Zoroastrians, and Yarsanis)

\*U.S. Department of State

## BACKGROUND

The Islamic Republic of Iran is a constitutional, theocratic republic that proclaims the Twelver Jaafari school of Shi'a Islam to be the official religion of the country. The constitution stipulates that followers of five other schools of thought within Islam—Maliki, Hanafi, Shafi'i, Hanbali, and Zaydi—should be accorded respect and permitted to perform their religious rites. The constitution recognizes only Christians, Jews, and Zoroastrians as protected religious minorities, free to perform their rites “within the limits of the law.” Five

(out of a total of 290) seats in the parliament are reserved for these groups (two for Armenian Christians and one each for Assyrian/Chaldean Christians, Jews, and Zoroastrians).

The government of Iran discriminates against its citizens on the basis of religion or belief, as all laws and regulations are based on unique Jaafari Shi'a Islamic criteria. Under Iran's penal code, *moharebeh* (“enmity against God,” vaguely defined and often used for political purposes) and *sabb al-nabi* (“insulting the prophet”) are capital crimes. Apostasy is not codified as a crime in the penal code; however, individuals are still tried as apostates because the constitution specifies that Shari'ah be

applied to any cases not explicitly addressed by the law. The UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran and the UN Secretary-General have noted that these crimes are vague and broadly defined, leading to arbitrary interpretation and application. Since the 1979 revolution, many mem-

bers of minority religious communities have been arrested or executed, or have fled in fear of persecution.

In December 2016, President Hassan Rouhani publicly released a nonbinding Charter on

Citizens' Rights that promised, among other rights, recognition of all religious identities and nondiscriminatory legal protection. Members of Iranian religious minorities had hoped President Rouhani's 2017 reelection would lead to greater respect for their rights; however, little real change ensued. In August 2017, President Rouhani appointed Shahindokht Molaverdi as his assistant for civil rights, charged with implementing the charter. Meanwhile, growing numbers of religious minorities, dissident Shi'a Muslims, and human rights defenders have been subject to harassment, arrest, and execution for exercising rights nominally protected by the charter.

*The constitution recognizes only Christians, Jews, and Zoroastrians as protected religious minorities, free to perform their rites “within the limits of the law.”*

In late December 2017, widespread protests broke out across Iran's provinces, initially sparked by economic grievances but spreading to include political issues including corruption, regional involvement, and the unchecked power of religious authorities like Ayatollah Khamenei. President Rouhani publicly acknowledged some of the protestors' complaints but warned them to refrain from violence or property destruction, while state security responded with force and the government disrupted internet access and blocked social media tools like Instagram and Telegram. By the time the protests dwindled in January 2018, just after the end of the reporting period, over 20 civilians had been killed and several thousand arrested. The head of Tehran's Revolutionary Court stated that detained protestors may face *moharebeh* charges, which carry the death penalty.

## RELIGIOUS FREEDOM CONDITIONS 2017

### Muslims

Over the past few years, Iranian authorities have charged many reformers within the Shi'a community with "insulting Islam," criticizing the Islamic Republic, and publishing materials that allegedly deviate from Islamic standards. Dissident Shi'a cleric Ayatollah Mohammad Khomeini Boroujerdi, arrested in 2006, was released on medical leave in January 2017 after suffering physical and mental abuse while in prison. Following his release, Ayatollah Boroujerdi has lived under de facto house arrest, summoned repeatedly for questioning and banned from receiving visitors.

The Sunni Muslim population in Iran is concentrated in underdeveloped areas and experiences discrimination in employment and political leadership, and many Sunni activists report harsh treatment in prison due to their religious practices. At least 140 Sunni prisoners reportedly are detained on charges related to their beliefs and religious activities. Human rights groups also allege that communal punishment of the Sunni community through prolonged detention and harassment have intensified following the June 2017 attacks in Tehran by the Islamic State of Iraq and

Syria (ISIS). The repeated requests of Tehran's Sunni community to build an official mosque in the city have all been refused; they therefore hold prayers in smaller spaces they refer to as "prayer halls." In August and September 2017, prominent Sunni leader Molavi Abdul Hamid and Supreme Leader Ayatollah Ali Khamenei exchanged a series of public letters regarding anti-Sunni discrimination in employment and mosque construction. Khamenei wrote that "no kind of discrimination or inequality by the institutions of the Islamic Republic is allowed based on race, ethnicity or religion," an assertion in stark contrast to the lived reality of Sunni communities.

Adherents to Sufi orders, which emphasize the mystic elements of Islam, are targeted for "following a deviant sect" that does not conform to the state's official interpretation of Islam. Members of the Nematollahi Gonabadi Sufi order, Iran's largest, continued to face a range of abuses, including attacks on their prayer centers and homes; expulsion from educational and cultural institutions; and harassment, arrests, physical assaults, and travel bans on their leaders. Over the past year, authorities have detained dozens of Sufis,

sentencing many to imprisonment, fines, and floggings. Iranian state television regularly airs programs demonizing Sufism, and many of the administrators of a popular Sufi website remain

*Over the past year, authorities have detained dozens of Sufis, sentencing many to imprisonment, fines, and floggings.*

in prison on charges including "membership in a sect endangering national security." In late December 2017, as protests spread nationwide, security forces arrested five Gonabadi Sufis as they visited the hospitalized administrator of the Sufi website.

### Baha'is

The Baha'i community, which at over 300,000 people is the largest non-Muslim religious minority in Iran, is deemed by the government a heretical, "deviant sect" whose members are de facto apostates. Baha'is are therefore the most severely persecuted religious minority in Iran, not recognized by the state, and denied their political, economic, cultural, and religious rights. While President Rouhani promised during his 2013

election campaign to end religious discrimination, the amount of anti-Baha'i propaganda aired on official channels has grown steadily. Since 2014, an estimated 26,000 pieces of anti-Baha'i media have run on official or semi-official channels.

Over the past 10 years, more than 1,000 Baha'is have been arbitrarily arrested. In April 2017, the UN Working Group on Arbitrary Detention stated that the 2016 sentencing of 24 Iranian Baha'is to lengthy prison terms was based solely on their religious beliefs and a "violation of their right as a religious minority." In October 2017, the 200th anniversary of the birth of the founder of the Baha'i faith, nearly 20 Baha'is were arrested and 25 homes raided. At the end of the reporting period, over 90 Baha'is were being held in prison solely because of their religious beliefs.

Those imprisoned include four of the seven high-profile Baha'i leaders known as the "Friends of Iran" or *Yaran*. Three of these leaders—Mahvash Sabet, Fariba Kamalabadi, and Behrouz Tavakkoli—were

released in September, October, and December 2017, respectively, after completing 10-year sentences on false charges of espionage and spreading propaganda. Prior to the release of Sabet and Kamalabadi, USCIRF advocated on their behalf

as part of the Religious Prisoners of Conscience Project. The other four leaders—Jamaloddin Khanjani, Afif Naemi, Saeid Rezaie, and Vahid Tizfahm—remained in prison at the end of the reporting period. Two Baha'i instructors imprisoned for their work with the outlawed Baha'i Institute for Higher Education were released from prison in 2017 following completion of five-year sentences. However, five other instructors remained in prison at year's end, and two more were summoned to begin prison terms in November and December 2017.

In April, July, and October 2017, Iranian authorities closed down dozens of Baha'i-owned shops for observing holy days. While some closures were temporary, many shops closed in 2016 remained shuttered at the end of the reporting period despite legal appeals, and over 600 shops have been closed since 2014. In November 2017, the President's Special Assistant for Citizens' Rights Affairs

Shahindokht Molaverdi stated that the Rouhani Administration would "follow legal procedures" to remedy the issue of closures.

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. Over 50 Baha'i students have reported being expelled during the academic year since 2013, despite high scores on standardized tests. In November 2017, three Baha'i students who wrote to the government to protest being denied enrollment in university were sentenced to five years in prison each on charges of "membership in the anti-state Baha'i cult."

In September 2016, Baha'i Farhang Amiri was stabbed to death by two brothers outside of his home in Yazd; the two men later reportedly confessed, saying they killed him because he was an apostate whose murder would guarantee them paradise. In July 2017, the

older brother convicted of the murder was sentenced to 11 years in prison and two years' exile, while the younger brother received five and a half years in prison. Under the Iranian penal code, murder of a Muslim carries the death penalty, while murder of

a Baha'i or other member of an unrecognized religion carries much lighter legal penalties.

## Christians

Iran's Christian population, estimated at nearly 300,000, is divided between the traditional Armenian and Assyrian/Chaldean ethnic churches and the newer Protestant and evangelical churches. Members of the historical churches face extensive government surveillance and legal restrictions on construction and renovation of houses of worship. Evangelical Christians and Christian converts, however, are particularly targeted for repression because many conduct services in Persian and proselytize to those outside their community. Pastors of house churches are commonly charged with unfounded national security-related crimes, as well as apostasy and illegal house-church

*Three Baha'i students who wrote to the government to protest being denied enrollment in university were sentenced to five years in prison each on charges of "membership in the anti-state Baha'i cult."*

activities. During the year, government-controlled and progovernment media outlets continued to spread anti-Christian sentiment, while anti-Christian publications proliferated online and in print throughout Iran.

While Iranian authorities have for decades raided house church services and arrested hundreds of worshippers and church leaders, the severity of sentencing has increased in recent years. In May 2017, four evangelical Christians, three of them Azerbaijani citizens, were sentenced to 10 years in prison each for house church activities and evangelism. The following month, Pastor Youcef Nadarkhani, who previously served a prison sentence for apostasy and is among those highlighted by USCIRF's Religious Prisoners of Conscience Project, faced trial along with three codefendants because of their house church activities. Each of the four Christians was sentenced to 10 years in prison, with Nadarkhani receiving an additional two years in exile. In July, Pentecostal Assyrian Church Pastor Victor Bet Tamraz stood trial along with three other members of his community. Each of the four received 10- or 15-year sentences. In December, two members of the Church of Iran were convicted of false security-related crimes and sentenced to eight years in prison each, following their original arrest in 2012 during a raid on a prayer meeting.

In August 2017, Christian convert Maryam Naghash Zargaran, also one of the individuals highlighted in the Religious Prisoners of Conscience Project, was released after completing her four-year prison sentence. While leaving prison, however, Zargaran was issued a 50-million-to-man (over \$14,000) bail for allegedly insulting staff of the prison's hospital. She also reportedly received a six-month travel ban upon her release.

### Other Religious Communities

Although the vitriolic sentiment was 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." Throughout the year, high-level clerics continued to make anti-Semitic remarks in mosques, while numerous programs broadcast on state-run television

advanced anti-Semitic messages. In December 2017, two synagogues in Shiraz were attacked and vandalized, leaving sacred texts destroyed. Discrimination against Iranian Jews, who number between 15,000 and 20,000, fosters a threatening atmosphere for the community.

In recent years, members of the Zoroastrian community, which numbers between 30,000 and 35,000 people, have come under increasing repression and discrimination. Following the May 2017 local elections, discrimination against the community rose to national prominence as a Zoroastrian elected in Yazd was suspended from his position due to his religion. The Guardian Council, a governmental body of jurists that assesses legislation for compliance with Islamic values, upheld his suspension based on a pre-election statement from its chairman, Ayatollah Ahmad Jannati, stating that non-Muslims cannot run for office in majority-Muslim areas, despite protections in the election law allowing members of recognized religions to do so. In December 2017, the Iranian parliament amended the national law on local councils, explicitly affirming the right of recognized religious minorities to hold office. However, this amendment was rejected by the Guardian Council, leaving the debate ongoing at the end of the year.

While the Iranian government considers followers of the Yarsan faith to be Shi'a Muslims who practice

*In the May 2017 elections, 28 of the 30 Yarsani candidates for local office in the city of Hashtgerd were disqualified from running.*

Sufism, members identify as a distinct and separate religion (also known as *Ahl-e Haqq* or People of Truth, estimated to number over one million).

Yarsanis whose religious identity is publicly known

face discrimination in education, employment, and running for political office. In the May 2017 elections, 28 of the 30 Yarsani candidates for local office in the city of Hashtgerd were disqualified from running. The following month, Yarsani leaders published an open letter to President Rouhani requesting that the constitutional status of the Yarsan faith be clarified. As with previous such letters, the community received no reply.

Mohammad Ali Taheri, a university professor and founder of a spiritual movement (*Erfan-e Halgheh* or Spiritual Circle), remains in prison after serving a



five-year sentence for “insulting religious sanctities.” In 2015, Taheri was sentenced to death before the Iranian Supreme Court overturned the death sentence. In August 2017, he was retried and once more sentenced to death for “spreading corruption on earth,” although the sentence reportedly was quashed in October and a retrial set for January 2018. Several dozen of Taheri’s followers were arrested in July and August 2017, and human rights organizations estimate that over 300 have been arrested since 2010. Many *Erfan* instructors and students were released shortly after being interrogated during the year.

### Human Rights Defenders, Journalists, and Dissidents

Iranian authorities regularly detain and harass journalists, bloggers, and human rights defenders who criticize the Islamic revolution or the Iranian government. Over the past few years, a number of human rights lawyers who defended Baha’is and Christians in court were imprisoned or fled the country for fear of arrest. Author and human rights activist Golrokh Ebrahimi Iraee was convicted in 2016 of “insulting the sacred” based on her unpublished story in which a protagonist angered by stonings burns a Qur’an. In February 2017, Ebrahimi Iraee was released on a short leave but arrested soon afterward for failing to

return to prison on time. At the end of the reporting period, she remained imprisoned in Evin Prison. In October, poet and human rights activist Reza Akvanian was sentenced to three years in prison and 40 lashes for allegedly insulting the Twelfth Imam in his poetry.

The Iranian government exercises strict control over expression of religious ideas and dissent online as part of its broader censorship and targeted use of technology. Throughout 2017, several young people were convicted of “apostasy” or “insulting the sacred” online. In February 2017, Iranian courts sentenced Sina Dehghan and Mohammad Nouri to death for posting “anti-Islamic materials” on social media. In April, three young men were each sentenced to 12 years in prison based on their political and religious commentary on the popular messaging application

Telegram. In June, Iranian officials announced that they had reached an agreement with Telegram to block “anti-religious” content, shortly after a prominent cleric stated that unrestricted internet would be “a tool for the toppling of Islam.” According to various reports, Iranian government online attacks reveal that religious minority leaders, especially Baha’is, have been particularly targeted by pro-regime hackers exploiting vulnerabilities in the use of technology for advocacy and communication.

### Women and Religious Freedom

The government’s enforcement of its official interpretation of Jaafari Shi’a Islam on all citizens regardless of their religion negatively affects the religious and human rights of women in Iran, including their freedoms of movement, association, thought, conscience, and religion or belief. The Iranian justice system does not grant women the same legal status as men; testimony by a man is equivalent to the testimony of two women. In addition, some provisions of the penal code create conditions supportive of violence

against women, including “honor” violence.

The “blood money” for the murder of a Muslim woman is one-half that of the blood money for a Muslim man’s murder.

According to the penal code, murder committed by a female victim’s father or paternal grandfather is subject to light penalty, if any.

For most of the reporting period, Iranian authorities continued their enforcement of the strict dress code for women. By law, Iranian women, regardless of their religious affiliation or belief, must be covered from head to foot while in public or face imprisonment and fines. However, human rights organizations reported declining rigor in enforcement in Tehran, and in December 2017 Tehran police announced that they would no longer detain women in violation of the code. According to state-affiliated media, violators in Tehran will instead be required to attend Islamic education classes at state counselling centers. Media reports claimed that the dress code will remain enforced outside the capital and repeat violators in the city may still face charges.

*In February 2017, Iranian courts sentenced Sina Dehghan and Mohammad Nouri to death for posting “anti-Islamic materials” on social media.*



## U.S. POLICY

In July 2010, then President Barack Obama signed into law the [Comprehensive Iran Sanctions, Accountability, and Divestment Act](#) (CISADA), which 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, then President Obama signed the [Iran Threat Reduction and Syria Human Rights Act](#) (ITRSHRA), which enhances the scope of human rights-related sanctions contained in CISADA. Over the past seven years, the United States has imposed visa restrictions and asset freezes on 20 Iranian officials and 19 Iranian entities pursuant to CISADA, ITRSHRA, and various executive orders. The Obama Administration also worked with the European Union, Iran, and the P5+1 countries to implement the July 2015 [Joint Comprehensive Plan of Action](#) (JCPOA), designed to ensure that Iran's nuclear program would be exclusively peaceful.

Since President Donald Trump assumed office, the U.S. government has signaled a strict approach to relations with Iran, emphasizing accountability for Iran's destabilizing activities in the region. In April 2017, the U.S. Department of the Treasury [sanctioned](#) Tehran Prisons Organization and Sohrab Soleimani, a leader of the State Prisons Organization, under [Executive Order 13553](#), marking the first new human rights sanctions designations relating to Iran since 2014. In April and July 2017, the Trump Administration certified to Congress that Iran had complied with the terms of the JCPOA. However, in October, President Trump refused to certify Iran's compliance with the plan. According to the terms of the JCPOA, Congress therefore had the opportunity to revisit the 2015 [Iran Nuclear Agreement Review Act](#). The president also delivered public remarks in October outlining a new Iran strategy, which focuses on countering Iran's destabilizing activities, terrorist financing, missile proliferation, and possible development of nuclear weapons.

In 2017, the State Department repeatedly condemned Iran's human rights and religious freedom violations. In his August [remarks](#) at the launch of the State Department International Religious Freedom Report, then Secretary of State Rex Tillerson highlighted Iran's religious freedom violations, specifically denouncing the persecution of Christians and Baha'is,

as well as sentencings and executions for apostasy and *moharebeh*. The department also issued public statements throughout the year calling for the release of the Baha'i leaders and Mohammad Ali Taheri.

Throughout the year, 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 November 2017, for the 15th year in a row, the U.S. government cosponsored and supported a successful UN General Assembly resolution on human rights in Iran, which passed 83 to 30, with 68 abstentions. The [resolution](#) expressed serious concern about ongoing violations of human rights, including freedom of thought, conscience, religion, or belief.



### KEY FINDINGS

Religious freedom conditions in Nigeria remained poor in 2017. The Nigerian government at the national and state levels continued to tolerate violence and discrimination on the basis of religion or belief, and suppressed the freedom to manifest religion or belief. The federal government continued to detain the leader of the Shi'a Islamic Movement of Nigeria (IMN), Sheikh Ibrahim Zakzaky, along with his wife and hundreds of other members, and state governments continued to ban the group's activities. Sectarian violence between predominantly Muslim herders and predominantly Christian farmers increased, and the Nigerian federal government failed to implement effective strategies to prevent or stop such violence or to hold perpetra-

tors accountable. Despite gains made by the Nigerian military in the fight against Boko Haram, the government's nonmilitary efforts remained nascent, and Boko Haram's attacks continued. The government also failed to hold Nigerian Army officers accountable for excessive use of force against IMN members, against Boko Haram, and in efforts to curtail sectarian violence. Finally, other religious freedom abuses continued at the state level, including coercive official or societal actions to enforce particular religious norms. Based on these violations, in 2018 USCIRF again finds that Nigeria should be designated as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA), as it has found since 2009.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Designate Nigeria as a CPC under IRFA;
- Seek to enter into a binding agreement with the Nigerian government, as authorized under section 405 (c) of IRFA, and provide associated financial and technical support, to obligate the Nigerian government to take substantial steps to address violations of religious freedom, including but not limited to:
  - Professionalize and train specialized police and joint security units to respond to sectarian violence and acts of terrorism, including in counterterrorism, investigative techniques, community policing, nonlethal crowd control, and conflict prevention methods;
  - Enhance training for all military and police officers on international human rights standards, and ensure security officers accused of excessive use of force and other human rights abuses are investigated and held accountable;
  - Conduct professional and thorough investigations of and prosecute incidents of sectarian violence and terrorism and suspected and/or accused perpetrators;
  - Develop effective conflict prevention and early warning mechanisms at the local, state, and federal levels using practical and implementable criteria;
- Encourage politicians and religious leaders to participate in conflict management training and projects to prevent violence and counter divisive and inciting messages;
- Advise and support the Nigerian government in the development of counter- and deradicalization programs;
- Hold a session of the U.S.-Nigeria Bi-National Commission to discuss further actions to end sectarian violence, address land concerns, hold perpetrators accountable, and reconcile communities;
- Ensure religious freedom issues are addressed in the assessments required by Congress under [section 1279A](#) of the National Defense Authorization Act for Fiscal Year 2018, including by:
  - Assessing the role of religious identity in human rights violations by Nigerian security forces;
  - Assessing the engagement of religious leaders by Nigerian forces in efforts to improve protection of civilians; and
  - Incorporating education and training on religious freedom issues into the plan for the U.S. government to work with Nigerian institutions to improve detainee conditions;
- Within existing U.S. assistance to Nigeria, increase funding and support for conflict prevention and management programming in central and northern states facing high levels of sectarian violence, and for research into the relationship between corruption and religious freedom violations in Nigeria; and
- Use targeted tools against specific officials and agencies identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the "specially designated nationals" list maintained by the U.S. Department of the Treasury's Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the Global Magnitsky Human Rights Accountability Act, and asset freezes under the Global Magnitsky Act.

## COUNTRY FACTS

### FULL NAME

Federal Republic of Nigeria

### GOVERNMENT

Presidential Republic

### POPULATION

190,632,261

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

N/A

### RELIGIOUS DEMOGRAPHY\*

50% Muslim

40% Christian

10% Indigenous beliefs

\*Estimates from the CIA World Factbook

## BACKGROUND

With vast ethnic and linguistic diversity and longstanding concerns among the population that some ethnic or religious groups may dominate over others, the Nigerian government seeks to promote a unified national identity and deter ethnic and religious marginalization and sectarian conflict. The 1999 Constitution of Nigeria includes provisions protecting freedom of religious belief and prohibiting religious discrimination. Mandated to enforce the constitution's federal character principle, which seeks to ensure that the government reflects the country's diversity, the Federal Character Commission attempts to provide fair and representative access to posts in the civil service, armed forces, police, and other agencies, and to ensure equitable distribution of resources and services. However, because this principle is applied through the controversial "indigene" concept, whereby certain groups are considered native to a particular area and as a result are afforded benefits and privileges not provided to those deemed non-native "settlers," members of some groups have been denied equal citizenship at the local level. Historically, the population in the north has been largely Muslim and, in the south, mostly Christian.

Across Nigeria, traditional rulers and religious leaders still wield influence in politics and governance, although religious groups have argued they receive

unequal representation in government. In 12 Muslim-majority northern Nigerian states, federalism has allowed the adoption of Shari'ah law in the criminal codes. Religious police are also used to enforce Shari'ah, often focusing on family issues and moral behavior.

For decades, Nigeria has struggled to address sectarian violence between farmer and herder communities that are often polarized along religious lines. Inflammatory media reports have increased tensions, and 2017 saw an increase in cycles of violence in these communities as compared to the previous year. Attacks

by the terrorist group Boko Haram, which began in 2009, continued in spite of progress by the Nigerian government in its counterinsurgency efforts. Through its

violent Islamist campaign in Nigeria and the Lake Chad Basin, Boko Haram is responsible for the deaths of tens of thousands, the kidnapping of hundreds, and the displacement of nearly two million Nigerians. Similarly, the pastoralist conflict mainly in the Middle Belt of the country has resulted in mass displacement, destruction of property, and the deaths of thousands.

A USCIRF delegation traveled to Nigeria in January and February 2017, visiting Abuja and Kaduna to meet with government officials, religious communities, and civil society organizations.

*Across Nigeria, traditional rulers and religious leaders still wield influence in politics and governance . . .*

## RELIGIOUS FREEDOM CONDITIONS 2017

### Repression of the Islamic Movement of Nigeria

The IMN, the country's largest Shi'a Muslim group, was formed by Sheikh Ibrahim Al Zakzaky in the northern city of Zaria in Kaduna State in the 1980s and 90s, with the aim of establishing an Islamic state. The group has a history of violent clashes with Nigerian security forces and Sunni Muslim groups. Although the IMN has renounced violence, the Nigerian government has continued to classify it as a violent group and to use excessive force to repress its members and activities.

More than two years since the most violent crackdown on IMN—the mass killing and burial of 347 IMN members by the Nigerian Army in Zaria in December 2015—and despite a Kaduna State commission of inquiry finding the army responsible and recommending prosecutions, no Nigerian Army officers have been held to account. Nigerian police also continued to detain hundreds of IMN members—including, most prominently, Sheikh Al Zakzaky and his wife Malama Zeenah Ibrahim, who were held without charges, despite an order from the Federal High Court in Abuja ruling that they be released within 45 days of December 2, 2016. Zakzaky had been severely injured, and three of his sons killed, in the December 2015 attack. In March 2017, in response to public criticism from human rights groups, the Nigerian Ministry of Foreign Affairs called Zakzaky's case a "high and sensitive national security issue"; he and his wife remained in detention at the end of the reporting period.

Throughout 2017, IMN members staged protests around the country advocating for the release of Zakzaky. In Kaduna and Sokoto, their activities, including religious processions, were banned. Police continued to arrest members, using tear gas to disperse protests. The IMN and news sources reported that the force used was at times excessive, causing both injuries and deaths.

*For decades, Nigeria has struggled to address sectarian violence between farmer and herder communities that are often polarized along religious lines.*

### Sectarian Violence

For decades, farmer and herder communities have clashed throughout Nigeria, most prominently in the Middle Belt region, without adequate government response. Because the groups are predominantly

divided along ethnic and religious lines—with mainly Christian farmers and Muslim herders—communities often perceive the attacks as religiously motivated. In 2017, conflict between herder and farmer communities continued across

the country, and increasingly in southern parts of Nigeria, causing death, destruction, and displacement. For example, in July, over 30 people were killed in sectarian violence in Kaduna. One November 2017 report documented 139 Christians killed in Benue State between January and August 2017. Human rights groups reported 549 deaths in herder-farmer clashes throughout Nigeria in 2017, and thousands of individuals displaced.

Desertification and conflict in the north of the country have led herders to take routes farther south. As farmers and herders dispute land use and contest grazing paths, violence often results. The proliferation of arms on both sides, polarizing media coverage, and shortfalls in security have exacerbated the problem. During USCIRF's visit to Nigeria in 2017, civil society and government officials offered an array of reasons for the complex conflict, including: land disputes; herds-men being more heavily armed to protect their cattle from cattle rustling; Fulani (an ethnic group of mostly nomadic herder people) engaging in revenge attacks in southern Kaduna; and for Christian interlocutors, a Fulani ethnic cleansing campaign against indigenous ethnic groups to take their lands. All parties, including Christians and Muslims, told USCIRF that they did not feel protected by security services. They expressed frustration that there is impunity for attackers, and that when they call for help in advance or during attacks, police do not come.

By the end of the reporting period, herder-farmer conflicts and ethnoreligious tensions continued to rise. There were increased reports of concerns of an ethnic

cleansing campaign against Christian communities, with various media sources and organizations characterizing the perpetrators as coming from a single Fulani militant group. Some religious leaders and organizations from affected communities contributed to inflammatory narratives based on unsubstantiated reports about the conflict, while others called for increased interreligious cooperation and understanding to foster peace. In the strongly religious context of Nigeria, religious leaders' voices in particular can have an elevated influence within society and on political leaders.

Human rights groups, religious leaders, and other civil society organizations have frequently criticized the government and security services for failing to respond to or prevent conflict, or to hold perpetrators to account. Deficiencies in policing have led to the deployment of military forces in attempts to restore order. In these cases, the military has faced criticism for using excessive force, harming civilians, fostering mistrust of authorities and among religious groups, and tacitly encouraging vigilante responses. In one example in November, a militia from a farming community killed between 30 and 60 members—mostly women and children—of a herder community in Kikan. In December, armed herdsmen engaged in a series of reprisal attacks on villages around Adamawa State, and the Nigerian Air Force responded by firing rockets on villages, causing further destruction and killing civilians.

Political debates continued over solutions, including promoting private ranching or state-run cattle colonies, where herders can bring their cattle to graze, and passing anti-open-grazing laws. In July and October 2017, respectively, Taraba and Benue states enacted laws making open grazing by herders a crime. Some herder communities began to move across state borders as a result. Opponents say these laws marginalize herders and impinge on their rights. In December, the governor of Benue State began implementation of the law in Benue by ordering the arrest of herders and confiscation of cattle.

## Boko Haram

Since 2009, Boko Haram has inflicted mass terror on civilians, killing at least 20,000 Nigerians, kidnapping thousands, and displacing nearly two million. Boko Haram has destroyed countless churches, homes, and government buildings in attacks and has forcibly closed many schools. The group has killed and harmed people for being “nonbelievers,” including prominent religious leaders. Some of the most affected are women and girls, who have been abducted and subjected to forced marriage, forced conversion, sexual abuse, and torture.

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in the previous year, using more suicide bombings, increasingly carried out by women and children. During the year, the group reportedly killed at least 300 people in Nigeria, and more than 900 in the Lake Chad region. In May, Boko Haram released 82 more schoolgirls from the group of 276 abducted from Chibok in 2014, in

exchange for six Boko Haram fighters. Around 100 girls from that abduction remained missing at the end of the reporting period, along with an unknown number of others. In March, Boko Haram reportedly kidnapped an additional 22 women and girls. Interlocutors repeatedly reported to USCIRF during the 2017 visit that the government and security services were either unable or unwilling to provide security for people in this region or address the ongoing problem of abductions.

With the 2016 split of Boko Haram into one faction supporting Abubakar Shekau and another supporting Islamic State of Iraq and Syria (ISIS)-endorsed Abu Musab Al Barnawi, some attacks have been attributed to or claimed by the ISIS-West Africa faction. In 2017, such ISIS-West Africa attacks included suicide bombings, as well as targeting of Nigerian and regional troops in northern Nigeria.

The Nigerian military made progress in 2017 in recapturing territory and arresting and dispersing fighters, in part through regional coordination efforts, yet it did not stop Boko Haram's ability to launch major attacks



and terrorize civilians. It also failed to adequately account for or secure the release of abducted individuals. Further undermining military efforts are accusations of security forces committing human rights violations. In October 2017, the Nigerian Army opened a new office in Maiduguri to deal with such abuse cases. The International Criminal Court has ongoing preliminary investigations into potential crimes against humanity by both Boko Haram and Nigerian security forces.

In October 2017, the Nigerian military began a series of secret trials of over 2,300 Boko Haram suspects. According to reports, at least 468 were ordered to participate in deradicalization programs.

### State-Level Religious Governance and Policing

Twelve states in northern Nigeria are governed by forms of Shari'ah law and some utilize religious police to supplement the regular police force or provide social services. State enforcement of Shari'ah and the use or funding of religious police (known as Hisbah) organizations varies by location, as does public perception of their value or impact. In some states, vigilante or informal police and neighborhood watches, including Hisbah, are regulated and defined by law. In Plateau and Kaduna states, some neighborhood watch groups are organized along religious lines, including with religious leadership. In 2017, Hisbah police continued to arrest and detain, seize or destroy the property of, and enforce punishments on individuals who violated local religious and morality codes.

### Women and Religious Freedom

Although child marriage was outlawed in Nigeria with the Child Rights Act of 2003, which set the minimum age for marriage at 18, many states still do not enforce this prohibition. According to the United Nations, Nigeria has one of the highest rates of child marriage in the world. [46.8 percent of Nigerian women aged 18–49 were married before the age of 18](#), and Fulani and Hausa

communities have the highest prevalence of child marriage, which is often justified based on religious traditions. However, some religious leaders have opposed the practice. The emir of Kano, Lamido Sanusi II, has been a proponent of ending child marriage, and in 2017 argued to set the legal marriage age limit at 17. He has also spoken out in favor of girls' education and faced backlash from opponents in response.

### U.S. POLICY

Nigeria is a key U.S. partner in Africa and one of the biggest recipients of U.S. assistance in the region. In 2010, the U.S.-Nigeria Binational Commission (BNC) was established to strengthen strategic dialogue between the two countries. In 2015, the BNC was reinvigorated with joint commitments around three focus areas: security, economic development, and good governance. The United States continues to provide military and humanitarian assistance as well as programming in line with these priorities in Nigeria, while maintaining a steady emphasis on human rights issues.

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partnership, Nigeria must strengthen transparency of investigations into security operations and hold perpetrators of human rights violations accountable. He raised this need at the [November 2017 BNC meeting](#) in Abuja, where he also noted that an effective response to Boko Haram

in the northeast should be more holistic and not solely a military effort. Deputy Secretary Sullivan reinforced the need for training and accountability of security forces in a [December 2017 address on counterterrorism](#), following his visit to Nigeria.

The U.S. government designated Boko Haram as a Foreign Terrorist Organization in 2013. A large congressional delegation traveled to Nigeria in August 2017 to strengthen relations and to address the fight against Boko Haram. In December 2017, the [U.S. National Defense Authorization Act for Fiscal Year 2018](#) was

signed into law, with a provision requiring the president to develop a strategy on improving defense institutions and security sector forces in Nigeria, and to submit to Congress a report that includes assessments of: the threats posed by Boko Haram and ISIS-West Africa, efforts by the Nigerian government to protect civilians and human rights, a plan for the United States to work with Nigerian officials to investigate human rights violations committed by Nigerian security forces, and a plan to work with Nigerian defense and security institutions to improve detainee conditions.

Concerns about human rights violations led the U.S. government to block weapons sales to Nigeria in recent years, but in 2016 relations began to improve. In December 2017, the U.S. government approved a nearly \$600 million sale of planes and equipment. The deal was part of the U.S. commitment to counterterrorism efforts in Nigeria and the Lake Chad Basin against Boko Haram and ISIS-West Africa.

To support Nigeria's fight against corruption, the [United States encouraged](#) the Nigerian government to join the Open Government Partnership (OGP), an international platform focused on making governments more open, accountable, and responsive to citizens, which it did in 2016. The U.S. government funded a project that led to Nigeria creating its 2017–2019 [OGP National Action Plan](#) focused on fiscal transparency, anticorruption, access to information, and citizen engagement. In December 2017, the United States and United Kingdom cohosted the inaugural Global Forum on Asset Recovery (GFAR) headquarters with the focus on recovering stolen assets from four key countries, including Nigeria. In 2017, the U.S. government also pledged support to religious leaders fighting corruption, recognizing their critical role in Nigerian society.

# NORTH KOREA

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

### KEY FINDINGS

The North Korean government's approach toward religion and belief is among the most hostile and repressive in the world. Freedom of religion or belief does not exist in North Korea. The regime exerts absolute influence over the handful of state-controlled houses of worship permitted to exist, creating a facade of religious life in North Korea. In practice, the North Korean regime treats religion as a threat, particularly faiths associated with the West, such as Christianity, and is known to arrest, torture, imprison, and even execute religious believers. Although it is challenging to obtain information about violations of religious freedom occurring in North Korea, defector accounts and the work of advocacy

and nongovernmental organizations increasingly reveal the regime's abuses and reinforce the international community's entreaties for accountability. In the meantime, throughout 2017 the North Korean government perpetuated its long-standing record of systematic, ongoing, egregious violations of freedom of religion or belief, and USCIRF again finds that North Korea, also known as the Democratic People's Republic of Korea (DPRK), merits designation in 2018 as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). The U.S. Department of State repeatedly has designated North Korea as a CPC since 2001, most recently in December 2017.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Redesignate North Korea as a CPC under IRFA;
- Maintain the existing, ongoing trade restrictions pursuant to sections 402 and 409 of the Trade Act of 1974 (the Jackson-Vanik Amendment);
- Use targeted tools against specific officials and agencies identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the North Korea Sanctions and Policy Enhancement Act of 2016, the "specially designated nationals" list maintained by the U.S. Department of the Treasury's Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the Global Magnitsky Human Rights Accountability Act, asset freezes under the Global Magnitsky Act, and other executive, congressional, or United Nations (UN) action;
- Identify and target—with sanctions or other tools—individuals or companies outside North Korea who work directly with North Korean human rights violators or benefit from these abuses;
- Call for a follow-up UN inquiry to track the findings of the [2014 report by the UN Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea](#) (COI) and assess any new developments—particularly with respect to violations of the freedom of religion or belief—and suggest a regularization of such analysis similar to and in coordination with the Universal Periodic Review process;
- Maintain the Special Envoy for North Korean human rights issues as a full-time position at the State Department and ensure that religious freedom is a priority for that office;
- Include, whenever possible, both the Special Envoy and the Ambassador-at-Large for International Religious Freedom in official and unofficial discussions about or with North Korea in order to incorporate human rights and religious freedom into the dialogue, and likewise incorporate human rights and religious freedom concerns into discussions with multilateral partners regarding denuclearization and security, as appropriate;
- Strengthen cooperation with regional partners, particularly Japan and South Korea, to raise human rights and humanitarian concerns, including specific religious freedom issues, and press for improvements, including the release of prisoners of conscience and closure of the infamous political prisoner camps and other detention facilities;
- Expand existing radio programming transmitted into North Korea and along the border, as well as the dissemination of other forms of information technology, such as mobile phones, thumb drives, and DVDs, and facilitation of improved internet access so North Koreans have greater access to independent sources of information; and
- Encourage Chinese support for addressing the most egregious human rights violations in North Korea, including violations of religious freedom, and regularly raise with the government of China the need to uphold its international obligations to protect North Korean asylum-seekers in China, including by allowing the UN High Commissioner for Refugees and international humanitarian organizations to assist them, and by ending repatriations, which are in violation of the 1951 Refugee Convention and Protocol and/or the UN Convention against Torture.

The U.S. Congress should:

- Cosponsor and reauthorize the North Korean Human Rights Act of 2017 ([H.R. 2061/S. 1118](#)) and incorporate updated language and/or recommendations from the 2014 COI report, particularly regarding freedom of religion or belief.

## COUNTRY FACTS

### FULL NAME

Democratic People's Republic of Korea

### GOVERNMENT

Single-party state; official state ideology of "*Juche*" or "national self-reliance"

### POPULATION

25,248,000+

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Government-sponsored religious groups (e.g., the Korean Religious Practitioners Association, the Korean Christian Federation, the Korean Buddhist Federation, the Korean Catholic Association, the Korean Chondokyo Central

Committee, and the Korean Orthodox Committee) exist to provide the illusion of religious freedom

### RELIGIOUS DEMOGRAPHY\*

(NOTE: figures are outdated and difficult to confirm)  
<1% Christian

### OTHER GROUPS

Historical traditions of Buddhism, Confucianism, and Shamanism, as well as Chondoism (also spelled Cheondoism), a local religious movement

\*Estimates compiled from the CIA World Factbook, the U.S. Department of State, and the Korea Institute for National Unification

## BACKGROUND

Current North Korean leader Kim Jong-un inherited his cult of personality from his father and grandfather, who crafted a cult-like ideology known as *Juche*, which translates into a communist-like style of governance. All citizens are required to be unfailingly loyal; as a result, deifying the Kim family and the state has become a religion unto itself. Those who follow a religion or belief do so at great risk and typically in secret, at times even keeping their faith hidden from their own families in an attempt to protect them from being accused of "guilt by association" and sent to one of North Korea's notorious political prison camps. Authorities apply such collective punishment to family members of individuals suspected of religious or political activities. In addition to abuses prisoners experience, the overall human rights situation in North Korea remains bleak, including reports of malnutrition; limited freedom of movement, expression, and access to information; sexual assault; forced labor and enslavement; and enforced disappearances. North Korea's human rights violations occur in the context of its increasingly aggressive nuclear posturing, such as several missile launches during 2017 and its

sixth known underground nuclear test, which involved a hydrogen bomb, according to the regime's claims.

Throughout 2017, the UN continued to address human rights abuses in North Korea. In February 2017, the Special Rapporteur on the situation of human rights in the DPRK issued a report to the UN Human Rights Council; in March, the Council renewed the Special Rapporteur's mandate for one year. Also in March, the Council adopted a resolution strengthening the UN High Commissioner for Human Rights' office in Seoul, South Korea, to include experts on legal accountability for human rights violations. In May 2017, the UN Special Rapporteur on the rights of persons with disabilities visited the country—the first-ever visit to North Korea by a UN Human Rights Council-designated independent expert.

In 2017, the UN Security Council met several times in response to North Korea's missile tests, including a December 2017 meeting requested by the United States and eight other Member States to discuss North Korea's human rights abuses; representatives from Sweden, the United Kingdom, and Ukraine all mentioned religious freedom in their remarks.

Defectors are an important source of information about the North Korean regime's abuses. In 2017, former North Korean diplomat Thae Yong-ho testified before the U.S. Congress about his 2016 defection to South Korea, and in an interview with the National Endowment for Democracy stated that "North Korean society can only be maintained in a way that Kim Jong-un is depicted and is respected like a god by the popular masses." According to South Korea's Ministry of Unification, between January and September 2017, a total of 881 North Korean defectors entered into South Korea, the overwhelming majority of whom were women. However, South Korean officials anticipated fewer total defections in 2017 than in previous years, in part because of increased government monitoring and tighter border controls between North Korea and China.

## RELIGIOUS FREEDOM CONDITIONS 2017 Government Control and Repression of Christianity

All religious groups are prohibited from conducting religious activities except through the handful of state-controlled houses of worship, and even these activities are tightly controlled and largely manufactured for the benefit of foreign audiences.

(There are three Protestant churches, one Catholic church, and the Holy Trinity Russian Orthodox Church.) Underground churches do exist in North Korea, but

information about their location and number of parishioners is nearly impossible to confirm. According to the Database Center for North Korean Human Rights, individuals face persecution for propagating religion, possessing religious items, carrying out religious activities (including praying and singing hymns), and having contact with religious persons. For example, in June 2017, North Korean authorities arrested Kim Seung-mo and charged him with spying after learning he had come into contact with Christian family members and others during a visit to China. According to the State Department, the North Korean regime currently detains an estimated 80,000 to 120,000 individuals in political prison camps known as *kwanliso*, though there are other types of facilities where authorities detain individuals. Reports indicate that tens of thousands

of prisoners facing hard labor or execution are Christians from underground churches or who practice in secret.

The North Korean regime reviles Christianity and considers it the biggest threat among religions; the regime associates Christianity with the West, particularly the United States. Through robust surveillance, the regime actively tries to identify and seek out Christians practicing their faith in secret and imprisons those it apprehends, often along with their family members even if they are not similarly religious. In May 2017, some Christian defectors informed USCIRF about their life in North Korea. One defector explained that there is only one religion in North Korea: the worship of leader Kim Jong-un. Still, the defector depicted the Gospel as a lifeline for many North Korean Christians, especially in an environment in which they, in his words, "do not have a right to think" and are "forced to live in a certain way."

In December 2017, the War Crimes Committee of the International Bar Association issued a report about crimes against humanity in North Korea's political prisons. The report noted that "Christians are heavily persecuted and receive especially harsh treatment in prison camps"; prisoners are "tortured and killed on account of their religious affiliation" or for participating

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in Christian meetings, reading the Bible, or encountering Christianity outside North Korea; and "Christians (or those suspected of being Christians) [are] incarcerated

in specific zones within the prison camp at which prisoners were subjected to more severe deprivation." The report also revealed that one of the reasons North Korea created political prisons in the 1950s was to eliminate so-called "enemies of the party and state," a vague grouping that includes religious followers.

In rare positive news, in August 2017, North Korean authorities released Pastor Hyeon Soo Lim, a South Korean-born Canadian citizen sentenced in December 2015 to life in prison with hard labor for alleged subversive activities and insulting North Korea's leadership. Authorities released Reverend Lim on humanitarian grounds after he reportedly was hospitalized during his imprisonment. A high-level Canadian delegation visiting North Korea—with the assistance of the Swedish

Embassy—helped secure Reverend Lim’s release after he spent two and a half years in a labor camp.

### North Korean Refugees in China

North Korean defectors who flee to and remain in China live a life of constant risk, and many times fall prey to economic and/or sexual exploitation. In recent years, North Korean officials have collaborated with their Chinese counterparts to fortify border areas frequented by North Koreans attempting to flee, and they increasingly target groups who work to assist the refugees. These efforts, along with China’s inhospitable attitude toward asylum-seekers, create additional peril

for individuals believed to have interacted with missionaries or engaged in religious activities. When USCIRF met with North Korean defectors in 2017, they confirmed reports that individuals who flee to China and whom the Chi-

nese government forcibly repatriates to North Korea are treated more harshly upon their return if they are believed to be Christians or came into contact with Christianity in China. China’s forcible repatriation of North Koreans attempting to cross into China violates its obligations under the 1951 UN Convention on Refugees and its 1967 Protocol.

### U.S. POLICY

Throughout 2017, the U.S. government attempted to recalibrate its approach to North Korea, including taking strong positions at the UN and making efforts to encourage regional partners, particularly China, to increase pressure on the regime. In April 2017, President Donald Trump’s Administration announced a new North Korea policy, “Maximum Pressure and Engagement,” which signaled an openness to dialogue while still using strong rhetoric and sanctions. Some analysts have noted that the new policy, in practice, does not differ significantly from previous administrations’ policies. On April 28, 2017, then Secretary of State Rex Tillerson chaired a meeting of the UN Security Council about enforcing sanctions against North Korea; while his [remarks](#) did not specifically mention religious freedom, he stated that “helping the North Korean regime means enabling

cruelty and suffering,” and he asked other countries to “help us preserve security and protect human dignity.” In May 2017, the United States, represented by then Secretary Tillerson, hosted foreign ministers from the Association of Southeast Asian Nations for a discussion about North Korea.

In addition to multilateral efforts in 2017, the administration also took steps to underscore human rights and related concerns with the North Korean regime. In August 2017, the State Department issued a [fact sheet](#) that revealed evidence of starvation, malnutrition, forced labor, and torture in six North Korean

political prison camps. On September 1, 2017, the State Department implemented a travel ban on U.S. citizens traveling to, in, or through North Korea, allowing only those who obtain a one-time-use special passport to travel. Later in September,

the Treasury Department named eight North Korean banks and 26 North Korean banking officials who live abroad in a new round of sanctions aimed at those who facilitate North Korea’s weapons programs.

In October 2017, the State Department released its third [report](#) on North Korea’s human rights abuses and censorship pursuant to the North Korea Sanctions and Policy Enhancement Act of 2016 (P.L. 114-122). The report added seven individuals and three state entities to the list of those responsible for human rights violations and censorship; in total, the three reports have named 42 individuals and entities, including North Korean leader Kim Jong-un. None of the reports specifically mention religious freedom, though in statements for all three reports, the State Department characterized human rights abuses in North Korea as “among the worst in the world.” President Trump noted the North Korean regime’s suppression of religion during his November 7 [remarks](#) at the National Assembly of the Republic of Korea (South Korea), stating that “Christians and other people of faith who are found praying or holding a religious book of any kind are now detained, tortured, and in many cases, even executed.” Also in November, the United States returned North Korea

*. . . individuals who flee to China and whom the Chinese government forcibly repatriates to North Korea are treated more harshly upon their return if they are believed to be Christians or came into contact with Christianity in China.*



to the [list](#) of State Sponsors of Terrorism and imposed sanctions on a Chinese businessman and Chinese trading companies doing business with North Korea and on North Korean shipping and trading companies and vessels. The United States sanctioned two more North Korean officials in December 2017 for their role in that country's missile program.

North Korea continues to target individuals with close ties to the United States; the regime routinely detains them and compels confessions, using them as pawns in an effort designed to embarrass and undermine the United States. In 2017, North Korean authorities arrested two U.S. citizens, both of whom were teachers at the Pyongyang University of Science and Technology. Authorities accused both men, Kim Hak-Song and Kim Sang-Duk (also known as Tony Kim), of alleged "hostile acts." They join Kim Dong-chul, a naturalized U.S. citizen born in South Korea, whom North Korea's Supreme Court sentenced in 2016 to 10 years of hard labor on charges of alleged spying. Another U.S. prisoner was Otto Warmbier, who died in June 2017 after North Korean officials released him from prison on humanitarian grounds. Warmbier was serving 15 years of hard labor for allegedly committing a "hostile act" when he tore down a political banner from a Pyongyang hotel. Ambassador Joseph Y. Yun, the Special Representative for North Korea Policy, held several talks with North Korean officials to advocate for the young man's release and traveled to North Korea to accompany the medical team that returned Warmbier to the United States. Following Warmbier's passing, a State Department spokesperson expressed condolences and called for release of the other three Americans, whom Ambassador Yun reportedly met in person during his trip to Pyongyang.

The State Department last redesignated North Korea as a CPC in December 2017. In lieu of prescribing sanctions specific to the CPC designation, the State Department consistently has applied "double-hatted" sanctions against North Korea, in this case extending restrictions under the Jackson-Vanik Amendment of the Trade Act of 1974. Jackson-Vanik originated when Congress sought to pressure Communist countries for their human rights violations, and has since been used to restrict trade with countries like North Korea.



### KEY FINDINGS

In 2017, religious minorities in Pakistan, including Hindus, Christians, Sikhs, Ahmadis, and Shi'a Muslims, continued to face attacks and discrimination from extremist groups and society at large. The government of Pakistan failed to protect these groups adequately, and it perpetrated systematic, ongoing, egregious religious freedom violations. Various media outlets promoted intolerance against religious minorities. Abusive enforcement of the country's strict blasphemy laws resulted in the suppression of rights for non-Muslims, Shi'a Muslims, and Ahmadis. Forced conversions of non-Muslims continued despite the passage of the Hindu Marriage Act, which grants greater rights in family law for Hindu citizens. The entry of fundamentalist, and often extremist, religious parties into the political arena in advance of July

2018 national elections further threatens religious minorities' already precarious status in the country. In May 2017, a USCIRF delegation visited Islamabad and met with Pakistani government officials, U.S. Embassy officials, representatives of civil society, and religious minority community leaders. Based on these violations, in 2018 USCIRF again finds that Pakistan should be designated as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA), as it has found since 2002. Despite USCIRF's longstanding recommendation, the State Department has never so designated Pakistan. In December 2017, the State Department named Pakistan as the first, and only, country on its "Special Watch List," a new category created by December 2016 amendments to IRFA.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Designate Pakistan as a CPC under IRFA;
- Negotiate a binding agreement with the government of Pakistan, under section 405(c) of IRFA, to achieve specific and meaningful reforms, with benchmarks including major legal reforms and releasing blasphemy prisoners, and accompany such an agreement with U.S.-provided resources for related capacity building through the State Department and U.S. Agency for International Development (USAID);
- Ensure a portion of existing State Department Bureau of Democracy, Human Rights and Labor programs are geared to helping the government implement plans to ensure the physical security of religious minority communities, and to countering the extremist rhetoric that underlies their discriminatory treatment;
- Enhance support from the State Department and other relevant federal or federally funded organizations for non-governmental groups engaging in conflict resolution and peace training for religious leaders and administrators of madrasa administration boards;
- Encourage the government of Pakistan to launch a public information campaign about the historic role of religious minorities in the country, their contributions to society, and their equal rights and protections, and use the tools of U.S. public diplomacy, such as educational and cultural exchanges and U.S.-funded media, to highlight similar themes;
- Use targeted tools against specific officials identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the "specially designated nationals" list maintained by the U.S. Department of the Treasury's Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the Global Magnitsky Human Rights Accountability Act, and asset freezes under the Global Magnitsky Act; and
- Prioritize religious freedom issues in the U.S.-Pakistan bilateral relationship, and work with international organizations and representatives like the European Union (EU) Special Envoy for freedom of religion or belief outside the EU to jointly raise religious freedom concerns with Pakistani officials in Islamabad and in multilateral settings, including by:
  - Emphasizing to Pakistan's prime minister and military leadership the link between religious freedom and overall security in the country;
- Pressing the government of Pakistan to implement the two dozen religious freedom recommendations it accepted from its 2017 Universal Periodic Review by the United Nations (UN) Human Rights Council, of which Pakistan is a member;
- Urging the government of Pakistan to repeal its blasphemy and anti-Ahmadi laws, until repeal can be accomplished, enact reforms to make blasphemy a bailable offense, require evidence by accusers, and allow investigatory authorities to dismiss unfounded accusations, and also urging the enforcement of existing penal code articles that criminalize perjury and false accusations; and
- Encouraging the government of Pakistan to enhance the Ministry of Religious Affairs and Inter-faith Harmony's role in fostering interfaith dialogue and empowering religious minority groups and to provide security and facilitate meetings between leaders and scholars from various religions and from the various Islamic sects.

## COUNTRY FACTS

### FULL NAME

Islamic Republic of Pakistan

### GOVERNMENT

Federal Parliamentary Republic

### POPULATION

207,774,520

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam

### RELIGIOUS DEMOGRAPHY\*

96.28% Muslim

85–90% Sunni

10–15% Shi'a

0.22% Ahmadi

1.59% Christian

1.60% Hindu

\*Estimates compiled from the CIA World Factbook and Pakistan Bureau of Statistics

## BACKGROUND

Pakistan is an ethnically diverse country with a population of 207 million people, according to the government's 2017 census. While the constitution establishes Islam as the state religion, articles 20 through 22 protect the rights of freedom of religion and religious education and articles 26 and 27 prohibit discrimination based on religion in relation

to access to public places and provision of public services. There are 10 seats reserved for members of religious minority communities in the parliament. Yet, despite these provisions, the second amendment to the constitution prohibits

Ahmadis from calling themselves Muslims or referring to their places of worship as mosques.

The continued operation of terrorist groups like Lashkar-e-Taiba (LeT), Lashkar-e-Jhangvi (LeJ), the Islamic State Khorasan Province (ISKP), and Tehrik-e-Taliban (Pakistani Taliban) challenges the overall security of the country. These groups threaten not only members of religious minority communities but also anyone who attempts to advocate on their behalf. This has resulted in politicians and judges avoiding the public promotion of rights for religious minorities, which

has fostered the spread of an increasingly divisive and anti-minority narrative among the public.

The government of Pakistan has not addressed the spread of sectarian or religiously motivated intolerant speech and has not prosecuted perpetrators of violent crimes against religious minorities. Despite the existence of specialized antiterrorism courts to deal

*The government of Pakistan has not addressed the spread of sectarian or religiously motivated intolerant speech and has not prosecuted perpetrators of violent crimes against religious minorities.*

with extremist suspects, a vast number of extremists have either been released from custody or avoided arrest and prosecution all together. Often, acquittals of terrorist suspects can be attributed to flawed police investi-

gation procedures, which continue to persist across Pakistan's police forces. Rather than addressing these institutional shortcomings, the civilian government gave control over terrorist prosecutions to military tribunals, which have had a higher rate of successful prosecutions but have also been accused of major violations of due process rights and for using torture against suspects.

The government of Pakistan has taken other steps to curb the capability of terrorist groups to target the public at large and religious minorities specifically. The

Zarb-e-Azb Operation launched by the military in 2014 in the western border region targeted sectarian terrorist groups like the Pakistani Taliban and LeJ, who have taken responsibility for several attacks against Christians, Shi'a Muslims, and Ahmadis. The impact of this operation continues to be felt today by terrorist groups who have a diminished capability to carry out attacks on vulnerable groups. The government has also provided additional security to religious minority groups, especially during religious festivals. Further, the National Action Plan of 2014 (NAP) set forth several strategies to deal with terrorism and address the spread of sectarianism and extremist ideology. Unfortunately, despite the elapse of three years, many of NAP's recommendations have not been implemented. Accordingly, religious minorities continue to deal with terrorist attacks, incitements to violence against them, and sociopolitical disenfranchisement.

## RELIGIOUS FREEDOM CONDITIONS 2017

### Conditions for Shi'a Muslims

During the past year, the Shi'a Muslim population continued to face security threats from extremist groups and increased social discrimination from the public. Nevertheless, there have been some positive developments in recent years, especially the decrease in targeted killings of Shi'a Muslims in Karachi in the aftermath of the law and order operation launched by the Army Rangers and city police in 2011. Further, the government has encouraged and facilitated intra-religious conferences that seek to bridge the growing sectarian divide in the country.

Despite government efforts, Shi'a Muslims continued to be targeted in parts of the country, especially in the restive border region. The LeJ and the Pakistani Taliban, who openly admit to the sectarian motives behind their missions, launched several attacks during the year. For example, in the aftermath of a January 2017 twin terrorist attack at a busy market in Parachinar and Quetta that left more than 80 people dead, the Pakistani Taliban claimed credit for the attack and explained it was meant to "teach a lesson to Shi'as."

*The LeJ and the Pakistani Taliban, who openly admit to the sectarian motives behind their missions, launched several attacks during the year.*

While other ethnic groups in Pakistan are also Shi'a Muslims, the Hazaras have a distinct appearance and have established their own neighborhoods and enclaves around the country. These two factors make Hazaras prime targets for sectarian extremist groups targeting Shi'a Muslims. Violent sectarian groups have perpetrated massive attacks on Hazara neighborhoods in places like Quetta despite the additional security provided by the government for those neighborhoods since 2013. In 2017, there were several kidnappings and murders of Hazaras, such as the attack on a coal miners' bus that left two Hazaras dead, and the January 2017 shooting that left five Hazaras dead and many others injured.

### Conditions for Other Religious Minorities

Pakistan is home to many Sikh, Hindu, Buddhist, Parsi/Zoroastrian, and Christian citizens who face continued threats to their security and are subject to various forms of harassment and social exclusion. In December 2017, suicide bombers affiliated with the Islamic State of Iraq and Syria (ISIS) attacked a church in Quetta, resulting in nine deaths. However, in a positive development, Ehsanullah Ehsan—the spokesman for Jamaat-UI-Ahrar, the group that claimed responsibility for an attack in a public park against Christians on Easter in 2016—turned himself in to authorities and is in custody.

Social issues also continued to negatively impact non-Muslims. Forced conversion of women to Islam from various religious backgrounds continued in 2017. However, in February 2017 the Senate passed the Hindu Marriage Act to protect the rights of Hindus who wish to apply the family law prescribed by their religion. The act formally recognizes Hindu marriages and family law for the first time in the country's history. There was no substantive progress on the Christian Marriage and Divorce Bill of 2017, due to inaction by the government and disagreement among leaders in the Christian community. While the Christian Marriage and Divorce Bill was originally proposed in 2012, it stalled for several years before being sent to the Ministry of Human Rights for review before the National Assembly votes on the bill.

Non-Muslims remain on the periphery of the political sphere, with only 10 representatives granted to such minorities in parliament. After the 2017 census was released, non-Muslim leaders have complained that increases in their communities' population were not fully disclosed or reflected. Some activists have implied that the non-Muslim census figures have remained confidential because the non-Muslim population is likely entitled to more reserved seats in parliament based on its growth.

## Blasphemy

By applying sections 295 and 298 of the penal code, Pakistani courts have continued to punish citizens for blasphemy. Since 2011, about 100 blasphemy cases have been registered, with nearly as many people currently serving prison sentences for blasphemy charges, approximately 40 of whom are awaiting the death penalty or are serving life sentences. This includes Asia Bibi, a Christian mother and field laborer who was sentenced to death by hanging based on allegations of blasphemy in 2010 and who has been in jail since awaiting appeal.

Others have been killed by mobs provoked by accusations of blasphemy, regardless of the accusation's veracity. In some cases, false allegations of blasphemy are made against religious minorities who are involved in a personal or legal conflict with a neighbor, colleague, or coworker. However, in a positive development, in January 2018, just after the end of the reporting period, the Pakistani Supreme Court ordered the release of an individual accused of blasphemy due to lack of credible evidence.

Pakistan's Telecommunication Authority has sent text messages to millions of citizens and released advertisements in local and national newspapers to emphasize that the nation's blasphemy laws apply to digital material. In 2017, authorities charged at least one individual for an allegedly blasphemous Facebook post. There is potential for digital blasphemy cases to explode in number, given the 35 million internet users in the country and nearly one million new users coming online each month.

Beyond their use online and against non-Muslims, blasphemy laws also have been used to delegitimize activists who challenge either religious orthodoxy or the role of the army in Pakistan. In 2017, after several progressive bloggers were disappeared by authorities due to their criticism of the army, blasphemy charges against the bloggers were made public. Despite being found innocent of blasphemy by the Islamabad High Court, several of these individuals were forced to flee Pakistan for their own safety.

Blasphemy charges also have been used to stifle discussion and dissent on Pakistan's college campuses. Merely discussing progressive ideas could lead to allegations of blasphemy. Junaid Hafeez was formerly employed by the Bahauddin Zakariya University in Multan and has been in jail since 2013 when he was accused of blasphemy based on a guest lecture he organized on women's rights. His case is further complicated by the fact that his original attorney, Rashid Rehman, was murdered by a religious extremist due to his defense of Hafeez.

In April 2017, college student and social activist Mashal Khan was murdered in broad daylight by a mob of students and administrators at Abdul Wali Khan University after he was accused of blasphemy. In

this case, the Supreme Court quickly ordered an investigation team to present findings on Khan's murder. The investigation team found that the blasphemy accusations against the victim were fabricated

*The government has long failed to adopt measures that would repeal the blasphemy laws, despite their continued misuse against religious minorities and progressive Muslims.*

and recommended that the government adopt institutional reforms in order to avoid future incidents of mob violence based on false blasphemy allegations. While opposition political parties in parliament raised the issue of amending the blasphemy laws to criminalize false accusations in the aftermath of this incident, the government took no subsequent action.

The government has long failed to adopt measures that would repeal the blasphemy laws, despite their continued misuse against religious minorities and progressive Muslims. Furthermore, in late 2017 the government accepted the demands of Islamist protesters to hasten and ease the process of charging an individual



for blasphemy, although some of the specifics of these changes remain unclear.

### Conditions for Ahmadis

In October of 2017, a parliamentary committee passed the Election Reform Act of 2017, which amended the Candidate's Nomination Form for Muslim candidates to change the wording of the oath affirming their belief in the finality of the prophethood of Muhammad from "I solemnly swear" to "I declare." Many religious groups and extremist groups sharply criticized the change, which they saw as intended to empower the Ahmadi community and facilitate their voting in the upcoming July 2018 national elections. In response, the government initially stated that the alteration was due to a clerical error, and then overturned its decision by returning the oath to its original state. Nevertheless, various Islamist groups launched a protest movement in the nation's capital, shutting down Islamabad and leading to a police operation that resulted in many serious injuries.

The Islamist protesters relented after the government, with the explicit agreement of the army, agreed to several demands, including the immediate firing of the nation's Law Minister. Near the end of the protests, a senior member of the military was seen in a video distributing money to protesters, telling them that the army was on the side of those defending the finality of the prophethood of Muhammad. Other demands by the protesters included easing the ability to bring individual blasphemy charges, as mentioned previously, as well as the creation of a registry for all Ahmadis working in the government. Both of these demands, if implemented by the government, could lead to increased targeting of the already vulnerable Ahmadi population in the country.

Ahmadis also face social, political, and economic discrimination and public allegations of blasphemy. USCIRF's Religious Prisoners of Conscience Project includes the case of Abdul Shakoor, an 80-year-old Ahmadi bookseller imprisoned since 2015 on blasphemy charges. Further, in 2014 police arrested four Ahmadi

men based on allegations that they were removing posters in their neighborhood that featured anti-Ahmadi slogans; three were sentenced to death for blasphemy in October 2017, while the fourth man reportedly died in police custody.

### Elections

The increasing involvement of religious extremists in the political sphere in 2017, in advance of the July 2018 national elections, stirred sectarian and interreligious tensions in Pakistan and exacerbated the discrimination and violence felt by religious minorities. For example, Hafiz Saeed, leader of the terrorist group LeT (also known as Jamat-ud-Dawa) and the alleged planner of the 2008 Mumbai terror attacks, was released from "preventative detention," to which he has been periodically subject over the past decade. Despite his recognition as an international terrorist by the UN Security Council and his continued public advocacy of violence against religious minorities, Saeed has announced he will be competing in national elections as a representative for the Mili-Muslim-League (MML), which also includes other associates of banned

terrorist organizations. Though the Ministry of Interior has attempted to reject MML's petitions to register its political party, and the Securities and Exchange Commission has banned Jamat-ud-Dawa from collecting charity, Saeed and the MML have demonstrated

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*The increasing involvement of religious extremists in the political sphere in 2017, in advance of the July 2018 national elections, stirred sectarian and interreligious tensions in Pakistan and exacerbated the discrimination and violence felt by religious minorities.*

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no evidence of ending their campaign.

Another new entrant to the political sphere is the leader of the protest movement that shut down Islamabad in December, Khadim Hussain Rizvi. Rizvi's public career took off in 2011 when he supported the murder of a provincial governor, Salman Taseer, for advocating in favor of changing the country's blasphemy laws. Rizvi has made public speeches calling for the elimination of rights for Ahmadi citizens. By 2017, Rizvi commanded a large following and was seeking to form a new political party, the Tehreek-i-Labbaik Ya Rasool Allah (TLRY). While religious

leaders like Rizvi had associated themselves with established political parties in the past, by the end of 2017 they were attempting to run independently for elections to promote incitement to violence and anti-minority narratives.

Regardless of their success in the 2018 elections, the formal entry into the political system of such extremist Islamist figures threatens to have a deep impact. It is likely that other political parties that have otherwise maintained a secular or pro-minority agenda will begin to adopt extremist views in order to compete with these new parties. Further, these parties have demonstrated their influence with the general populace through the 2017 oath protests led by Rizvi, which culminated in the protest group dictating policies for the government to implement without holding any seats in parliament.

### Intolerant Speech and Media

Despite having several laws meant to prohibit intolerant speech, the media has facilitated the spread of discriminatory language used to disparage minorities throughout the country. A prime example is the case of Amir Liaqat, a Muslim televangelist who has hosted many popular television shows in Pakistan. Liaqat has endangered the lives of progressive activists by accusing them of blasphemy, and has declared Ahmadis “enemies of Pakistan and Islam.” Pakistan’s Electronic Media Regulation Authority (PEMRA) has on several occasions banned Liaqat from appearing on television due to his intolerant speech and called for him to make public statements apologizing for spreading enmity between religions and Muslim minorities. Most recently, in December 2017 he was banned from appearing on any television network. While the recent ban demonstrates an attempt by PEMRA to punish and prevent intolerant speech or incitement to violence against religious minorities, Liaqat’s ability to find employment with various television networks, despite his history of bans, is evidence of the significant role media networks play in the spread of intolerance.

*As education continues to shift to the private sector, with private schools and madrassas ballooning in number, attention needs to extend beyond public school textbooks.*

### Education

Education in Pakistan impacts religious freedom and the public narrative on religious minorities through the intolerant curriculum taught at public schools and the growth of extremist-influenced madrassas (religious schools). Pakistan’s public education curriculum has been criticized for intolerant and bigoted messages that portray non-Muslims as unpatriotic and teach students to distrust them. USCIRF’s 2016 study, *Teaching Intolerance in Pakistan: Religious Bias in Public Textbooks*, found nearly 70 intolerant or biased passages in the textbooks used across the nation’s four provinces.

As education continues to shift to the private sector, with private schools and madrassas ballooning in number, attention needs to extend beyond public school textbooks. There are 20,000 officially registered madrassas in Pakistan, but several thousand more operate without government registration. Despite an attempt in 2014 to regulate madrassas and their curriculum under the National Internal Security Policy, the government exercises little control over these schools and some are

administered by ideologically extreme mosques with ties to terrorist organizations. In 2017, General Qamar Javed Bajwa, the Commander of the Army Staff, stated that the government must take steps to regulate and modernize

the *madrassa* system, and recognized the link between the growth of unregulated *madrassas*, the influence of religious extremism in society, and the recruitment by terrorist outfits of new, young recruits.

### Women and Religious Freedom

The role of women in Pakistan’s society remains a contentious issue, often due to conflicts over religious mandates relating to women. In many instances, women lack access to equal employment, education, and movement. Despite the passage of the Women’s Protection Act in 2006, women continue to be victims of rape, honor killings, and acid attacks without being able to bring their perpetrators to justice.

Often, the mistreatment of women is linked to religious issues, including—and especially—honor killings.

Some progress has been made regarding honor killings, as a few provincial assemblies have passed legislation to punish these crimes harshly.

It remains to be seen how effectively police and prosecutors will implement these laws. One city launched a Violence Against Women Center in March 2017, which received 1,300 complaints in nine months and provided assistance to victims and investigative authorities. The outcomes of the complaints received, however, is unknown.

The women's rights movement in Pakistan suffered a blow in February 2018, after the reporting period, with the death of Asma Jahangir, who was a legal pioneer for the rights of religious minorities and women in Pakistan and internationally.

## U.S. POLICY

Pakistan remains an important component of the U.S. strategy relating to international security; however, just after the reporting period, President Donald Trump pushed for a harder-line approach to the U.S. relationship with Pakistan. Over the past decade, the country has received nearly \$30 billion from the United States in military and civilian aid. For Fiscal Year 2018, President Trump announced that up to \$3 billion in aid will be suspended, based on the continued unwillingness of the Pakistani government to confront certain terrorist groups—like the Haqqani Network—that impact security in Afghanistan. During his visit to Afghanistan in December, Vice President Mike Pence stated that the government of Pakistan had been put “on notice” about granting safe havens to certain extremist groups. The significance of Pakistan in President Trump’s South Asia policy has been highlighted by the fact that then Secretary of State Rex Tillerson and Secretary of Defense James Mattis visited Pakistan in 2017, with both emphasizing the need for Pakistan to work cooperatively and effectively against terrorist groups operating within its borders.

The U.S. government continued to raise religious freedom concerns in its engagement with Pakistan. In

2017, the U.S. Ambassador to Pakistan and embassy officers met with government officials, including those

representing the prime minister’s office, to discuss religious freedom issues like blasphemy laws, school curriculum, and the provision of security to religious minorities. Special Advisor for Religious Minorities in the Near East and South/Central Asia at the U.S.

Department of State visited Pakistan in March 2017, meeting with religious minority leaders, human rights lawyers, civil society activists, and government officials to discuss the state of religious freedom in Pakistan. On December 22, 2017, the State Department selected Pakistan as the only country on its “Special Watch List,” a new category created by the Frank R. Wolf International Religious Freedom Act of 2016 for countries that engaged in or tolerated severe violations of religious freedom.

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### KEY FINDINGS

During 2017, Russia showed no signs of wavering from the repressive behavior it demonstrated in 2016 that led USCIRF to recommend its designation as a “country of particular concern,” or CPC, for the first time in April 2017. The government continued to target “nontraditional” religious minorities, including Jehovah’s Witnesses and Scientologists, with fines, detentions, and criminal charges under the pretext of combating extremism. Most notably, the Jehovah’s Witnesses were banned outright, as was their translation of the Bible, and their followers persecuted nationwide. Adherents of the Islamic missionary movement Tabligh Jamaat, members of the Islamic fundamentalist movement Hizb ut-Tahrir, and readers of the works of Turkish theologian Said Nursi were sentenced to prison terms of between three and 18 years for peaceful religious expression. In the North Caucasus, security forces

acted with total impunity, arresting and kidnapping persons suspected of even tangential links to Islamic militancy. Russia is the sole state to have not only continually intensified its repression of religious freedom since USCIRF commenced monitoring it, but also expanded its repressive policies to the territory of a neighboring state by means of military invasion. A visit by USCIRF to Ukraine in December 2017 confirmed that in Russian-occupied Crimea, the Russian authorities continued to kidnap, torture, and imprison Crimean Tatar Muslims at will, while Russian separatists in eastern Ukraine, often referred to as the Donbas, continued to hold expropriated church buildings and intimidate religious communities. Based on these particularly severe violations, in 2018 USCIRF again finds that Russia merits designation as a CPC under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Designate Russia as a CPC under IRFA;
- Work to establish a binding agreement with the Russian government, under section 405(c) of IRFA, on steps it can take to be removed from the CPC list; should negotiations fail, impose sanctions, as stipulated in IRFA;
- Urge the Russian government to amend its extremism law in line with international human rights standards, such as adding criteria on the advocacy or use of violence;
- Press the Russian government to ensure that laws such as the extremism, religion, and foreign agents laws are not used to limit the religious activities of peaceful religious groups, and to implement European Court of Human Rights decisions relating to freedom of belief;
- Use targeted tools against specific officials and agencies identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the “specially designated nationals” list maintained by the U.S. Department of the Treasury’s Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the Global Magnitsky Human Rights Accountability Act, and asset freezes under the Global Magnitsky Act;
- Raise concerns on freedom of religion or belief in multilateral settings and meetings, including at the Organization for Security and Cooperation in Europe (OSCE), and urge the Russian government to agree to visits by the United Nations (UN) Special Rapporteur on freedom of religion or belief and the OSCE Representatives on Tolerance, and to establish an international monitoring presence in occupied Crimea;
- Press for at the highest levels and work to secure the release of prisoners of conscience, and press the Russian government to treat prisoners humanely and allow them access to family, human rights monitors, adequate medical care, and lawyers, and the ability to practice their faith;
- Ensure the U.S. Embassy, including at the ambassadorial level, maintains appropriate contacts with human rights activists, and that the ambassador meets with representatives of religious minorities;
- Encourage increased U.S. funding for Voice of America (VOA) Russian and Ukrainian Services and for Radio Free Europe/Radio Liberty’s (RFE/RL) Russian and Ukrainian Services, so that uncensored information about events inside Russia, including those related to religious freedom, continues to be disseminated;
- Call on the Russian government to stop persecuting religious minorities in the occupied areas of Crimea and Donbas, beginning by reversing the ban on the Crimean Tatar Mejlis and abolishing repressive religious registration requirements; and
- Include violations of freedom of religion or belief and related human rights in all relevant discussions with the Russian government over Russia’s illegal annexation of Crimea and support of rebels in the Donbas, and work closely with European and other allies to apply pressure through advocacy, diplomacy, and targeted sanctions.

## COUNTRY FACTS

### FULL NAME

Russian Federation

### GOVERNMENT

Presidential Federation

### POPULATION

142,000,000

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Orthodox Christianity, Islam, Judaism, Buddhism

### RELIGIOUS DEMOGRAPHY\*

68% Russian Orthodox

7% Muslim

25% Other (including Protestants, Catholics, Jehovah's Witnesses, Buddhists, Jews, and Baha'is)

\*U.S. Department of State

## BACKGROUND

The Russian government views independent religious activity as a major threat to social and political stability and to its control, an approach inherited from the Soviet period. It maintains and frequently updates laws that restrict religious freedom, including a 1997 religion law and a 2002 law on combating extremism. The Russian religion law sets strict registration requirements on religious groups and empowers state officials to impede their activity. The religion law's preface, which is not legally binding, singles out Islam, Judaism, Buddhism, and especially Orthodox Christianity as the country's four traditional religions; other religious groups are treated with suspicion. Over time, the Russian government has come to treat the Moscow Patriarchate of the Russian Orthodox Church (MPROC) as a de facto state church, strongly favoring it in various areas of state sponsorship, including subsidies, the education system, and military chaplaincies; this favoritism has fostered a climate of hostility toward other religions.

The anti-extremism law lacks a clear definition of extremism, and the use or advocacy of violence is not necessary for activity to be classified as extremist. Because virtually any speech can be prosecuted, the law is a powerful way to intimidate members of religious and other communities. Books may be placed by court order on a list of banned materials. Religious and

other communities can be financially blacklisted or liquidated, and individuals can be subjected to criminal prosecution for a social media post.

In July 2016, the Russian government adopted a package of amendments, known as the Yarovaya Law, that significantly enhanced the scope and penalties of the religion and anti-extremism laws. The religion law now broadly defines "missionary activities" to forbid preaching, praying, disseminating religious materials, and even answering questions about religion outside of officially designated sites. With no independent judiciary in Russia, any religious speech or activity not explicitly sanctioned by the authorities now has the potential to be criminalized, depending on the whims of local law enforcement and prosecutors. Those convicted of extremism are now subject to up to six years' imprisonment, major fines equivalent to several years of average annual wages, and/or bans on professional employment.

The Federal List of Extremist Materials, maintained by the Ministry of Justice, is a key feature of the extremism law. Any Russian court may add texts to the list; as of the end of 2017 there were over 4,000 items on that list, including many with no apparent connections to militancy.

Several other laws punish peaceful religious expression, nonconformity, or human rights activity. These



include a 2012 law that effectively bans unsanctioned public protests, a 2012 law that requires nongovernmental organizations (NGOs) that receive funds from abroad to register as “foreign agents,” and a 2013 amendment that criminalizes offense to religious sentiments.

In March 2014, Russia illegally annexed the Ukrainian Black Sea peninsula of Crimea. Almost all of the 300,000 Crimean Tatars, an indigenous Muslim ethnic group, oppose Russian occupation owing to their Soviet-era experiences—Joseph Stalin deported the entire community to Central Asia in 1944, resulting in the death of up to half of the Crimean Tatar population. In March 2014, Russian-backed separatist forces also began asserting control over the eastern Ukrainian provinces of Luhansk and Donetsk, sparking ongoing warfare that has claimed over 10,000 lives as of the end of 2017. In December 2016, the UN General Assembly passed a resolution recognizing the Russian Federation as an “occupying power” in Crimea and condemning “serious violations and abuses” in the occupied areas, including restrictions on freedom of religion or belief.

In December 2017, USCIRF Commissioners and staff traveled to Kyiv, Ukraine, to gather information on the situation for religious groups in Russian-occupied Crimea and southeastern Ukraine.

## RELIGIOUS FREEDOM CONDITIONS 2017

### The Extremism Law and the Jehovah’s Witnesses

In April 2017, at the request of the Ministry of Justice, the Russian Supreme Court banned the Jehovah’s Witnesses as an extremist organization. This decision, which was upheld on appeal in July 2017, marked the first time Russia banned a centralized religious organization, and effectively criminalized all Jehovah’s Witness activity in the country. In August 2017, the New World Translation of the Holy Scriptures, the translation of the Bible used by Jehovah’s Witnesses, was itself banned. Since the ban, Jehovah’s Witnesses were subjected to a nationwide campaign of discrimination, mistreatment, and expropriation. Dozens of prayer meetings were raided and

participants threatened with prosecution. Witnesses were dismissed from their jobs, schoolchildren and their parents were interrogated and threatened, and the community’s buildings and property were burned and vandalized. Jehovah’s Witnesses also were no longer permitted to request alternative service as conscientious objectors and were ordered to report for military service.

At year’s end, Jehovah’s Witness Dennis Christensen, a Danish citizen arrested in May during a prayer service in the city of Orel, remained detained, awaiting trial. Another Jehovah’s Witness, Arkady Akopyan, has been on trial since May 2017 in the province of Kabardino-Balkaria; the two prosecution witnesses against him claim he encouraged fellow believers to distribute religious literature, but his lawyer pointed out that both prosecution witnesses were far away from Witness buildings at the time of the alleged infraction, according to cellphone records.

In November 2017, the Russian Supreme Court ruled that children may be taken away from parents who have involved them in extremist activity, which would include religious activities of the Jehovah’s Witnesses. At the end of the reporting period, the Russian authorities were finalizing the legal steps to seize all property belonging to Jehovah’s Witness communities, including their headquarters buildings outside of St. Petersburg. Although many of these buildings were registered under foreign ownership to prevent their seizure, Russian courts have simply invalidated these transfers of title.

### The Extremism Law and Other Nontraditional Religious Groups

In June 2017, Russian security services raided the St. Petersburg headquarters of the Church of Scientology

and arrested five members, including director Galina Shurinova, on charges of “illegal business operations” and extremism. As of the end of the year, the two male defendants—Sakhil Aliev and Ivan Matsytski—were still in jail, while the three female defendants—Shurinova, Anastasiya Terentyeva, and Konstantia Saulkova—were under house arrest

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*... the Russian Supreme Court ruled that children may be taken away from parents who have involved them in extremist activity, which would include religious activities of the Jehovah’s Witnesses.*

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awaiting trial. The Russian human rights organization Memorial has recognized all five as political prisoners.

### Anti-Missionary Punishments

Since the Yarovaya Law was passed, the Russian authorities have used the amended Administrative Code to punish a large number of religious believers for sharing their beliefs. According to Forum 18, from November 2016 to July 2017, 133 fines were levied against individuals or their religious communities, the majority of them Protestants and Jehovah's Witnesses. At least eight foreign citizens were ordered deported for violating prohibitions against missionary activity.

### The Campaign against Extremism and Muslims

As in the other former Soviet countries reported on by USCIRF, the harshest punishments and greatest scrutiny are reserved for Muslims whom the government deems extremist. In the case of Russia, the preoccupation with Muslims can be attributed to the long and complicated relationship with restive Muslim-majority provinces in the northern Caucasus; to recent geopolitical factors, including the attempt to portray Russian intervention in Syria as primarily driven by counterterrorism concerns; and to the need of the security services to stay relevant by fabricating cases, a practice inherited from the Soviet era. The disparity in treatment is clear in the ratio of persons deprived of liberty for exercising religious freedom, according to a list compiled by Memorial at the end of the reporting period; of 86 persons detained, only six—three of whom are under house arrest—are non-Muslims.

Characteristic “soft targets” for the Russian security services are readers of the Qu’ranic commentary of Said Nursi, a Turkish Islamic revivalist theologian and ethnic Kurd who advocated for the modernization of Islamic learning. Although Nursi followers have been targets of Russian law enforcement since the early 2000s, the severity of the persecution has increased. Nursi readers are typically charged with belonging to a supposed “Nurdzhular” terrorist movement, which was officially banned in 2008 as extremist but is widely believed to

be a fiction invented to prosecute Nursi adherents. In June 2017, Yevgenii Kim was sentenced to three years and nine months in prison for reading Nursi’s works—the first prison sentence for this activity since 2015. In November 2017, three men from Dagestan were sentenced to between three and four years in prison for the same crime. Memorial has recognized all four men as political prisoners.

Nevertheless, the number of Muslims arrested for reading Nursi’s works pales in comparison to the number arrested for belonging to Hizb ut-Tahrir, an Islamic fundamentalist movement banned in Russia. Sixty of the 86 prisoners on Memorial’s list were arrested for affiliation with Hizb ut-Tahrir; throughout 2017, at least 19 men were sentenced to prison terms of between 10 and 19 years. In April 2017, a Moscow imam, Makhmud Velitov, was sentenced to three years in prison on charges that he had encouraged worshippers to pray for the memory of a murdered member of Hizb ut-Tahrir.

In 2017, at least 14 members of the Islamic missionary movement Tabligh Jamaat were sentenced to prison terms of between one year and

nine months and four years and seven months. One man received a suspended prison sentence.

Other Muslims were targeted for guilt by association or because of pressure to work for the security services. For example, in August 2017, RFE reported on the case of Russian citizen Parviz Muradov, an ethnic Tajik who was kidnapped from his place of work by the Russian security service (FSB) in June and held for 34 days on charges of “using profanity in a public space,” while his captors demanded that he spy on a former cellmate suspected of being an Islamic radical. Since then, Muradov has been unable to leave the country and lives in constant fear of being charged as an extremist. In February 2017, Kavkaz Reali, the Caucasus Service of RFE/RL, reported on a similar case of a young ethnic Ingush woman and her husband, an ethnic Russian convert to Islam, who were arrested in January while attempting to travel to the country of Georgia on their honeymoon. Although they were charged with drug trafficking, their detention is believed to be connected

*... the harshest punishments and greatest scrutiny are reserved for Muslims whom the government deems extremist.*

to the alleged extremist beliefs of the family member of an acquaintance.

### Blasphemy Law Enforcement

One consequence of the government-MPROC relationship has been the 2013 blasphemy law, enacted in response to a 2012 political protest in Moscow's main MPROC cathedral that offended many Orthodox believers. The law imposes up to three years' imprisonment or the confiscation of up to three years' salary for "offending religious convictions and feelings." In May 2017, social media activist Ruslan Sokolovsky was convicted of blasphemy for having played the popular smartphone game *Pokémon Go* in an MPROC cathedral in Yekaterinburg in protest against the blasphemy law. He was given a suspended prison sentence of three and a half years—later reduced to two years and three months—and placed on the Finance Ministry's list of extremists and terrorists, blocking his use of the banking system. In August 2017, a man from Sochi was fined for posting satirical images involving Jesus on his social media account.

In February 2017, after almost a year of proceedings, the blasphemy trial of social media user Viktor Krasnov was terminated due to the statute of limitations. Krasnov was indicted after he engaged in an argument over religion in 2014 on the Russian social network VKontakte in a Stavropol-area discussion group. Krasnov posted that there was "no God" and that the Bible was a "collection of Jewish fairy tales," for which he was denounced to the authorities.

There is some evidence of the blasphemy laws being used to punish political dissent. In April 2017 in the Siberian city of Irkutsk, Dmitrii Litvin, a young anticorruption activist who had been involved in nationwide protests organized by opposition blogger Aleksei Navalny, was arrested and charged with blasphemy, allegedly because of a photo on his social media account of him making a profane gesture at a church. Litvin and five fellow activists were detained in nighttime raids on their apartments by heavily armed police. As of the end of 2017, Litvin was under a gag order.

### The Situation in the North Caucasus

While legal repression is the norm in much of Russia, Memorial has described the situation within Russia's North Caucasus area, particularly Dagestan and Chechnya, as "legalized terror." There, anyone suspected of practicing "nontraditional" Islam or of having any link to the ongoing Islamic insurgency is at risk of being disappeared by the security services. Ironically, as Maria Kravchenko of the SOVA Center has pointed out in a [report commissioned by USCIRF](#), Russia's anti-extremism legislation is used less often in the North Caucasus simply because a state of virtual martial law exists there, and hence there is less need for "peacetime" laws. The Main Office for Countering Extremism of the FSB, known as "Center E," has particularly wide latitude in policing and intelligence gathering in the North Caucasus.

In Chechnya, the Kremlin-appointed leader, Ramzan Kadyrov, oversees a private army that engages in mass violations of human rights, conducts collective reprisals against the families of suspects, and suppresses all dissent. Kadyrov also enforces his own views of Islam, under which women must wear Islamic dress and may be forced into illegal polygamous marriages. Throughout 2017, Chechen security forces are believed to have kidnapped dozens of people, some of whom

*... his practice of retaliating against extended families makes it impossible to know the true number of these kidnappings or the guilt of the detainees.*

were summarily executed; Kadyrov's tight control over the province and his practice of retaliating against extended families makes it impossible to know the true number of these kidnappings or the guilt of the detainees.

Shortly after the end of the reporting period, in January 2018, the director of Memorial in Chechnya, Oyub Titiev, was arrested and charged with drug possession; that same month, the offices of Memorial in the neighboring province of Ingushetia were burned, as was the car of the hired driver who chauffeured Memorial representatives visiting from outside the region. In January 2017, Kadyrov's deputy publicly threatened to "cut out the tongue" of Grigory Shvedov, the editor of the independent Caucasian Knot News Agency, which often reports on religious issues.

In Dagestan, kidnapping by the security forces is a regular occurrence, as is the discovery of the corpses of kidnapping victims. The need to demonstrate success against Islamic terrorism in the North Caucasus has led to the targeting of both peaceful Muslim dissidents and innocent bystanders with no connection to politics. Violations of religious freedom also result from the use of “prophylactic measures” such as the maintenance of blacklists of alleged extremists, including secular dissidents, and frequent raids on Salafist mosques. In September 2017, the son of the imam at the Tangim Salafist mosque in Makhachkala was the victim of an attempted kidnapping. Although the provincial authorities announced in June 2017 that they had abolished the blacklist, Caucasian Knot reported that some people believe the abolition to be a ruse.

Dagestan is notorious for the intertwining of business, politics, religion, and score settling. In one example, in July 2017, the Dagestani human rights activist Khiramagomed Magomedov was sentenced to nine years in prison for membership in Hizb ut-Tahrir. However, other Russian human rights activists believe his sentence was in retaliation for his civil society work, and Memorial has recognized him as a political prisoner.

In June 2017, a court in the Krasnodar region fined ethnic Cherkess activist Ruslan Gvashev and issued him a suspended sentence of eight days in jail for having publicly performed a commemoration ritual of the traditional Adyge Khabze belief system at a tree sacred to the Cherkess people. According to the court, this contravened the law against illegal public gatherings.

### Official Attitudes toward Religious Minorities

In November 2017, RFE reported on a conference attended by senior law enforcement officials and the Russian Orthodox hierarchy, including Patriarch Kirill, to discuss a new investigation into the 1918 murders of the family of Tsar Nicholas II, who was canonized in 2000. Speaking at the conference, a senior investigator from the State Investigative Committee confirmed that officials were looking into the possibility that the kill-

ings were a ritual murder. Although she did not mention Jews, the idea that the murder of the tsar’s family was a “Jewish ritual killing” is a longstanding anti-Semitic conspiracy theory in Russia.

In November 2017, police raided a Moscow-area Hindu spiritual center and the home of its religious leader, Shri Prakash Ji. Although no charges were filed, Ji and his center appear to have been targeted following accusations made against them by Russian

“anti-cult” activist Alexander Dvorkin. Dvorkin is one of a large network of radical Russian Orthodox activists who have grown considerably in influence over the last 10 years due to the Russian

government’s increasing patronage of the Russian Orthodox Church and the government’s Soviet-era paranoia about the subversive potential of independent religious groups.

In October 2017, a Falun Gong adherent whose wife and three children are all Russian citizens was arrested in Moscow after applying for asylum; he was ordered deported to China, where he has previously faced persecution for his religious beliefs.

As it has for many years, the Russian government continues to deny a visa to the Dalai Lama, apparently out of deference to the government of China, ignoring longstanding requests from Russia’s Buddhist communities. In the Urals, an unofficial Buddhist temple built on land owned by a mining company was ordered demolished, but the decision had not yet been carried out as of the end of 2017.

### Other Legal Issues

Laws meant to restrict civil society also have been employed against NGOs that advocate for freedom of religion or belief. In November 2017, the Russian government charged the SOVA Center with violating the law on “undesirable organizations” for having links on its website to American human rights organizations. In December 2016, the SOVA Center was added to Russia’s list of “foreign agents,” a registry created by a 2012 law that is intended to publicly stigmatize NGOs. In October 2016, Memorial also was labeled a “foreign agent.”

*Laws meant to restrict civil society also have been employed against NGOs that advocate for freedom of religion or belief.*

## Restrictions on Religious Activity in Occupied Crimea

In 2017, the Russian occupation authorities continued their policies of harassment, intimidation, and small-scale terror targeting religious groups in Crimea suspected of disloyalty to the Russian state, chief among them Crimean Tatars and other Muslims. Although Russian repression of the Crimean Tatars is mainly motivated by political concerns, it also disrupts Crimean Tatar religious activities and institutions.

As a result of the Russian occupation, the leadership of the Crimean Tatar political community, known as the Mejlis, was forced into exile. The two leaders of the Mejlis, Mustafa Dzhemilev and Refat Chubarov, live in government-controlled Ukraine. The second-most-senior leaders, Akhmet Chiigoz and Ilmi Umerov, remained behind in occupied Crimea and were sentenced to prison terms by Russian courts in September 2017; a month later, they were released and allowed to leave for government-controlled Ukraine in a deal negotiated by Turkey.

The Mejlis traditionally operated in conjunction with the Crimean Muftiate (known also by its Russian acronym DUMK), the supreme spiritual body of Crimean Tatars, but Mufti Emirali Ablaev has chosen to work with the Russian authorities, leading the Mejlis to appoint a mufti-in-exile. Moreover, the head of the FSB in Crimea, Viktor Palagin, is considered an “Islamic specialist,” reflecting the religious prism through which the Russians view security issues on the peninsula.

Over the course of 2017, according to the NGO KrymSOS, at least 184 people were detained during raids by Russian authorities, 89 persons were fined, and 24 were formally arrested. In October 2017, during coordinated raids on activists in and around Simferopol, a well-known 82-year-old activist, Vedzhi Kashka, took ill and died. According to KrymSOS, six Crimean Tatars were killed in politically motivated assassinations since 2014. Eighteen have been disappeared, most recently Ervin Ibragimov, whose kidnapping in May 2016 was captured on surveillance video. Torture of Tatar detainees has been reported; a USCIRF delegation to Ukraine met with Renat Paralamov, who was kidnapped, severely beaten, and shocked with electrodes by

interrogators who demanded that he confess involvement in Hizb ut-Tahrir before being released in September 2017. Mejlis leader Ilmi Umerov was forcibly committed to a psychiatric hospital in pretrial detention.

In January 2017, Emil Kurbedinov, a prominent Crimean Tatar human rights lawyer representing Ilmi Umerov and several individuals accused of Hizb ut-Tahrir membership, was sentenced to 10 days in jail for possessing extremist materials after he was stopped and his home and offices were searched by Center E agents; the client whom he was traveling to visit was also jailed for 12 days. In February 2017, the authorities jailed for 11 days activist Marlen Mustafaev, who was accused of using a Hizb ut-Tahrir symbol in a two-year-old social media post; 10 fellow Muslims who came to film the raid on his home were jailed for five days.

The Russian authorities also continued their campaign against alleged Crimean adherents of Hizb ut-Tahrir, which is banned in Russia but not in Ukraine. Twenty-one alleged adherents are currently held, and one, Ruslan Zeitullaev, was sentenced in April 2017 to 12 years in prison, later raised on appeal to 15 years. Detained Hizb ut-Tahrir members, including Crimean Tatar human rights activist Emir-Usein Kuku, are regularly sent to forced “psychiatric treatment” as part of the investigative process.

### Non-Muslim Minorities in Crimea

The imposition of Russia’s repressive laws has greatly curtailed religious freedom on the Crimean Peninsula. According to the UN, there were roughly 2,200 religious organizations, both registered and unregistered, in Crimea before the occupation; as of September 2017, only around 800 remained. The Ukrainian Orthodox Church of the Kyiv Patriarchate (UOC-KP) has refused to register, considering it to be submission to an illegal occupation. The Ukrainian Greek Catholic Church

apparently is also unregistered. In June 2017, pursuant to the Russian Supreme Court’s decision to ban the Jehovah’s Witnesses, all 22 local organizations of the

Witnesses in Crimea, representing 8,000 congregants, were officially banned.

*The imposition of Russia’s repressive laws has greatly curtailed religious freedom on the Crimean Peninsula.*



Representatives of the UOC-KP described to USCIRF how their main church space in Simferopol was seized in August 2017 by bailiffs enforcing a February 2017 court decision transferring its ownership to the Crimean Ministry of Property and Land Relations. According to UOC-KP representatives, who see this as part of a deliberate effort to drive them from the peninsula, the number of UOC-KP communities in Crimea has declined from 40 to nine since the occupation. According to the UN, five UOC-KP churches were officially seized or shut down since 2014. Meanwhile, the July 2016 Yarovaya Laws were used in 2017 to punish believers of various churches for the exercise of their faith. These include three Jehovah's Witnesses fined roughly \$85 each for participating in prayer meetings; a fourth man suffered a heart attack and died in June 2017 the night after his court hearing for "illegal missionary activity." In February and April 2017, the pastors of Seventh-day Adventist and Evangelical congregations received fines of roughly \$850 for "lack of signage" denoting their places of worship.

### Russia's Separatist Enclaves in the Donbas

The Russian-occupied separatist parastates of the Lugansk People's Republic (LNR) and Donetsk People's Republic (DNR) in eastern Ukraine remain heavily militarized war zones policed by parallel ministries of state security. The official ideology of the republics is a mixture of Russian nationalism, Soviet nostalgia, and Russian Orthodoxy, to the extent that the DNR constitution recognizes the Russian Orthodox Church as the territory's "leading and dominant" church. As such, for the Christian minorities living in the LNR/DNR, including Evangelicals, Pentecostals, Greek Catholics, and Jehovah's Witnesses, the initial phase of the occupation was one of outright terror: kidnappings, torture, and robberies were the norm, in the course of which perpetrators openly expressed their contempt for the victims' religious beliefs. More than 50 church buildings have been confiscated and communities are estimated to have declined by 30–80 percent as believers fled rebel-held areas.

Although the worst abuses have declined since 2015, Christian minorities remained subject to raids, harassment, fines, and official slander. Informa-

tion about religious freedom violations is difficult to obtain because communities fear reprisals for complaints to human rights and foreign news organizations. In September and August 2017, two Baptist pastors returning from government-controlled territory to their homes in the occupied areas were denied reentry by separatist forces. In August 2017, LNR security forces videotaped themselves raiding two Jehovah's Witness Kingdom Halls; they claimed to have found leaflets promoting Nazism and collaboration with Ukrainian intelligence.

In December 2017, DNR security officials released a Donetsk University professor of history and religious studies, Igor Kozlovskii, as part of a prisoner exchange. Kozlovskii had been held since January 2016 and was found guilty of arms possession and sentenced to nearly three years in May 2017 in a case that many believed was connected to his work with Christian minorities.

DNR and LNR authorities remain deeply suspicious toward religious groups other than the Russian Orthodox Church. In February 2018, after the end of the reporting period, the LNR government announced it would require registration of all religious groups in its territory, which experts believe to be a prelude to the official exclusion of religious minorities, similar to Russian practice.

### U.S. POLICY

U.S.-Russian relations began to worsen in September 2011, when then Prime Minister Vladimir Putin said he would again run for president in March 2012. In December 2012, the U.S. Congress passed—and then President Barack Obama signed—the Magnitsky Act sanctioning Russian officials responsible for gross human rights violations. In response, the Russian government denied U.S. citizens the opportunity to adopt

Russian children, issued a list of U.S. officials prohibited from entering Russia, and posthumously convicted Magnitsky. As of the end of 2017, the U.S. government had

named 49 Russian officials subject to U.S. visa bans and asset freezes under the Magnitsky Act. There is also an unpublished list of sanctioned officials, reportedly

*DNR and LNR authorities remain deeply suspicious toward religious groups other than the Russian Orthodox Church.*



including Kadyrov, as recommended by USCIRF.

The Russian annexation of Crimea and invasion of the Donbas region of eastern Ukraine in 2014 led to a rapid deterioration in Russia's international relations, including with the United States. The United States suspended its role in the U.S.-Russia Bilateral Commission and has issued numerous sanctions against Russian businesses, state entities, and individuals. Russia's decision to join the war in Syria in September 2015 on behalf of President Bashar al-Assad, himself considered by USCIRF to be a severe violator of religious freedoms, as well as the determination of U.S. intelligence agencies that Russia interfered in the 2016 presidential elections, have further worsened relations with the United States.



# SAUDI ARABIA

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

### KEY FINDINGS

In 2017, the Saudi government continued implementing economic and social reforms from the Vision 2030 plan, including many that may improve human rights and religious freedom conditions. Despite the easing of some social restrictions, religious freedom conditions did not improve in 2017. The government maintained its ban on non-Muslim public religious observance and continued to prosecute individuals for dissent, blasphemy, and apostasy. Saudi Arabia's new counterterrorism law did not address its vague definition of terrorism, and nonviolent offenders convicted on charges of "advocating atheism" continued to serve lengthy prison terms. While the government responded strongly to past attacks on Shi'a sites, the Shi'a community experienced ongoing discrimination and was especially targeted by a May 2017 security operation in Awamiya. After over 15 years of slow progress, the Saudi government has not completed reforms

to textbooks that propagate intolerance and violence; in fact, some of the most egregious content remained in textbooks in use during the current school year. Despite some promising steps to restrict it, the guardianship system remained in force, adversely affecting the religious freedom of women. On a positive note, Crown Prince Mohammed bin Salman and other senior officials made strong statements against violent extremism. Based on particularly severe violations of religious freedom, USCIRF again finds in 2018 that Saudi Arabia merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). Although the U.S. State Department has designated Saudi Arabia as a CPC since 2004, most recently in December 2017, an indefinite waiver has been in place since 2006. The waiver releases the administration from taking an otherwise legislatively mandated action as a result of the designation.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Redesignate Saudi Arabia as a CPC under IRFA and lift the waiver;
- Fully engage the Saudi government to take concrete action toward completing reforms confirmed in July 2006 in U.S.-Saudi bilateral discussions, including removing inflammatory and intolerant content in government-issued textbooks;
- Consider inaugurating a new U.S.-Saudi bilateral strategic dialogue, which would include human rights and religious freedom among the areas of discussion;
- Encourage the Saudi government to take further action toward ending the guardianship system, make public the steps taken since a royal decree on women's access to services, and penalize actors that continue to require a guardian's permission for services covered under the decree;
- At the highest levels, press for the release of Raif Badawi, his counsel Waleed Abu al-Khair, and other prisoners of conscience, and press the Saudi government to end prosecution of individuals charged with apostasy, blasphemy, and sorcery;
- Press the Saudi government to denounce publicly the continued use around the world of older versions of Saudi textbooks and other materials that promote hatred and intolerance, and to make every attempt to retrieve previously distributed materials that contain intolerance;
- Press the Saudi government to pursue integration of Shi'a Muslim citizens into government, the judiciary, public service, and the security sector, and prioritize inclusive governance in ongoing initiatives supported by the State Department's Bureau of Democracy, Human Rights, and Labor in Saudi Arabia;
- Press the Saudi government to pass and fully implement an antidiscrimination law protecting the equal rights of all Saudi citizens and expatriate residents;
- Press the Saudi government to exclude advocating atheism and blasphemy from the new counterterrorism law, and to end the detention under this law of nonviolent actors exercising their human rights and religious freedom;
- Work with the Saudi government to codify the right of non-Muslims to private religious practice and to permit foreign clergy to enter the country openly with religious materials to carry out worship services; and
- Use targeted tools against specific officials and agencies identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the "specially designated nationals" list maintained by the U.S. Department of the Treasury's Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the Global Magnitsky Human Rights Accountability Act, and asset freezes under the Global Magnitsky Act.

The U.S. Congress should:

- Pass [H.R.4549](#), the Saudi Educational Transparency and Reform Act, which would require the secretary of state to submit annual reports on religious intolerance in Saudi educational materials.

## COUNTRY FACTS

### FULL NAME

Kingdom of Saudi Arabia

### GOVERNMENT

Absolute Monarchy

### POPULATION

28,571,770

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam

### RELIGIOUS DEMOGRAPHY\*

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

\*CIA World Factbook and U.S. Department of State

## BACKGROUND

Saudi Arabia is officially an Islamic state governed by a Basic Law of Governance issued by royal decree in 1992. According to this law, the constitution is the Qur'an and the *sunna* (traditions of the Prophet). The judicial system is largely governed by Shari'ah as interpreted by judges trained as religious scholars in the Hanbali Sunni school of jurisprudence. The king appoints the members of the Shura Council, a legislative advisory body, and may dissolve and reconstitute the council at will. The current monarch, King Salman bin Abdulaziz Al-Saud, took the throne in 2015, and in 2017 appointed his son Mohammed bin Salman Al-Saud as crown prince.

The government restricts most forms of public religious expression inconsistent with its interpretation of Sunni Islam. Saudi officials base these restrictions on their interpretation of *hadith* (sayings of the Prophet), stating that such a stance is what is expected of them as the country that hosts the two holiest mosques in Islam, in Mecca and Medina. However, the United Nations (UN) estimates that expatriate residents make up as much as 37 percent of the Saudi population; although exact numbers are not available, at least two million of these expatriates are non-Muslim, including Christians, Hindus, Buddhists, practitioners of folk religions, and the religiously unaffiliated. In addition, an unknown but growing number of Saudi citizens

identify as atheists or Christians but avoid public recognition given harsh social and legal consequences for leaving Islam. Therefore, policies restricting public religious expression violate the rights of not only the sizable Shi'a Muslim population but also adherents of unrecognized religious communities.

Since April 2016, the Saudi government has been implementing Vision 2030 and the National Transformation Program 2020, ambitious economic reform plans that seek to reduce the country's dependence on oil revenues. The Ministry of Islamic Affairs is responsible to ensure that Vision 2030 is compliant with Shari'ah law. In line with these broader plans, the government has announced specific reform measures related to taxation, women's rights, public entertainment, and social norms. Most notably, King Salman announced in September that the government would begin issuing driver's licenses to Saudi women in June 2018, while the government announced in December that it would begin licensing movie theaters within 90 days. If fully implemented, these plans, though primarily social and economic, could lead to greater civic space and respect for human rights and religious freedom in the Kingdom. As of the end of the reporting period, however, many human rights activists who previously advocated for similar reforms remained imprisoned for their activities.

## RELIGIOUS FREEDOM CONDITIONS 2017

### Restrictions and Attacks on Shi'a Muslims

For many years, Shi'a Muslims have experienced discrimination in education, employment, the judiciary, and access to positions in government and the military. Outside of majority-Shi'a areas in the Eastern Province, the Saudi government restricts the building of Shi'a mosques, broadcasts of Shi'a-specific calls to prayer, and establishment of Shi'a cemeteries. Shi'a

Muslims have been detained and imprisoned for holding religious gatherings in private homes without permits, celebrating religious holidays in non-Shi'a-majority areas, and reading religious materials in *husseiniyas* (prayer halls). The Saudi government maintains that all such restrictions are related to national security and alleged community ties to and support of Iran. However, representatives of the Shi'a community assert that very few members of their community are sympathetic to Iran.

Protests in the Eastern Province have been ongoing since their peak in 2011 and often feature demands for release of political prisoners, greater economic and political opportunity, and reforms related to education and religious freedom. While most of these protests began nonviolently, some later featured acts of violence against property and security forces. The town of Awamiya in the Qatif governorate has been the epicenter of local demonstrations, resulting in sporadic attacks targeting police and government officials.

In 2016, the Saudi government announced plans to redevelop much of Awamiya into a commercial zone, which many residents viewed as an attempt to displace the largely Shi'a community. In April 2017, three UN experts [released a statement](#) calling on the Saudi government to halt the planned demolition of Awamiya's old town district, noting the cultural importance of its historic mosques and *husseiniyas*. The following month, Saudi security forces began demolishing the area, displacing thousands of residents to whom the government provided financial compensation. Saudi forces reported that armed local Shi'a men moved into vacated properties and opened fire on demolition forces. The security

response spread throughout Awamiya in the following months, reportedly including the use of heavy artillery, displacing as many as 20,000 residents, and resulting in dozens of deaths, both police and civilians. Human

rights organizations reported that security forces sealed the town in July, preventing residents from leaving or accessing humanitarian aid, and engaged in excessive and indiscriminate use of force against civilians, including children. By

*Outside of majority-Shi'a areas in the Eastern Province, the Saudi government restricts the building of Shi'a mosques, broadcasts of Shi'a-specific calls to prayer, and establishment of Shi'a cemeteries.*

August, the Ministry of Interior stated that 95 percent of the old town was under state control. By the end of the reporting period, most residents who desired to return had done so, but much of the city reportedly remained under a heavy military presence.

### Restrictions on Non-Muslims

Although the Saudi government bans the public practice of non-Muslim faiths, the government repeatedly has stated that non-Muslims who are not converts from Islam may practice their religion privately without harassment. However, the policy allowing private worship has not been codified, and government officials have shown little interest in pursuing codification.

In recent years, members of the Committee for the Promotion of Virtue and Prevention of Vice (CPVPV), which enforces government rules on public morality, have raided private non-Muslim religious gatherings organized by expatriate workers and arrested or deported participants, especially when the gatherings were loud or involved large numbers of people or symbols visible from outside the building. However, in 2016 the powers of the CPVPV were sharply curtailed by royal decree, and both Muslims and non-Muslims have reported decreased harassment and raids. In a positive development, Lebanese Maronite Patriarch Beshara al-Rai conducted an official visit to Saudi Arabia in November 2017, reportedly the first such visit since 1975.

Nevertheless, non-Muslims seeking to practice their religion privately operate in a climate of fear, especially outside of compounds populated largely by

foreign workers. Expatriate non-Muslim religious communities restrict the number and size of their services and other activities in order to avoid undue notice by their neighbors or authorities. Saudi converts from Islam also keep their religious observations private out of fear of the consequences of discovery, and communicate with each other solely by private electronic channels. Saudi Christian converts, in particular, report questioning and detention if neighbors or family members suspect their religion.

### Apostasy, Blasphemy, and Sorcery Charges

The Saudi government continues to use criminal charges of apostasy and blasphemy to suppress debate and silence dissidents. In December 2017, officials at the Ideological Warfare Center, a Ministry of Defense-affiliated initiative launched by Crown Prince Mohammed bin Salman to combat extremist ideology, asserted that there were varying religious interpretations regarding the punishment for apostasy.

However, the Saudi government responded by [affirming](#) that the Kingdom would continue to criminalize apostasy, stating that removing the punishment would run contrary to the country's Basic Law.

Saudi blogger Raif Badawi, one of the individuals highlighted in USCIRF's Religious Prisoners of Conscience project, is among Saudi Arabia's most high-profile prisoners of conscience following his 2014 sentencing on charges of insulting Islam and the 2015 court ruling that upheld his sentence of 10 years in prison, 1,000 lashes, and a fine of one million Saudi riyals (\$266,000). The sentence called for Badawi—the founder and editor of a website that served as an online forum for the free expression of diverse views—to be lashed 50 times a week for 20 consecutive weeks. Many human rights groups and government entities, including USCIRF, condemned the January 2015 imposition of Badawi's first 50 lashes. Badawi has not received additional lashings due to the level of international outcry and a medical doctor's finding that he could not physically endure

more. In March 2017, Badawi's family announced that the Saudi court confirmed his sentence and reiterated the demand that he pay his fine.

Palestinian poet and artist Ashraf Fayadh also remains in prison under a November 2015 death sentence for apostasy, due to his allegedly questioning religion and spreading atheist thought in his poetry. In February 2016, an appeals court quashed the death sentence and issued a new verdict of eight years in prison and 800 lashes to be administered on 16 occasions. According to his lawyer, Fayadh also must renounce his poetry in Saudi state media.

In April 2017, a Saudi court sentenced Ahmad al-Shamri to death for apostasy following his arrest

in 2014 on charges of atheism and blasphemy for posting social media content that allegedly insulted Islam and the Prophet Muhammad. Al-Shamri has had two appeals rejected and remained in prison at the end of the reporting period.

Raids and arrests for witchcraft and sorcery—both crimes punishable by death—continued during the reporting period. Most of those arrested in these cases were expatriate workers from Africa or Southeast Asia accused of using witchcraft against their employers or, more broadly, disrupting Saudi society by dividing families or distorting religious texts. The CPVPV has special units throughout the country to combat sorcery and witchcraft. In December 2017 it also publicized a special training event, in conjunction with the General Presidency for the Affairs of the Grand Mosque, to instruct CPVPV members in Mecca how to identify sorcerous materials.

### Arbitrary Detention of Dissidents and Religious Leaders

In September, the Saudi government detained more than 20 prominent writers, journalists, academics, and religious leaders. The official Saudi Press Agency released a statement asserting that the detainees had been conducting intelligence activities on behalf of foreign parties in order

*Most of those arrested in these cases were expatriate workers from Africa or Southeast Asia accused of using witchcraft against their employers or, more broadly, disrupting Saudi society by dividing families or distorting religious texts.*



to provoke sedition and disturb national unity. At the end of the reporting period, most—if not all—remained in detention without charge, and many reportedly were held incommunicado and without access to proper medical care. Among those detained without charge were influential clerics Salman al-Awda and Abdullah al-Maliki, who had in recent years advocated for human rights through religious reform and publicly criticized the Saudi government as theocratic and autocratic.

In January 2018, after the end of the reporting period, a group of UN experts, including the Special Rapporteur on freedom of religion or belief, issued a [joint statement](#) noting a pattern of arbitrary detention in Saudi Arabia beginning with the September 2017 detentions. The statement urged Saudi Arabia to release all those detained for “peacefully exercising their rights to freedom of expression, assembly, association and belief.”

### 2014 and 2017 Counterterrorism Laws

Saudi Arabia’s 2014 counterterrorism law, the Penal Law for Crimes of Terrorism and its Financing, and a series of subsequent royal decrees criminalized as terrorism virtually all forms of peaceful dissent. Under the law, a conviction could result in a prison term ranging from three to 20 years. According to a related legal document produced by the Ministry of Interior, terrorism included “[c]alling for atheist thought in any form, or calling into question the fundamentals of the Islamic religion on which this country is based.” Terrorism-related crimes are tried in the Specialized Criminal Court, a non-Shari’ah body created in 2008; some human rights groups assert that this court is often used as a political tool against dissidents.

In July 2014, Waleed Abu al-Khair, legal counsel to blogger Raif Badawi, became the first human rights defender to be sentenced under the counterterrorism law, receiving 15 years in jail on various spurious charges related to his advocacy. In March 2016, journalist Alaa Brinji was sentenced to five years in prison under the counterterrorism law for “insulting the rulers” and “ridiculing Islamic religious figures,” based in large part on his tweets in support of women’s rights and pris-

oners of conscience. Both remained in prison at the end of the reporting period.

In November 2017, the Saudi government implemented a new version of the Penal Law for Crimes of Terrorism and its Financing. This version addresses some of the human rights critiques of the original by ref-

*In November 2017, the Saudi government implemented a new version of the Penal Law for Crimes of Terrorism and its Financing.*

erencing use of violence as one possible aspect of terrorism, but retains an overly broad definition of terrorism that includes “obstructing the application of the Basic Law” (which names the Qur’an

and *Sunna* as the constitution), “disturbing public order,” and portraying the king and crown prince “in any way that brings religion and justice into disrepute.”

Shortly after the announcement of the new counterterrorism law, nurse and online activist Naimah al-Matrod became the first woman sentenced for participating in and documenting protests in the Eastern Province. She was tried by the Specialized Criminal Court and sentenced in November according to the newly released law to six years in prison and a six-year travel ban on charges including “inciting sectarian strife.”

### Countering Violent Extremism

Saudi Arabia has taken aggressive steps to counter violent extremism in the Kingdom. After a surge of terrorist attacks in 2015, including against Shi’a Muslim places of worship, the number of attacks dropped significantly in recent years, reflecting a rigorous government campaign against domestic terrorism and the ideologies that support it. This campaign was bolstered in 2017 by the explicit support of Crown Prince Mohammed bin Salman, who stated in October that he and the young Saudi generation sought a return to “a moderate Islam open to the world and all religions.”

During the reporting period, the government challenged religious and ideological messages of extremist groups through initiatives including the Ideological Warfare Center, the Digital Extremism Observatory, the King Abdulaziz Center for National Dialogue, and the newly launched Global Center for Combatting Extremist Ideology. These centers focus on confronting extremist ideology and sectarian divisions through promotion

of a national culture of dialogue and a moderate, welcoming interpretation of Islam. In particular, the Digital Extremism Observatory focuses on countering extremist messaging and recruitment in new media, while other centers similarly engage with social media as a venue for messages of moderation and tolerance. The Saudi government also continued to retrain clerics through the Center for National Dialogue, and in October 2017 Foreign Minister Adel al-Jubeir stated that the government had fired several thousand clerics for spreading extremism. Despite these efforts, some clerics continued to use intolerant rhetoric about non-Sunni Muslims during Friday sermons.

### Progress and Ongoing Concerns with Saudi Textbooks

For more than 15 years, the Saudi government has been addressing intolerant content in official textbooks. The reform process became more systematic after the attacks of September 11, 2001, which raised international concerns about the propagation of intolerance and violence in Saudi curricula. While the Saudi government repeatedly has announced completion of milestones in reforming its textbooks, the process remains ongoing and incomplete. In October 2017, during a meeting with USCIRF, Saudi Minister of Education Ahmed Al-Eisa stated his intent to revise all textbooks by the 2018–2019 school year, adding that the ministry intends to use mainly electronic textbooks by 2020.

Through regular review of Saudi textbooks for more than a decade, USCIRF had found continued—though slow and incremental—progress toward removing or revising passages that included incitement to hatred and violence. However, a USCIRF analysis of 2017–2018 religion textbooks revealed the continued presence of some of the most egregious content promoting violence and intolerance, once thought to have been removed. This content included language permitting the execution of apostates and those who unrepentantly mock God or the Prophet; explaining jihad as a joined battle against disbelievers; characterizing Christians as liars and

Jews as desiring to destroy Islam; and calling for Muslim leaders to fight protestors until they cease. The textbooks also contained disparaging references to Zoroastrians, Sufis, Shi'a Muslims, polytheists, non-Muslim proselytizers, homosexuals, and women who do not wear the hijab.

During 2017, human rights groups also raised concerns about Saudi teacher training and delivery of lessons in the classroom. Given the rapid pace of government-led reform during the reporting period, Saudi officials have acknowledged that educators are key to implementation. The Saudi government reported that 200 Saudi teachers completed a government-sponsored professional development program in the United States during the 2016–2017 school year and 450 teachers and principals will do so in 2017–2018, while other participants trained in Europe. Domestically, the King Abdulaziz Center for National Dialogue continued to train Islamic studies teachers. Furthermore, according to Saudi officials, teachers in the highly centralized education system who do not follow the newly developed, more tolerant curricula are dismissed.

Concerns also remained about the propagation of intolerance abroad through the use of old Saudi educational materials, especially following reports that the Islamic State of Iraq and Syria (ISIS) used Saudi textbooks in 2015. Saudi officials have stated that they have requested the return of all old textbooks from their institutions abroad and sent out new, revised books to replace them, but an unknown number of materials reportedly remain in circulation. In recent years, a Saudi royal decree banned financing outside Saudi Arabia of religious schools, mosques, hate literature, and other activities

that support religious intolerance and violence. In January 2018, after the end of the reporting period, the Saudi government agreed to hand over control of the historic Grand Mosque in Brussels, Belgium, to local

Islamic authorities, following years of allegations that the Saudi-controlled mosque was preaching violent extremism. According to reports, the Saudi government is considering following a similar

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*However, a USCIRF analysis of 2017–2018 religion textbooks revealed the continued presence of some of the most egregious content promoting violence and intolerance, once thought to have been removed.*

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approach for mosques and religious schools in other countries around the world.

### Women and Religious Freedom

Although the Saudi government announced promising reforms on women's rights and women's participation in society, the state's application of a largely uncodified legal system based on the Hanbali school of Islamic jurisprudence continued to adversely affect the human rights of women in Saudi Arabia, including their religious freedom. Women's rights are constrained in particular by the legal guardianship system enforced by Shari'ah courts regardless of women's religious affiliation and based on the government's interpretation of a Qur'anic verse describing men as "protectors and maintainers of women." Under the system, Saudi women do not have equal legal status and must have permission from a male guardian to obtain a passport, marry, or travel abroad, as well as sometimes to access healthcare or other services.

In April, King Salman signed a royal decree instructing ministries to allow women access to government services without requiring the permission of a male guardian unless required by government regulations in line with Shari'ah. The decree also called for ministries to provide within three months a list of procedures that would require a guardian's approval. The full extent of implementation remained unclear at the end of the reporting period. Saudi government officials have stated that women will have greater access to education, health, work, banking, and social services without guardian consent, but will still need the permission of a guardian to obtain a passport and travel abroad.

Personal status law is governed by courts implementing the Hanbali jurisprudence or, for Shi'a Muslims, Ja'fari jurisprudence. However, Shi'a courts are limited in number and located only in Qatif and Ahsa governorates in the Eastern Province. Saudi courts' interpretation of Shari'ah law results in rulings that women's testimony is worth half of men's, that men may divorce their wives without cause or cost,

and that child marriage still is permitted. In 2013, the Saudi government criminalized domestic violence, but women can still legally be convicted and sentenced by a court on charges like "disobedience." In 2017, the Shura Council discussed draft bills that would set the legal age of marriage at 15 and provide Saudi women with equal rights in passing nationality to their children; however, neither had been implemented by the end of the reporting period.

### U.S. POLICY

During its first year, the Trump Administration strengthened the Saudi-U.S. relationship, with President Donald Trump and other administration officials emphasizing support for Saudi Arabia in regional struggles against Iranian influence and countering terrorism and extremism. In a January 2017 call with King Salman, President Donald Trump [affirmed](#) the "longstanding friendship and strategic partnership" between the two countries, underlined the importance of countering Iranian destabilizing activities, and expressed support for Vision 2030, Crown Prince Mohammed bin Salman's trademark program for economic and social change.

Both President Trump and then Secretary of State Rex Tillerson visited Saudi Arabia for the May 2017 Riyadh Summit, during which President Trump and King Salman signed a [Joint Strategic Vision Decla-](#)

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*Both President Trump and then Secretary of State Rex Tillerson visited Saudi Arabia for the May 2017 Riyadh Summit, during which President Trump and King Salman signed a Joint Strategic Vision Declaration.*

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[ration](#). The declaration charted the future of the countries' strategic relationship, including a focus on countering violent extremism, disrupting terrorism financing, and expanding regional security partnerships. The two leaders

also signed a defense agreement involving nearly \$110 billion in intended sales of American defense equipment and services. President Trump's [remarks](#) during the summit called on Middle Eastern countries to confront "the crisis of Islamist extremism and the Islamist terror groups it inspires" and to make the region a place where "every man and woman, no matter their faith or ethnicity, can enjoy a life of dignity and hope." At the summit, President Trump, King Salman, and

other leaders also initiated the launch of the Global Center for Combatting Extremist Ideology to coordinate international efforts to counter extremism online. In June, then Secretary Tillerson [stated](#) that the State Department had requested that the center retrieve and replace intolerant textbooks and develop standards for accountability in this area.

In August 2017, during the rollout of the 2016 International Religious Freedom Report, then Secretary Tillerson [expressed concern](#) about religious freedom conditions in Saudi Arabia, citing violations against non-Muslims; application of severe criminal penalties for charges such as apostasy, atheism, blasphemy, and insulting Islam; and attacks targeting Shi'a Muslims as well as the "continued pattern of social prejudice and discrimination against them." In a briefing on the report, another State Department official noted the Saudi government's "excessive or overbroad use" of counterterrorism laws against Shi'a Muslims and atheists.

The State Department redesignated Saudi Arabia as a CPC in December 2017 but kept in place a waiver of any sanctions, citing important national interests that include "collective efforts to counter violent extremism and transnational terrorism, and energy security," pursuant to section 407 of IRFA. Despite this waiver, the department stated that it expected the Saudi government to make "further and more meaningful

progress on religious freedom." The waiver has been in place indefinitely since 2006, 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 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." In reviewing implementation of the policies since the 2006 announcement, USCIRF has found

*Despite this waiver, the department stated that it expected the Saudi government to make "further and more meaningful progress on religious freedom."*

that progress had been achieved in several areas, but that other areas require significant work. These incomplete areas include halting dissemination of intolerant literature and extremist ideology, revising

textbooks to remove intolerant content, protecting the right to private worship for all, and bringing the Kingdom's rules and regulations into compliance with international human rights standards.

In December 2017, Congress introduced [H.R. 4549](#), the Saudi Educational Transparency and Reform Act. If enacted, this legislation would require the secretary of state to submit a yearly review of Saudi educational materials indicating whether all intolerant content had been removed, and analyzing the Saudi government's efforts to retrieve and destroy previous materials, retrain teachers, and stop global exportation of intolerant materials.

### KEY FINDINGS

Religious freedom conditions in Sudan remained poor in 2017. The government of Sudan, led by President Omar Hassan al-Bashir, imposes a restrictive interpretation of Shari'ah law and applies corresponding *hudood* punishments on Muslims and non-Muslims alike. During the year, government officials continued to arrest church leaders, harass members of various Christian denominations, and destroy or confiscate church properties. Individuals affiliated with several Evangelical congregations were arrested, fined, and evicted from their homes—and one was killed—for opposing government efforts to take over their leadership and confiscate their properties. Two churches were demolished in 2017, and Christian schools were ordered

to open on Sundays following a new government directive. Individuals prosecuted under Shari'ah-based morality provisions for “public order” violations were largely from marginalized religious and ethnic communities; they typically received summary trials without legal representation, and convictions routinely resulted in lashings. Government policies and societal pressure promoted conversion to Islam. In 2018, USCIRF again finds that Sudan merits designation as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA) for engaging in systematic, ongoing, egregious violations of freedom of religion or belief. The U.S. Department of State has designated Sudan as a CPC since 1999, most recently in December 2017.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Redesignate Sudan as a CPC under IRFA;
- Continue the existing presidential action restricting U.S. assistance to the government of Sudan, except for humanitarian assistance, democracy programs, assistance for specific marginalized areas, or arrangements associated with the Comprehensive Peace Agreement;
- Convey that an exchange of ambassadors must be preceded by demonstrated, concrete progress by Khartoum in ending abuses of religious freedom and related human rights;
- Press the government of Sudan to implement the Action Plan presented by the U.S. Department of State in 2015 and 2017 and to undertake the following reforms:
  - Repeal or revise all articles in the 1991 Criminal Code that violate Sudan's international commitments to freedom of religion or belief and related human rights, including repeal of the apostasy and blasphemy laws;
  - Lift government prohibitions on church construction, issue permits for the building of new churches, create a legal mechanism to provide compensation for destroyed churches and address future destructions if necessary, and cease interference in churches' internal affairs;
  - Revive and strengthen the Commission on the Rights of Non-Muslims to protect religious freedom for non-Muslims in Sudan; and
  - Hold accountable any person who engages in violations of freedom of religion or belief, including attacking houses of worship, attacking or discriminating against any person because of his or her religious affiliation, and prohibiting any person from fully exercising his or her religious freedom.
  - Use targeted tools against specific officials and agencies identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the “specially designated nationals” list maintained by the U.S. Department of Treasury's Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the Global Magnitsky Human Rights Accountability Act, and asset freezes under the Global Magnitsky Act;
  - Establish an official, senior-level dialogue on religious freedom and human rights with the government of Sudan
- to ensure that issues of concern are consistently raised at the highest levels;
- Maintain the position of the U.S. Special Envoy to Sudan and South Sudan and ensure that religious freedom is a priority for that office;
- Work to ensure that Sudan's future constitution includes protections for freedom of religion or belief, respect for international commitments to human rights, and recognition of Sudan as a multireligious, multiethnic, and multicultural nation;
- Support dialogue efforts with civil society and faith-based leaders and representatives of all relevant political parties; educate relevant parties to the national dialogue about international human rights standards, including freedom of religion or belief; and work with opposition parties and civil society to resolve internal disputes related to freedom of religion or belief; and
- Urge the government of Sudan to cooperate fully with international mechanisms on human rights issues, including by inviting further visits by the United Nations (UN) Special Rapporteur on freedom of religion or belief, the Independent Expert on the situation of human rights in Sudan, and the UN Working Group on Arbitrary Detention.

## COUNTRY FACTS

### FULL NAME

Republic of the Sudan

### GOVERNMENT

Presidential Republic

### POPULATION

37,345,935

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Sunni Islam

### RELIGIOUS DEMOGRAPHY\*

97% Muslim

3% Christian (Coptic, Greek, Ethiopian, and Eritrean Orthodox; Roman Catholic; Anglican; Presbyterian; Pentecostal; Evangelical; Seventh-day Adventist; and Jehovah's Witnesses)

\*U.S. Department of State

## BACKGROUND

Sudan's overall human rights record remained poor. President al-Bashir and his National Congress Party (NCP) have ruled for more than 25 years. Freedoms of expression, association, and assembly are limited, with routine crackdowns and arrests of journalists, human rights advocates, and demonstrators.

The armed conflicts in Darfur and South Kordofan and Blue Nile states continued in 2017 with further attacks against civilians and the displacement of thousands.

However, there were fewer incidents of violence than in the previous year and the Sudanese government stopped aerial bombardments of civilians and increased humanitarian access. In 2009 and 2010, the International Criminal Court issued arrest warrants for President al-Bashir, accusing him of genocide, war crimes, and crimes against humanity in Darfur; nevertheless, he traveled internationally to several countries during 2017 without incident.

The Interim National Constitution includes religious freedom protections and acknowledges Sudan's international human rights commitments. Article 1 recognizes Sudan as a multireligious country. Article 6 articulates a series of religious freedom rights, including

to worship, assemble, establish and maintain places of worship, establish and maintain charitable organizations, teach religion, train and elect religious leaders, observe religious holidays, and communicate with coreligionists. Article 31 prohibits discrimination based on religion; however, article 5 provides that "Islamic

*... Article 5 provides that "Islamic sharia and the consensus of the people" shall be the "leading sources" of legislation, thereby restricting freedom of religion or belief.*

sharia and the consensus of the people" shall be the "leading sources" of legislation, thereby restricting freedom of religion or belief. In 2011, President al-Bashir stated publicly that Sudan should adopt a

constitution to enshrine Islamic law as the main source of legislation.

## RELIGIOUS FREEDOM CONDITIONS 2017

### Persecution of Christians

The Sudanese government continued to arrest, detain, and prosecute Christian leaders, interfere in church leadership matters, and destroy churches during the reporting period.

In 2016, Sudanese authorities notified 27 churches that their churches would be demolished; two were bulldozed in 2017. On May 7, Khartoum state authorities demolished a Sudanese Church of Christ (SCOC) building



in Soba al Aradi, claiming that the land was zoned for other purposes. On August 2, authorities demolished a Baptist church in Omdurman. On March 7, SCOC Rev. Mubarak Hamad was arrested after holding a press conference calling for the Sudanese government to cease its church destructions. He was released and ordered to report to National Intelligence Security Services (NISS) offices daily.

In 2017, the Sudanese government continued its efforts to remove the Sudan Presbyterian Evangelical Church's (SPEC) leadership and take over its properties. On March 16, police arrested the headmaster and three teachers of the SPEC's Evangelical School of Sudan when they prevented authorities from confiscating school property. They were released eight hours later. On March 27, police again sought to confiscate the school and arrested and later released 12 staff members who obstructed their efforts. On April 3, Bahri Evangelical Church Elder Younan Abdullah was killed when he protested government efforts to confiscate a church property. On August 15, police in Omdurman evicted SPEC Moderator Yahia Abdelrahim Nalu and Pastor Sidiq Abdalla from their homes. On October 30, a Khartoum court convicted the chairman and deputy chairman of the SPEC Lands and Buildings Committee, Rafat Obid and Rev. Daniel William, respectively, of criminal misappropriation and criminal trespass. They were ordered to pay fines of 5,000 Sudanese pounds (\$750) each. The case was part of the Sudanese government's continued efforts to take over the committee. As of the end of the reporting period, SPEC leaders

continued to face charges for refusing to hand over properties and to fight eviction orders in Sudanese courts.

The Sudanese government also sought to impose its preferred leadership on the SCOC, a majority ethnically Nuban congregation. The Ministry of Guidance and Endowments issued decisions to allow Northern Sudanese congregants to take over the SCOC's leadership from ethnic Nubans. On August 23, the Ministry appointed an alternative SCOC Executive Committee. That same day, authorities arrested seven Nuban SCOC leaders: Executive Committee Chairman Rev. Ayoub Tiliyan, General Secretary/Moderator Rev. Ali

Abdurahman, Missionary Office Director Rev. Kuwa Shamal, Director of Educational Affairs Elder Alamin Hassan, Accountant Elder Abulbagi Toto, Rev. Musa Kodi Jora, Rev. Abdo Atalmanan, and Rev. Yajoub Omer Nawai. On September 19 and 22, respectively, authorities arrested Executive Committee member Amira Kia and Elder Mahjoub Abotrin. They were released the same day. On October 22, security forces arrested Rev. Tiliyan, Rev. Ali Haakim Al Aam, Pastor Ambrator Hammad, evangelist Habill Ibrahim, and Elder Abdul Bagi Tutu for holding a worship service at a closed SCOC church in Khartoum's Al-Thawra 29 neighborhood. The police released them that same night, but stated that their actions were "to maintain security" and "protect worshippers" because those arrested "did not comply" with the ministry's leadership decision.

In July, the Khartoum State Ministry of Education ordered Khartoum Christian schools to open on Sundays and observe the country's Friday and Saturday weekend. Despite domestic and international pressure, the Khartoum State parliament and Ministry of Education reiterated that Christian schools must respect the official weekend.

In response to international pressure, President al-Bashir pardoned Czech national Petr Jašek on

February 23 and Rev. Hassan Abduraheem Kodi Taour and Abdulmonem Abdumawla Issa Abdumawla on May 11. On January 29, 2017, a judge had found Jašek guilty of espionage and sentenced him to life imprisonment.

The judge also sentenced Jašek to three and half years' imprisonment and fined him 100,000 Sudanese pounds (approximately \$15,000) for entering and photographing military areas, inciting hatred between sects, propagating false news, entering the country illegally, and other charges. The judge previously convicted Rev. Taour and Abdumawla and sentenced them to 10 years' imprisonment for espionage and abetting and two years' imprisonment for inciting hatred between sects and propagating false news, with the sentences to be served consecutively.

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*The Ministry of Guidance and Endowments issued decisions to allow Northern Sudanese congregants to take over the SCOC's leadership from ethnic Nubans.*

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## Application of Shari'ah Law Provisions

Religious freedom is also restricted through the implementation of the 1991 Criminal Code, the 1991 Personal Status Law of Muslims, and state-level "Public Order" laws. The 1991 Criminal Code imposes the NCP's interpretation of Shari'ah law on Muslims and non-Muslims by permitting death sentences for apostasy (article 126); death or lashing for adultery (article 146-147); cross-amputations for theft (article 171-173); prison sentences, lashings, or fines for blasphemy (article 125); lashings for undefined "offences of honor, reputation and public morality," including undefined "indecent or immoral acts" (article 151-152); and lashings and/or prison sentences for purchasing, possessing, selling, or promoting the consumption of alcohol (article 78-79). Prohibitions and related punishments for "immorality" and "indecentcy" and alcohol are implemented through state-level Public Order laws and enforcement mechanisms;

violations carry a maximum penalty of up to 40 lashes, a fine, or both. What constitutes indecent dress is not defined by law but is left to the discretion of Public Order police and judges.

Article 126 of the Criminal Code makes conversion from Islam a crime punishable by death. In February 2015, the National Assembly amended article 126 to provide that persons accused of apostasy who recant can still be punished with up to five years' imprisonment. Article 125 of the Criminal Code criminalizes blasphemy, which is defined broadly to include public criticism of the Prophet Muhammed, his household, his friends or Abu Bakr, Omer, Osman, or Ali in particular, and his wife Aisha.

The government continued to apply Shari'ah-based morality provisions from the 1991 Criminal Code and corresponding state-level Public Order laws. The vast majority of those prosecuted under the Public Order regime come from marginalized religious and ethnic communities. They are held overnight in small, crowded cells in the Public Order Court before receiving summary trials, often with no legal representation. Those convicted are flogged and/or fined up to 1,000–5,000 Sudanese pounds (\$161–\$805). Most cases concerned violations for selling or buying alcohol (article 79); fewer cases were brought forward for violations

of wearing indecent dress (article 152). Convictions routinely resulted in lashings.

## Government Promotion of Islam

Government policies and societal pressure promote conversion to Islam. The government is alleged to tolerate the use of humanitarian assistance to induce conversion to Islam. It routinely grants permits to construct and operate mosques, often with government funds, and provides Muslims preferential access to government employment and services and favored treatment in court cases against non-Muslims. The Sudanese government prohibits foreign church officials from traveling outside Khartoum and uses school textbooks that negatively stereotype non-Muslims. The Sudanese Minister of Guidance and Religious Endowments announced

*The vast majority of those prosecuted under the Public Order regime come from marginalized religious and ethnic communities.*

in 2014 that the government no longer will issue permits for the building of new churches, alleging that the current number of churches is sufficient for the Christians remaining in Sudan after South Sudan's 2011 secession. While Sudanese labor laws require employers to give Christian employees two hours off prior to 10 a.m. on Sundays for religious purposes, this does not occur in practice. The International Labor Organization reports that Christians are pressured to deny their faith or convert to gain employment.

## U.S. POLICY

The United States remains a pivotal international actor in Sudan and uses multilateral and bilateral efforts to seek an end to the country's conflicts.

On January 13, 2017, then President Barack Obama signed Executive Order 13761 issuing a general waiver to sanctions against Sudan to increase trade and investment opportunities. The order stated that if, during a six-month period ending July 12, the Sudanese government sustained progress to end conflict in Darfur and Blue Nile and Southern Kordofan states, increased access to humanitarian assistance in those areas, ended its support for the Lord's Resistance Army and rebel groups in South Sudan, and supported American intelligence efforts, the

U.S. government would fully lift the sanctions imposed on Sudan under Executive Orders 13067 and 13412. USCIRF and human rights groups criticized the U.S. government for not including religious freedom and human rights benchmarks in the sanctions removal path. On October 6, the Trump Administration decided to permanently lift trade and economic sanctions on Sudan. Sanctions imposed because of the Sudanese government's genocide in Darfur continue, as do the prohibition on the sale of military equipment and asset freezes and travel bans on targeted militia and rebel leaders.

In 2017, U.S. officials publicly and privately denounced religious freedom violations and engaged their Sudanese counterparts on the need to respect freedom of religion or belief. U.S. officials also stated that they wanted to increase efforts to encourage religious freedom and human rights reforms in Sudan. Deputy Secretary of State John Sullivan and U.S. Agency for International Development (USAID) Administrator Mark Green both publicly raised religious freedom concerns during their trips to Sudan in November and August, respectively. In a speech at the Al-Neelain Mosque in Khartoum, Deputy Secretary Sullivan stated that a goal of his trip was to make clear that protection and promotion of religious freedom in Sudan is a critical component of the U.S.-Sudanese relationship.

As part of the Trump Administration's policy to promote religious freedom in Sudan, U.S. officials presented Sudanese officials with an Action Plan on religious freedom reforms. Specific recommendations in the plan include reforms to Sudanese laws, ceasing discriminatory practices against non-Muslims, and enhancing compliance with international human rights standards. The Sudanese government had not responded by the end of the reporting period. Deputy Secretary of State Sullivan made a public reference to the Action Plan during his November visit. In 2015, then U.S. Ambassador-at-Large for International Religious Freedom David Saperstein presented the same Action Plan, but the Sudanese government did not respond.

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*. . . U.S. officials presented Sudanese officials with an Action Plan on religious freedom reforms.*

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The U.S. government last redesignated Sudan as a CPC in December 2017 and implemented a corresponding presidential action restricting specified assistance to the Sudanese government as set forth in section 7042(j) of the Department of State, Foreign Operations,

and Related Programs Appropriations Act, 2016. That provision restricts assistance, as well as modifications to loans and loan guarantees, but does not apply to humanitarian assistance,

democracy programs, assistance for the Darfur region, Southern Kordofan State, Blue Nile State and other marginalized areas in Sudan and Abyei, or assistance to support implementation of issues in the Comprehensive Peace Agreement or "any other internationally recognized viable peace agreement in Sudan."

Neither the United States nor Sudan has appointed an ambassador to each other's country since the late 1990s, after the U.S. Embassy bombings in East Africa and U.S. airstrikes against al-Qaeda sites in Khartoum. Past U.S. administrations have appointed special envoys to Sudan and South Sudan; however, then Secretary of State Rex Tillerson's proposed department-wide reorganization plan would eliminate this position.



### KEY FINDINGS

In 2017, religious freedom conditions, as well as human rights, remained dire in Syria. For most of the year, the Islamic State of Iraq and Syria (ISIS) continued to carry out mass executions, attack civilian populations, and kidnap religious minorities. By year's end, the Global Coalition to Defeat ISIS largely had defeated the group in Raqqa and Deir-ez-Zor. The Syrian government continued to target and depopulate Sunni Muslim-dominated areas. The year also saw a massive spike in the involvement of the Syrian Local Defense Forces (LDF)—militias backed and funded by Iran and integrated into the Syrian Armed Forces—in sectarian violence targeting Sunni Muslims. Allies of the Syrian regime, including foreign Shi'a fighters recruited by the Iranian Revolutionary Guard Corp (IRGC) from Afghanistan, Pakistan, Iraq, and Lebanon, also carried out sectarian attacks. Areas held by the armed opposition continued to

vary in levels of restriction of religious freedom. In northeastern Syria, Christians living in the Kurdish-held Autonomous Administration complained of increased interference in private Christian schools and confiscation of property. Armed Islamist opposition groups in northern Syria, including the al-Qaeda affiliated Hay'at Tahrir al-Sham (HTS), attacked Shi'a pilgrims and harassed those opposed to their strict Islamic rules. Due to the collective actions of the Assad regime, elements of the armed opposition, and U.S.-designated terrorist groups, USCIRF again finds in 2018 that Syria merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA), as it has found since 2014. USCIRF also finds that, based on conditions in 2017, ISIS merits designation as an "entity of particular concern" (EPC) for religious freedom violations under December 2016 amendments to IRFA.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Designate Syria as a CPC under IRFA;
- Designate ISIS as an EPC under IRFA, as amended by the Frank R. Wolf International Religious Freedom Act of 2016, for its control of territory and conduct in 2017;
- Condemn the Assad regime's crimes against humanity and brutal persecution of Sunni Muslims and others, and urge other nations to do the same;
- Urge the United Nations (UN) Security Council and its member states to rigorously implement and comply with ratified resolutions, including UN Security Council resolutions [2118](#), [2139](#), [2165](#), [2209](#), and [2254](#);
- Continue to support international efforts to investigate and collect evidence of gross human rights abuses during the conflict, including the UN Human Rights Council-mandated [Independent International Commission of Inquiry](#) (COI) and the UN General Assembly-mandated [International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes in Syria](#) (IIIM);
- Use targeted tools against specific officials and agencies identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the "specially designated nationals" list maintained by the U.S. Department of the Treasury's Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the [Global Magnitsky Human Rights Accountability Act](#), and asset freezes under the Global Magnitsky Act;
- Encourage the Global Coalition to Defeat ISIS, 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 and providing longer-term support in host countries for those who hope to return to their homes post-conflict;
- Initiate an effort among relevant UN agencies, nongovernmental organizations (NGOs), and like-minded partners among the Global Coalition to Defeat ISIS to fund and develop programs that bolster intra- and interreligious tolerance, alleviate sectarian tensions, and promote respect for religious freedom and related rights, both in neighboring countries and in preparing for a post-conflict Syria; and
- Continue the resettlement of Syrian refugees to the United States—subject to proper vetting—with priority being given to victims of ISIS and vulnerable religious minority communities.

The U.S. Congress should:

- Pass [H.R. 390](#), the Iraq and Syria Genocide Emergency Relief and Accountability Act of 2017; [S. 1158](#), the Elie Wiesel Genocide and Atrocities Prevention Act of 2017; and [S. 905](#), the Syrian War Crimes Accountability Act, to help prevent, mitigate, and respond to genocide, crimes against humanity, and war crimes in Syria; and
- Pass [H.R. 4238](#), the Iranian Proxies Terrorist Sanctions Act of 2017, which imposes terrorism-related sanctions on two Iranian-controlled militias, As-Saib Ahl Al-Haq and Harakat Hizballah Al-Nujaba, that have carried out sectarian crimes in Syria.

## COUNTRY FACTS

### FULL NAME

Syrian Arab Republic

### GOVERNMENT

Presidential Republic, highly authoritarian regime

### POPULATION

18,028,549 (July 2017 estimate)

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam (Sunni/Shi'a), Christianity, Judaism, and Druz

### RELIGIOUS DEMOGRAPHY\*

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

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

3% Druze

>1% Jewish (few remaining in Damascus and Aleppo)

\*CIA World Factbook

## BACKGROUND

The Assad family has ruled over Syria for more than 50 years. Following the death of his father, Bashar al-Assad became president in 2000. The Assads are from the Alawite community, an offshoot of Shi'a Islam and a minority group that makes up about 13 percent of Syria's population. Since the Assad family's ascent to power, loyal Alawites have been placed in the government, including in senior security, intelligence, and military positions. Although to consolidate their power the Alawi-dominated government did forge ties with prominent Sunni Muslim families, most of the population lived alongside coreligionists, often distrusting members of other religious groups. As a result, when civil uprising and anti-government demonstrations began in 2011, it did not take long for built-up historical sectarian tensions to emerge.

Shortly after the demonstrations started, the government released from the infamous Sadnaya Prison around 200 prisoners previously designated as "Islamic fundamentalists." Many went on to become leaders of ISIS and the al-Qaeda affiliated HTS. President Assad and his regime played on historical sectarian fears, repeatedly stating the government was fighting

"extreme Islamist factions" that were acting to increase sectarian tensions. Religious minority communities, including Druze, Ismailis, Christians, and Alawis, began to perceive President Assad as the only entity capable of shielding them from Sunni extremists.

The year 2017 saw the following major developments in the Syria conflict: (1) the evacuation of Aleppo, the last major city under armed opposition control; (2) an agreement to create "de-escalation zones" by Iran,

Russia, and Turkey; (3) the liberation of Raqqa and Deir-ez-Zor from ISIS by the Global Coalition; and (4) an attack on Idlib by Syrian-, Russian-, and Iranian-backed forces, in addition to a strict siege on the Damascus suburb

of al-Ghouta, both areas purportedly covered by the "de-escalation zone" agreement. The dynamics of the conflict also changed dramatically after eastern Aleppo City fell to the Syrian Armed Forces and their Iranian allies. Almost immediately, the number of Syrian fighters registered with Iranian-backed militias significantly increased. Since the spring of 2017, LDF units, supported by Iran, have recruited almost 90,000 local Syrian troops. In April 2017, the Syrian parliament passed

*Shortly after the demonstrations started, the government released from the infamous Sadnaya Prison around 200 prisoners previously designated as "Islamic fundamentalists."*



legislation formally integrating the LDF into the register of the Syrian Armed Forces. LDF militias report directly to IRGC and/or Hezbollah commanders, and use highly sectarian Shi'a flags and imagery.

As of the end of 2017, ISIS largely had been defeated in Syria. In late 2017, the terrorist organization lost its capital of Raqqa City, as well as its territory in Deir-ez-Zor Province; the group fled to the Hama countryside and other desert areas. The Global Coalition killed many ISIS members in combat. Others fled Syria, some going to the Sinai Peninsula.

The humanitarian consequences of nearly seven years of conflict have been grave. According to the UN, by the end of the reporting period there were almost six million Syrian refugees, as well as more than 6.3 million internally displaced persons (IDPs); total deaths exceeded 470,000. According to the Syrian Network for Human Rights, 10,204 civilians were killed in 2017 alone, including 4,148 by the Syrian regime, 1,436 by Russian forces, 316 by the Kurdish-dominated Autonomous Administration, 25 by HTS, and 186 by various factions of the armed opposition. The Syrian Network for Human Rights also documented a total of 898 attacks on vital civilian facilities during the year, including 431 by the Syrian regime, 239 by Russian forces, 29 by ISIS, nine by HTS, and 182 by other entities. Of the total, 182 were on houses of worship, perpetrated by various armed actors.

## RELIGIOUS FREEDOM CONDITIONS 2017

### Violations by the Assad Regime and Affiliated Groups

In 2017, the Alawite-led Syrian government continued to attack majority-Sunni populations in opposition-held territories. Of the total civilian death toll in Syria, the UN-created COI found that Sunni Muslims accounted for the majority of civilian casualties and detainees, and that the Syrian government used sieges of Sunni-majority opposition areas as weapons of war. For example, the COI documented that Hezbollah and government forces encircled the Sunni-majority town of Madaya from July 2015 until April 2017, forcing residents to resort to “eating

grass, leaves, and cats, which religious leaders were forced to officially sanction as religiously permissible.” The government continued to prohibit Sunni Muslims from communicating with foreign coreligionists, although it allowed members of other religions, such as Christians, to do so. The government continued to prohibit any communication between the Jewish community and Jews living in Israel.

In addition, Shi'a foreign fighters, primarily recruited by the IRGC from Afghanistan, Pakistan, Iraq, and Lebanon, were relocated to fight alongside the LDF and Syrian Armed Forces. Although the exact numbers of foreign fighters are unknown, at least 2,000 Afghans reportedly have been killed, and another 8,000 injured, while fighting in Syria as part of the Fatemi-youn division; many reportedly were under the age of 14. Most of the Afghan foreign fighters were refugees in Iran promised citizenship in exchange for registering

to fight in Syria, where they were told they would defend Shi'a shrines in Damascus. Instead, they were used to fight elsewhere, including against ISIS in Deir-ez-Zor and against HTS in Idlib, while Hezbollah and IRGC fighters watched over the shrines. Because of Shi'a

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foreign fighter recruitment in countries such as Afghanistan and Pakistan, Sunni communities have launched attacks on Shi'a communities in those countries, an indicator that the Syrian conflict is exacerbating Sunni-Shi'a tensions elsewhere. As-Saib Ahl Al-Haq and Harakat Hizballah Al-Nujaba, two militia groups controlled by IRGC Commander Qassem Soleimani, also were identified as having committed sectarian crimes, including raping, attacking, and abducting Sunni Muslims in Syria. They fought in the battles to retake Aleppo City and Deir-ez-Zor on behalf of the Syrian regime.

The aftermath of the fall of Aleppo also highlights the forced displacement and depopulation of Sunni-majority areas—such as the suburbs of Damascus and eastern Syria's Deir-ez-Zor Province—and their repopulation with Iraqi, Lebanese, and Iranian Shi'a militias and their families. According to analysts, this follows

a pattern Iran has implemented in other countries, including Afghanistan, of relocating Shi'a Muslims to strategic areas. In Syria, this was most visible in formerly Sunni Muslim areas in the Damascus suburbs, Homs, and Deir-ez-Zor. Christians in Damascus's oldest Christian neighborhoods, such as Bab Tuma and Bab Sharqi, also reported pressure to sell their property to private Iranian businessmen helping to execute this depopulation scheme. According to human rights organizations, Sunni Muslims and Christians who lived in Qusayr, a village in the Homs countryside, were denied entry to return to their homes. After the reporting period, in January 2018, the Assad regime agreed to open in all Syrian cities branches of the Iranian Islamic Azad University, which is closely affiliated with the IRGC.

Ismailis and Druze continued to complain of pressure from the Syrian government to serve in the Syrian Armed Forces. Because the two communities live in areas relatively segregated from other religious groups, they have been easy targets for all armed groups, including the Syrian regime. The government has jailed or kidnapped men from the two communities who resisted the Syrian government's demand that males aged 18 to 42 be conscripted into the army. As a result, most men in this age group have fled the country.

### Violations by ISIS

The Global Coalition and the U.S.-backed, largely Kurdish Syrian Democratic Forces (SDF) liberated numerous prisons, but ISIS had emptied most before their defeat. SDF forces found 100 prisoners still alive in Abu Hamam Prison in the Deir-ez-Zor countryside. However, many religious minority prisoners remain missing. Twenty-five Christian prisoners held by ISIS have yet to be released, and their whereabouts remain unclear. Additionally, the liberation of ISIS-held territory in 2017 highlights the continued disappearance of some of Syria's most prominent Christian leaders, including Italian Jesuit priest Father Paolo Dall'Oglio, Syriac Orthodox Archbishop of Aleppo Mar Gregorios Yohanna Ibrahim, Greek Orthodox Archbishop of

Aleppo Paul Yazigi, Armenian Catholic priest Father Michel Kayyal, and Greek Orthodox priest Father Maher Mahfouz, among others.

Throughout the year, ISIS continued its attacks on civilians. In May, ISIS fighters launched attacks on Aqarib al-Safiyah and al-Manboujah, both villages in Hama Province predominantly inhabited by Ismailis, a minority Shi'a Muslim group. The attack on the two villages resulted in the deaths of 52 people. Survivors reported that ISIS fighters verbally harassed them for their religious beliefs. In October, the group seized a bus full of Druze travelers in Hama en route from Damascus to Idlib. The group initially took the 50 people as hostages and shortly thereafter released all but two, who were likely killed.

In late October, in al-Qaryatan, Homs, a historically Christian-dominated city, ISIS executed 116 people

*In late October, in al-Qaryatan, Homs, a historically Christian-dominated city, ISIS executed 116 people within a span of 20 days prior to the city's recapture by Syrian regime forces.*

within a span of 20 days prior to the city's recapture by Syrian regime forces. The city, home to 2,000 Christians before the advent of ISIS, had only a few hundred Christians by the time ISIS took control in 2015, as many

had fled in anticipation and out of fear of the group's pending arrival. When the group first entered the town of al-Qaryatan, it took 200 Christians hostage until they agreed to pay a *jizya* (tax) in order to remain in the city.

### Armed Opposition Groups

Areas under the control of the armed opposition do not have formal or consistent policies toward Christians or non-Sunni Muslims. In 2017, the Syrian government, along with its Russian and Iranian allies, recaptured much of the territory formerly under the control of the Syrian opposition, leaving fewer areas under their governance. As a result, the armed opposition perpetrated fewer incidents of religious freedom violations than in previous years. That being said, all armed groups continued to commit human rights violations in the areas they continued to control.

For example, the small Druze community living in areas occupied first by ISIS and then by HTS was forced to convert to Sunni Islam in 2015 and remained unable

to freely exercise their religious practices or return to their Druze traditions in 2017.

The COI also reported that in March, HTS claimed responsibility for two explosions in the parking lot of the Bab al-Saghir cemetery, a well-known Shi'a pilgrimage site, that killed 44 civilians and injured another 120, the majority of whom were Shi'a pilgrims. The COI also reported a bombing in the Aleppo City suburb of al-Rashidin, predominately targeting Shi'a evacuees from Fu'ah and Kafriya who were picking up deliveries of food, that killed at least 95 people, including 68 children, and injured another 276. Bystanders chanted sectarian insults as the attack took place. No specific armed group took responsibility.

Additionally, armed groups kidnapped prisoners they viewed as valuable to force prisoner exchanges with the government or other armed groups for ransom. As of September, up to 100 men from the Damascus suburb of Adra al-Omaliyah belonging to religious minority groups remained in captivity as hostages.

### Kurdish Autonomous Administration

Religious and ethnic minority communities and non-Kurds have complained of human rights abuses by the Kurdish-majority Autonomous Administration (AA), which controls 30 percent of a de facto autonomous area in northeastern Syria. According to the Assyrian Monitor for Human Rights, non-Kurdish communities in this area reported forced demographic changes, including the displacement of Armenian and Assyrian Christians and Sunni Arab Muslims and their replacement by Kurds, and the imposition of Kurdish language and culture in some areas. The Assyrian Human Rights Monitor also reported increasing pressure on Christian private schools in al-Hasakeh Province to teach the Kurdish language, hire Kurdish teachers, and modify their curriculum—including incorporating lessons about Abdallah Ocalan, leader of the U.S.-designated terrorist organization the Kurdistan Worker's Party (PKK)—or be shut down. Christian community leaders also informed USCIRF that Kurdish authorities appropriated homes that had been

abandoned due to fighting. In late 2017, a new AA regulation ordered abandoned Christian homes in the city of Tabqa, Raqqa Province, to be appropriated for Kurdish families if their owners had not yet returned. Christian and Sunni Muslim minorities also accused the largely Kurdish SDF of working with the AA to sideline, discriminate against, and at times even attack non-Kurdish populations.

### U.S. POLICY

In 2017, the first priority of U.S. policy in Syria was the destruction of ISIS. The Global Coalition to Defeat ISIS, increasingly assisted by the U.S.-backed Syrian Defense Forces, achieved notable success on that front, freeing approximately 3.2 million Syrians from ISIS control. After the reporting period, in January 2018, then Secretary of State Rex Tillerson articulated five priorities for the United States with regard to Syria: (1) preventing both ISIS- and al-Qaeda-affiliated groups, such as HTS, from regaining power or carrying out attacks on American citizens at home or abroad or on U.S. allies; (2) remaining committed to resolving the crisis through a UN-led political process prescribed in [UN Security Council Resolution 2254](#), including transparent and free elections under a stable, unified, independent post-Assad Syria; (3) diminishing Iranian influence in Syria; (4) facilitating the safe and voluntary return of Syrian refugees and IDPs to their homes; and (5) ensuring that Syria is free of weapons of mass destruction.

In December 2017, Secretary of Defense James Mattis stated that in order to ensure the stabilization of Syria and

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to prevent the reemergence of ISIS, U.S. military presence in the country will likely last between 18 months and two years. According to the U.S. Department of Defense, as of December 2017 there were approximately 2,000 U.S. troops deployed in

Syria. The United States continues to support both the Geneva peace process led by UN Special Envoy Staffan de Mistura and the mandate of the COI. The United States does not play an organizing role in either the Astana or Sochi conferences, two other conferences that are supported by Russia, Iran, Turkey, and other regional allies.

Throughout the Syrian conflict, the United States continued to be the largest humanitarian donor to the Syrian crisis. At the end of the reporting period, the U.S. Agency for International Development (USAID) estimated that 13.1 million Syrians remained in need of humanitarian assistance, including 6.3 million IDPs and six million refugees in neighboring countries. Total U.S. assistance since 2012 has exceeded \$7,482,000,000. U.S. funding supported humanitarian programs, including agriculture and food safety, health, nutrition, and protection programs, as well as emergency food assistance.

The U.S. Department of State supported civil society and media programming in opposition-held areas. The United States also has consistently supported international efforts to investigate and collect evidence of gross human rights abuses during the conflict, including the UN Human Rights Council-mandated Independent International Commission of Inquiry (COI) and the UN

General Assembly-mandated International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes in Syria (IIIM). Several other international initiatives also focused on accountability for atrocities, including the Commission for International Justice and Accountability as well as the Syrian Justice and Accountability Center.

In 2017, the U.S. Congress was considering two companion bills focusing on Iraq and Syria. Both [S. 1158](#), the Elie Wiesel Genocide and Atrocities Prevention Act of 2017, introduced in May 2017, and [H.R. 390](#), the Iraq and Syria Genocide Emergency Relief and Accountability Act of 2017, introduced in January 2017, focus on stabilization and peace-building in Iraq and Syria. S. 1158 would direct the secretary of state to establish a mass atrocities task force within the State Department, with the mandate of strengthening the department's efforts at atrocity prevention and response and coordinating the interagency processes on these issues. H.R. 390 would authorize the secretary of state and the USAID administrator to provide assistance to support the efforts of entities, including NGOs, to undertake activities to address ISIS-committed genocide, crimes against humanity, and war crimes in Iraq and Syria, including

conducting criminal investigations and collecting and preserving evidence. The bill also would authorize the secretary of state and USAID administrator to provide assistance to entities they determine can effectively manage and deliver humanitarian, stabilization, or recovery assistance to members of Iraqi and Syrian religious or ethnic minorities that have been subjected to ISIS genocide, crimes against humanity, or war crimes, or are otherwise persecuted groups.

Additionally, [S. 905](#), the Syrian War Crimes Accountability Act, was introduced in June 2017. The bill would require a report on—and authorize technical assistance for—accountability for war crimes, crimes against humanity, and genocide in Syria. In

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*Then Secretary of State Tillerson stated in August that "ISIS is clearly responsible for genocide against Yezidis, Christians, and Shia Muslims in areas it controls or has controlled."*

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addition, [H.R. 4238](#), the Iranian Proxies Terrorist Sanctions Act of 2017, introduced in November 2017, would impose terrorism-related sanctions on two of the most nefarious Iranian-controlled mili-

tias in Iraq and Syria: As-Saib Ahl Al-Haq and Harakat Hizballah Al-Nujaba, which have carried out sectarian crimes throughout Syria.

Then Secretary of State Tillerson stated in August that "ISIS is clearly responsible for genocide against Yezidis, Christians, and Shia Muslims in areas it controls or has controlled. ISIS is also responsible for crimes against humanity and ethnic cleansing directed at these same groups, and in some cases against Sunni Muslims, Kurds, and other minorities. . . . The protection of these groups—and others subject to violent extremism—is a human rights priority for the Trump administration." He and other senior U.S. officials reiterated this priority throughout 2017. During the year, former U.S. Special Envoy for Syria Michael Ratney and other officials met with Syrians from diverse religious backgrounds, including members of the Orthodox Christian, Sunni, Druze, and Alawite communities, to discuss assistance to vulnerable populations.

### KEY FINDINGS

In 2017, amid a tightening of control over Tajikistan by President Emomali Rakhmon and his family, the Tajik government continued to suppress displays of public religiosity as well as persecute minority communities. Persons sentenced to prison included alleged Salafists, a Jehovah's Witness conscientious objector, and a Protestant pastor. Authorities pursued a crackdown on various attributes of faith, going so far as to impose restrictions on wedding and funerary banquets and requiring a license to grow a beard. Higher Islamic religious education was all but throttled and attempts were made to curb participation in Ramadan observance. Symbolizing its monopoly of

the political space, the government continued to torment an imprisoned lawyer who represented members of the banned Islamic Renaissance Party of Tajikistan (IRPT), as well as family members of the lawyer and of other IRPT members; the party's legal existence was part of the country's post-civil war peace treaty. Based on these concerns, as it has since 2012, USCIRF again finds in 2018 that Tajikistan merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). The U.S. State Department designated Tajikistan as a CPC for the first time in February 2016 and did so again most recently in December 2017.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Continue to designate Tajikistan as a CPC under IRFA;
- Lift the waiver on taking an action as a consequence of the CPC designation and negotiate a binding agreement with the government of Tajikistan, under section 405(c) of IRFA, to achieve specific and meaningful reforms, with benchmarks that include major legal reform, an end to police raids, prisoner releases, and greater access to foreign coreligionists; should an agreement not be reached, impose sanctions, as stipulated in IRFA;
- Condition U.S. assistance to the Tajik government, with the exception of aid to improve humanitarian conditions and advance human rights, on the government establishing and implementing a timetable of specific steps to reform the 2009 religion law and improve conditions of freedom of religion or belief;
- Use targeted tools against specific officials and agencies identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the "specially designated nationals" list maintained by the U.S. Department of the Treasury's Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the Global Magnitsky Human Rights Accountability Act, and asset freezes under the Global Magnitsky Act;
- Work with the international community, particularly during Organization for Security and Cooperation in Europe (OSCE) events on countering terrorism, to include private and public criticism of Tajikistan's approach to regulating religion and countering extremism, which risks radicalizing the country's population;
- Urge the Tajik government to permit visits by the United Nations (UN) Special Rapporteurs on freedom of religion or belief, the independence of the judiciary, and torture; set specific visit dates; and provide the full and necessary conditions for such visits;
- Press for at the highest levels and work to secure the immediate release of individuals imprisoned for their peaceful religious activities or religious affiliations and press the Tajik government to treat prisoners humanely and allow them access to family, human rights monitors, adequate medical care, and lawyers, and the ability to practice their faith;
- Ensure that the U.S. Embassy, including at the ambassadorial level, maintains appropriate contacts with human rights activists and religious leaders;
- Ensure continued U.S. funding for Radio Ozodi so that uncensored information about events inside Tajikistan, including those related to religious freedom, continues to be disseminated; and
- Ensure that INTERPOL implements announced reforms to more effectively process complaints about the misuse of international arrest and extradition requests, known as "red notices," to pursue political and religious dissidents.



## COUNTRY FACTS

### FULL NAME

Republic of Tajikistan

### GOVERNMENT

Presidential Republic

### POPULATION

8,400,000

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam and Christianity (Orthodox, Catholic, and Protestant)

### RELIGIOUS DEMOGRAPHY\*

90% Muslim (86% Sunni and 4% Shi'a)

10% Other (including Russian Orthodox, Protestants, Catholics, Jehovah's Witnesses, Buddhists, Jews, and Baha'is)

\*U.S. Department of State

## BACKGROUND

Tajikistan is an isolated and impoverished country, ruled since 1992 by President Rakhmon, who has concentrated power in the hands of his family; in January 2017, President Rakhmon appointed his son to be mayor of the capital city. In the 1990s, Tajikistan experienced a five-year civil war that resulted in over 100,000 deaths; the post-war amnesty included many Tajik officials responsible for torture. The government is weak and highly corrupt, and 40 percent of the country's gross domestic product is from labor remittances, mostly from Russia.

Tajikistan's legal environment for freedom of religion or belief sharply declined after several highly restrictive laws were adopted in 2009. The 2009 religion law sets onerous registration requirements; criminalizes unregistered religious activity and private religious education and proselytism; sets strict limits on the number and size of mosques; allows state interference with the appointment of imams and the content of sermons; requires official permission for religious organizations to provide religious instruction and communicate with foreign coreligionists; and imposes state controls on the content, publication, and import of religious materials. Small Protestant and other groups cannot obtain legal status under the burdensome registration requirements. Jehovah's Witnesses were banned in 2007 for

allegedly causing "discontent" and for conscientious objection to military service.

In 2011 and 2012, administrative and penal code amendments set new penalties, including large fines and prison terms for religion-related charges such as organizing or participating in "unapproved" religious meetings. Alleged organizers of a "religious extremist study group" face eight- to 12-year prison terms. A 2011 law on parental responsibility bans minors from any organized religious activity except funerals. Tajikistan's extremism law punishes extremist, terrorist, or revolutionary activities without requiring acts that involve violence or incitement of imminent violence. Trials under these charges lack due process and procedural safeguards. The Tajik government uses concerns over Islamist extremism to justify actions against participants in certain religious or political activities. Although the existence of the IRPT—the former Soviet Union's only legal Islamic political party—was a condition of the post-civil war peace treaty, in September 2015 the Tajik government banned the IRPT as an extremist group. The government's suppression of the IRPT is intertwined with its repression of Islamic religious practices; the group had called for respecting Tajikistan's secular constitution and international religious freedom commitments, and opposed restrictions on beards, headscarves, and children attending mosques.



## RELIGIOUS FREEDOM CONDITIONS 2017

### Trials and Imprisonment of Muslims

In 2017, the bulk of the Tajik government’s judicial persecution appeared to target adherents—both real and suspected—of Salafist Islam. Salafism has been banned as an “extremist movement” in Tajikistan since 2009, and as such the mere performance of Islamic rituals in the manner preferred by Salafists is tantamount to criminal activity. No advocacy of, preparation for, or commission of violence is necessary for Salafists to be sentenced to multiyear prison terms. In 2017, at least 20 men reportedly were sentenced to prison terms of between five and five and a half years on charges of being Salafists. In December 2017, for example, three men from the city of Khujand—Mukhiddin Mirzoev, Khairullo Ismoilov, and Khasan Dzhabborov—were each sentenced to five years in prison for praying in the Salafist way; another three men were each sentenced to six months in prison for failing to notify the authorities that the defendants prayed in an “unusual fashion.”

Due to Tajikistan’s flawed judicial system, it is almost impossible to ascertain the accuracy of such charges.

Among those arrested for alleged Salafism in 2017 was Dr. Abdumalik Salomov, a cardiac surgeon who had spent ten years working in Russia at a Russian Ministry of Defense Hospital but returned to Tajikistan in 2015

to help with the country’s grave shortage of medical specialists. Although Dr. Salomov did not have any outward attributes associated with the Salafist movement—he did not wear a beard, and his wife, also a doctor, did not cover her hair, according to the independent Asia-Plus news agency—he was sentenced to five and a half years in prison in November 2017, as were two of his friends. While Radio Ozodi reported that Dr. Salomov had taken part in communal meals organized by local Salafists, Forum 18 reported that his arrest may have been retaliation for the failure of his brothers to pay bribes to the local security authorities.

The arbitrary way in which Tajik authorities apply the term “Salafist” was also in evidence in November 2017, when a local official in the town of Choriakkoron

was caught on camera berating visitors to an “unofficial” mosque and threatening to have them all declared as Salafists. Although the official later made a public apology, the mosque was ultimately shuttered.

### Persecution of the IRPT

Since the IRPT was banned in 2015, some 150 actual or suspected members have been arrested and at least 1,000 are reported to have fled the country; the Tajik government presses for their extradition, particularly through INTERPOL “red notices” (an alert that an individual is the subject of an arrest warrant in a member country). IRPT Chair Muhiddin Kabiri—who was granted political asylum in an unidentified Western European country—asserts that the extremism charges against his party are false and politically motivated. In June 2016, deputy IRPT leaders Saidumar Hussaini and Mahmatali Khait received life terms in prison, while 11 others received sentences as long as 28 years. The U.S. Embassy in Tajikistan publicly expressed due process and human rights concerns about the trials. In October 2016, the U.S. Embassy noted similar concerns over the trial of IRPT defense attorneys Buzurgmehr Yorov and

Nuriddin Makhkamov, who were sentenced to prison terms of 23 and 21 years, respectively.

In 2017, the government continued to punish Yorov for his outspokenness; in March 2017, an additional five years were added

to his sentence for contempt of court and “insulting the president of the nation.” That same month, Yorov’s defense attorney fled to Germany, followed by Yorov’s brother in May 2017. In August 2017, Yorov’s wife reported that the government had moved to confiscate her store. In October 2017, Radio Ozodi reported that Yorov had been placed in a punishment cell for 15 days and tortured for criticizing prison conditions.

In July 2017, Radio Ozodi and Asia-Plus reported that Tajik authorities had interrogated the family members of at least ten exiled IRPT members after the IRPT held a conference in Germany. The Tajik Minister of the Interior subsequently denied that these interrogations amounted to intimidation.

*Due to Tajikistan’s flawed judicial system, it is almost impossible to ascertain the accuracy of such charges.*

## Restrictions on Muslims

The government of Tajikistan meticulously controls Islamic religious practice, seeking to regulate even small details of who may express religious belief, at what age, when, where, and how. The religion law restricts Muslim prayer to four locations: mosques, homes, cemeteries, and shrines. The official State Committee on Religious Affairs (SCRA) controls the selection and retention of imams and the content of their sermons. The government pays the salaries of imams of cathedral mosques, which are the only mosques where the state allows sermons (prepared by the semi-official Council of Ulema).

In 2017, government campaigns targeted dress, grooming, and public celebrations. The signal for the start of these campaigns appeared to be an event in July 2017 commemorating the 10th anniversary of the law “On Regulation of Traditions, Celebrations, and Rituals.” Speaking at the event, President Rakhmon emphasized the “foreign” nature of conservative Islamic dress and praised the Traditions Law as having saved Tajik citizens from excessive expenditures on celebrations, calling for further amendments to the law. The next month, the government passed a series of amendments to the Traditions Law regulating the observance of a wide variety of rituals related to marriage, burial, and childbirth, as well as Islamic dress. Many prohibitions govern the banquets or communal meals traditionally offered to friends, family, and neighbors at life events such as weddings or Tajik-specific milestones like the placing of a newborn in its cradle for the first time; the prohibitions altogether ban their celebration or limit the number of guests, amount of food served, animal slaughter, and length of dining tables, as well as other services like professional wailers or masters of ceremony.

Continuing in this vein of suppression of public religiosity, in June 2017, during the Islamic holiday of Eid al-Fitr—which fell on a Monday—all state employees were required to show up for work, even though by law the day is a holiday. The state-run Ulema Council even declared that Idgardak—the local Eid al-Fitr tradition of children collecting candy from neighbors—was un-Islamic. In August 2017 the government refused to reschedule the annual

“Day of Knowledge”—the opening of the official school year—even though it coincided with the first day of Eid al-Adha (known as Idi Kurbon in Tajikistan), one of the most important holidays in the Islamic calendar. Instead, students and teachers were required to report to school. Forum 18 reported that the streets of the capital, normally full of people celebrating, were empty, and residents were afraid to be seen celebrating. Likewise, returnees from the pilgrimage to Mecca—now limited to persons over the age of 40—were informed that they were forbidden from engaging in communal celebration of their accomplishment.

The new article 14, part 4 of the Traditions Law also provided some legal basis for previous, ongoing campaigns of harassment against women wearing hijabs, obliging all citizens to wear “national dress.” In the first two weeks of August alone, authorities in Dushanbe reported having conducted “prophylactic” discussions about the hijab with 8,000 women. Throughout the year, news agencies reported that women around the country were approached by teams of police officers and municipal workers who demanded that they retie their headscarves so that their necks were exposed. Those who refused were detained and required to write an explanation at the local police station, while some reported being fined. However, because the article on national dress does not provide a specific penalty for noncompliance, the General Prosecutor’s Office was compelled to publicly state that fines were in fact unlawful. Likewise, men’s beards continued to be the subject of police attention following a countrywide campaign of compulsory shaving in 2016. In October 2017, Radio Ozodi reported that three members of an acting troupe in the city of Kanibadam actually obtained a license to grow beards for their roles after being repeatedly stopped by police officers.

A state license is required for religious instruction, and both parents must give written permission for students to attend. Only central mosques may set up educational groups; however, the Ministry of Education has not issued any of the necessary licenses. Since a series of closures in 2016, no madrassahs for teaching 16- to 18-year-olds are allowed to operate in Tajikistan, Forum 18 noted. In January 2017, Asia-Plus reported that

*A state license is required for religious instruction, and both parents must give permission for students to attend.*

the number of applicants to the country's last remaining institution of Islamic higher education, the Islamic Institute, had fallen by almost half. Although the Institute's rector refused to speculate on why applications had declined so sharply, it is likely because of government pressure.

### Mistreatment of Christians

As is the case in many other states of the former Soviet Union, the Tajik government is deeply suspicious of Christian minority groups, especially those engaged in proselytism. While persecution is usually confined to raids, fines, and temporary detention, Christians are not exempt from longer terms of imprisonment. In July 2017, Bakhrom Kholmatov, the ethnic Korean pastor of the Sunmin Sunbogym church in the city of Khujand, was sentenced to three years in prison on charges of extremism for leading worship services. Kholmatov was arrested in April 2017 after police raided his church. According to Forum 18, the April raid occurred after government authorities had already succeeded in closing down a satellite church in the town of Konibodom in February and firing several parishioners from their jobs. Law enforcement authorities claimed to have found evidence of extremism in Kholmatov's church's songbooks, as well as in a copy of *More Than a Carpenter*, the 40-year-old Christian bestseller by American author Josh McDowell.

As with the Muslim community, the Tajik government is deeply fearful of religious education of children. In October 2017, the authorities raided the River of Life Protestant Church in Dushanbe, surveilling its activities by videotaping the church services as well as children's activities; one parishioner was later fined for possessing a Russian-language religious text printed from the internet. In April 2017, Forum 18 reported that two kindergartens in Dushanbe were closed for employing Christians.

### Imprisonment of Conscientious Objectors

Tajikistan provides no exemptions for conscientious objection. In October 2017, a Jehovah's Witness conscript to the Tajik armed forces, Daniil Islamov, was sentenced to six months in jail for refusing military service. That

same month, the UN Working Group on Arbitrary Detention called for Islamov's release.

### U.S. POLICY

Tajikistan is strategically important for the United States, partly because Tajiks are the second-largest ethnic group in Afghanistan, the country's southern neighbor. Since 2010, the United States has expanded cooperation with Central Asian states, including Tajikistan, to ship cargo overland via the Northern Distribution Network as U.S. and North Atlantic Treaty Organization (NATO) troops in Afghanistan continue to withdraw. Tajikistan has given U.S. Special Operations Forces permission to enter the country on a case-by-case basis during counterterrorism operations.

In September 2017, then Secretary of State Rex Tillerson hosted a meeting in New York of the C5+1 Ministerial, which brings together the foreign ministers of the five Central Asian states and the United States for discussions on various multilateral issues, including respect for basic freedoms. In early May 2017, Deputy Assistant Secretary of State for Central Asia Daniel Rosenblum visited Tajikistan and met with the Minister of Foreign Affairs. Since 2010, the United States and Tajikistan have discussed bilateral policy and economic assistance in an Annual Bilateral Consultation (ABC). However, the ABC was not held in 2017.

In December 2017, the State Department renewed its designation of Tajikistan as a CPC. However, in light of "the necessity for cooperation with the Government of Tajikistan on certain core U.S. national security interests, including our collective efforts to counter violent extremism and transnational terrorism," a waiver was granted "as required in the 'important national interest of the United States'" on taking any action as a consequence of the CPC designation.

*Tajikistan provides no exemptions for conscientious objection*



# TURKMENISTAN

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

### KEY FINDINGS

Turkmenistan is widely considered the most closed of the former Soviet states, and this is reflected in the government's severe repression of religious freedom, which continued unabated in 2017. The government is deeply suspicious of all independent religious activity and maintains a large surveillance apparatus that monitors believers at home and abroad. Turkmen law requires religious groups to register under intrusive criteria, strictly controls registered groups' activities, and bans and punishes religious activities by unregistered groups. Police raids, fines, and detentions of registered and unregistered religious groups continued in 2017. Persons accused of "criminal" religious offenses may be tried in "closed-regime" courts in which even the sentence meted out remains secret. Many of those convicted then "disappear" in the Turkmen

prison system and are presumed to be held without any contact with the outside world in the notorious desert prison of Ovadan-Depe, where prisoners regularly die from torture and starvation. However, the full extent of religious persecution is unknown due to the almost complete absence of independent news media in Turkmenistan and the threat of retaliation by the government against communities, family members, and individuals who publicize human rights violations. In light of these systematic, ongoing, egregious violations, in 2018 USCIRF again finds that Turkmenistan merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). The U.S. Department of State has designated Turkmenistan as a CPC since 2014, most recently in December 2017.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Redesignate Turkmenistan as a CPC under IRFA;
- Lift the waiver on taking an action as a consequence of the CPC designation and negotiate a binding agreement with the government of Turkmenistan, under section 405(c) of IRFA, to achieve specific and meaningful reforms, with benchmarks that include major legal reform, an end to police raids, prisoner releases, and greater access to foreign coreligionists; should an agreement not be reached, impose sanctions, as stipulated in IRFA;
- Use targeted tools against specific officials and agencies identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom, such as the "specially designated nationals" list maintained by the U.S. Department of the Treasury's Office of Foreign Asset Control, visa denials under section 604(a) of IRFA and the [Global Magnitsky Human Rights Accountability Act](#), and asset freezes under the Global Magnitsky Act;
- Urge the Turkmen government to desist immediately from the practice of "disappearing" prisoners and account for the whereabouts of all prisoners of conscience, including those imprisoned on religious grounds;
- Urge the Turkmen government to close the notorious Ovadan-Depe Prison, where many religious prisoners of conscience are held;
- Press for at the highest levels and work to secure the immediate release of individuals imprisoned for their peaceful religious activities or religious affiliations, and press the Turkmen government to treat prisoners humanely and allow them access to family, international human rights monitors, adequate medical care, lawyers, and the ability to practice their faith;
- Ensure that the U.S. Embassy, including at the ambassadorial level, continues to maintain appropriate contacts with human rights activists and religious leaders;
- Encourage Turkmenistan to resume the yearly Annual Bilateral Consultations (ABCs) with the United States, which have not been held since 2015;
- Urge the Turkmen government to agree to a visit by the United Nations (UN) Special Rapporteur on freedom of religion or belief, as well as visits from the Special Rapporteurs on independence of the judiciary and on torture, set specific visit dates, and provide the full and necessary conditions for their visits;
- Raise concerns about Turkmenistan's record on religious freedom and related human rights in bilateral meetings, such as the ABCs, as well as appropriate international fora, including the UN and Organization for Security and Cooperation in Europe (OSCE);
- Encourage the UN Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA) and the OSCE Presence, both based in Ashgabat, to enhance their activities relating to human rights, including freedom of religion or belief; and
- Ensure continued U.S. funding for Radio Azatlyk, the Turkmen service of Radio Free Europe/Radio Liberty (RFE/RL), so that uncensored information about events inside Turkmenistan, including those related to religious freedom, continues to be disseminated.

## COUNTRY FACTS

### FULL NAME

Turkmenistan

### GOVERNMENT

Presidential Republic

### POPULATION

5,300,000

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

131 registered groups, including 107 Muslim (102 Sunni, 5 Shi'a); 13 Russian Orthodox; and 11 other faiths (including Hare Krishna, Protestants, Catholics, and Baha'i)

### RELIGIOUS DEMOGRAPHY\*

89% Muslim (primarily Sunni)  
9% Orthodox Christian (Russian and Armenian)  
2% Other (including Protestants, Catholics, Jehovah's Witnesses, Shi'a Muslims, Buddhists, Jews, and Baha'is)

\*U.S. Department of State

## BACKGROUND

Turkmenistan is a highly authoritarian country under President Gurbanguly Berdymukhamedov, who enforces a cult of personality and demands that the population conform to his personal whims, such as mandating the color of privately owned cars. The country's first post-Soviet president, Saparmurat Niyazov, who died in late 2006, presided over his own personality cult that included renaming the months of the year in his honor. After assuming the presidency in early 2007, Berdymukhamedov rolled back some aspects of Niyazov's cult, set up two new official human rights commissions, registered 13 religious minority groups, and eased police controls on internal travel.

In effect, however, President Berdymukhamedov has done little to reform oppressive Turkmen laws, rein in the all-powerful state security apparatus, or place curbs on his personal power. In February 2017, President Berdymukhamedov was reelected with 97 percent of the vote in an election that international observers widely regarded as unfair. A new constitution, signed into law in September 2016, removed the presidential age limit, effectively paving the way for Berdymukhamedov to serve as president for life. The Turkmen government continues its campaign

to impose an information blackout, including by strictly controlling electronic communications; it also harasses and imprisons journalists, including from the U.S.-funded RFE/RL.

The country is adjacent to northern Afghanistan, which is home to around 250,000 Turkmen, some of whom the Turkmen government alleges sympathize with Islamist extremist groups. As a result, the government is concerned about religious extremism spreading into Turkmenistan. The Afghan border is also the site of periodic clashes with various armed groups, including smugglers and Taliban militants.

## RELIGIOUS FREEDOM CONDITIONS 2017

### Government Legal Control over Religious Activities

Although the constitution guarantees religious freedom, the separation of religion and state, and equality regardless of religion or belief, Turkmen law and government practice contradict these guarantees. In March 2017, the UN Human Rights Committee concluded that Turkmenistan "retains undue restrictions on freedom of religious belief," citing the country's repressive legal architecture and persecution of religious believers. This architecture includes a new religion law that went into



effect in April 2016, replacing a 2013 law. The new law raised the minimum requirement for groups to register from five to 50 adult citizen founders. It continues the previous law's intrusive registration criteria, prohibition on any activity by unregistered groups, requirement that the government be informed of all foreign financial support, bans on worship in private homes and private religious education, and prohibition on the wearing of religious garb in public except by clerics.

The Commission for Work with Religious Organizations and Expert Analysis of Resources with Religious Information, Published and Printed Production (CWRO), which reports to the Cabinet of Ministers, must approve registration applications before they are sent to the Justice Ministry. In reality, registration rarely is granted, especially for communities the government dislikes, such as non-Muslim communities led by ethnic Turkmen. It is illegal for unregistered groups to rent, purchase, or build places of worship, and even registered groups must obtain scarce government permits. Justice Ministry officials can attend any religious event of a registered religious community and ask its members about religious activities. Religious activity is not permitted in prisons or in the military.

According to the Turkmen government, 131 religious communities were registered with the state as of March 2017: 107 Muslim (102 Sunni, five Shi'a), 13 Russian Orthodox, and 11 other faiths. Some communities have decided not to register due to the onerous and hostile process, while registration applications from certain Shi'a Muslim groups, the Armenian Apostolic Church, some Protestant groups, and Jehovah's Witnesses have faced numerous rejections.

The 2016 religion law requires registered religious communities to modify their governing statutes if state officials deem that necessary. All registered religious communities reportedly have been told they must re-register, but as of early October 2017 only two minority communities were known to have successfully done so. Representatives of the Russian Orthodox and Catholic communities reported they had to re-submit their applications because of "errors" identified by state officials.

In addition, the Turkmen state imposes unwritten conditions for the exercise of freedom of religion or belief, for example by requiring that religious leaders and believers cooperate closely with the secret police.

### Punishment for Religious Activities

The Turkmen government continues to impose harsh penalties on religious believers, such as imprisonment, forcible treatment with drugs, and torture. In recent years, Muslims, Protestants, and Jehovah's Witnesses have been detained, fined, imprisoned, or internally exiled for their religious beliefs or activities. Politically sensitive trials often take place in a "closed regime"

without the length of the sentence being made public. Once convicted, prisoners routinely are subjected to brutal and inhumane conditions, including starvation,

torture, and infectious disease. The most politically sensitive prisoners, including some religious prisoners, are subjected to "disappearance" in the Turkmen prison system. This means that no information about them is made public and no outside contact, including visitors, correspondence, and medicine, is permitted. Oftentimes, the announcement of their death in prison is the only definitive proof they were alive after their imprisonment. Most of the "disappeared" are believed to be held in Ovadan-Depe, a notorious prison (also known by its official designation, AN-T/2) opened in 2003 in the Karakum Desert. Because of the government's information blackout, no accurate numbers of religious prisoners, including the number of "disappeared" prisoners, exist. In December 2016, the UN Committee against Torture stated that it was "gravely concerned" about the use of torture to extract confessions, the deaths of "numerous" prisoners in Ovadan-Depe, and the "impunity" of state officials involved in torturing detainees.

In 2017, Radio Azatlyk reported that in closed trials between February and July 2017 at least 58 former employees or graduates of joint Turkish-Turkmen secondary schools associated with the movement of exiled Turkish Islamic preacher Fethullah Gülen were sentenced to between 12 and 25 years in prison on charges of belonging to an unnamed terrorist group. Although

*The Turkmen government continues to impose harsh penalties on religious believers.*

reports differed over the motives for the mass convictions—some of the defendants may have been targeted for expropriation after they refused to pay bribes related to the 2017 Asian Indoor and Martial Arts Games held in Turkmenistan—it was believed the arrests were a “goodwill” gesture to Turkish President Recep Tayyip Erdoğan, who blames Gülen for an attempted coup against his government in July 2016. Several of those convicted were reported to have been transported to Ovadan-Depe to serve their sentences.

In June 2017, Aziz Gafurov, one of a group of 20 men known to have been convicted for attempting to overthrow the state after they participated in a Muslim study group led by Bakhram Saparov, died in Ovadan-Depe. In 2016, the independent news agency Alternative News of Turkmenistan (ANT) reported that two members of the same group, Lukman Yailanov and Narkuly Baltaev, also died in Ovadan-Depe in the second half of the year. Like Baltaev, whose body weighed only 25 kilograms (55 pounds) at the time of his death, Gafurov’s body showed signs of severe malnutrition and bruising. As for Saparov, ANT reported in 2017 that he was given an additional three years imprisonment—increasing his total sentence to 15 years—and transferred to Ovadan-Depe from a less strict facility. His confederates, Sultan Bebitov and Atadzhan Reimov, also were given another five years imprisonment and sent to Ovadan-Depe. More than 100 persons were arrested for their affiliation with Saparov between 2013 and 2015, but only 20 are known to have been convicted.

In January 2017, Annamurad Atdaev, a prisoner profiled in last year’s USCIRF report, disappeared while being transferred to a regime prison and is believed to be held in Ovadan-Depe. In early 2016, after Atdaev returned home from studying in Egypt to replace his passport, he repeatedly was interrogated by the Ministry of State Security on suspicion of being an Islamic radical. He was arrested in September 2016 and convicted in December on a variety of charges, including “inspiring religious, national, and social hatred” and plotting a coup d’état. While in Egypt and after returning to Turkmenistan, Atdaev reportedly was under constant surveillance by government informers. His wife, Russian citizen Daria Atdaeva, met with USCIRF in

September 2017 and detailed her futile attempts to try to reach her husband, from whom nothing has been heard since his disappearance and about whom the Turkmen authorities refuse to release any information, including whether he is alive.

In May 2017, Jehovah’s Witness Mansur Masharipov was released from prison after spending almost a year in detention. Masharipov was detained in 2016 after previously being forcibly injected by police with unknown substances that made him severely ill. However, Jehovah’s Witness Bahram Hemdemov continues to serve a four-year prison sentence—imposed in 2015—in a labor camp for having conducted a prayer meeting in his home.

The government of Turkmenistan, similar to other former Soviet states, regularly raids the homes and places of worship of both registered and unregistered religious minorities, confiscating literature and temporarily detaining believers. However, due to the tight control over information exercised by the authorities and the fear of retaliation on the part of communities for publicizing violations of their rights, reports of persecution are often fragmentary. Forum 18 reported that

*Witnesses reported being beaten, choked, and threatened during police raids.*

unspecified Protestant denominations had been raided and prayer leaders detained or fined from the early summer through the fall of 2017. More detailed

information was made public about persecution directed against Jehovah’s Witnesses. In April and January 2017, several Jehovah’s Witnesses and their children were interrogated and harassed by school authorities because of the children’s refusal to take part in patriotic activities such as singing the national anthem. In March 2017, an official imam reportedly gave lectures critical of the Jehovah’s Witnesses to schoolchildren in southern Turkmenistan, denouncing the Witnesses as a “cult.” In January 2017, a university student was expelled for fraternizing with Witnesses. From January through July, Witnesses reported being beaten, choked, and threatened during police raids on their homes and places of worship. The victims of maltreatment by police included a teenage boy who was beaten while his mother was thrown to the floor.

Other reports of retaliation against religious believers that filtered out during 2017 included the dismissal of

a military serviceman who disobeyed warnings against carrying out Muslim daily prayers, and motorists who were fined as part of a general campaign against the display of amulets, talismans, and other traditional good-luck charms in their private vehicles.

### Government Interference in Internal Religious Affairs

The Turkmen government interferes in the internal leadership and organizational arrangements of religious communities. Sunni Islam is the only permitted type of Islam, and the Sunni Muftiate (Muslim Spiritual Administration) is under tight government control. The Justice Ministry names the chief mufti and senior muftiate officials, who also function as officials for the CWRO and thereby oversee the activities of other religious communities. The muftiate appoints imams, including at the district level, and district imams appoint local mullahs, with all appointments subject to secret police vetting. Sermons by imams at Friday prayers convey state messages; the Justice Ministry forbids imams from discussing certain topics, and Friday prayers end with a short prayer for the president.

The country's largest religious minority, the Moscow Patriarchate Russian Orthodox Church (MPROC), reportedly has tried for several years to establish an official diocese in Turkmenistan, but has been unsuccessful.

Aside from basic education in some Sunni mosques and MPROC churches, formal religious education is almost completely banned. Religious groups cannot arrange lectures, courses, or training programs. The sole exception is a small Sunni Muslim theological section in the history faculty of Ashgabat's Turkmen State University; this section is authorized to train imams, but the number of students is restricted, foreign staff is banned, and all students need government and secret police approval.

### Restrictions on Houses of Worship

The new religion law allows registered religious communities to own property but requires the approval of the CWRO and local governments to build places of worship. In practice, religious communities face major difficulties in building or acquiring places of worship.

At least eight of Ashgabat's 14 mosques have been demolished by Turkmen authorities since independence from the Soviet Union, most recently in 2016. In April 2017, Radio Azatlyk reported that the grounds of another religious building, the Azadi mosque in Ashgabat, were being reduced and some of its structures demolished, ostensibly to widen the surrounding sidewalks. Credible sources also reported in 2017 that two more Ashgabat mosques, known colloquially as the "March 8th" and "Old Airport" mosques, were slated for destruction.

### State Control of Religious Literature

Searches for and confiscations of "illegal" religious literature remain a constant threat. Religious texts cannot be published inside Turkmenistan and only registered groups legally can import religious literature under tight state censorship. The CWRO must review and stamp "approved" on all religious texts and literature; documents without such a stamp may be confiscated and individuals punished.

*... formal religious education is almost completely banned.*

Although the MPROC can sell religious texts publicly, the CWRO must approve them. Protestant churches have been unable to register a Bible Society to promote and sell Christian scriptures.

### State Restrictions on Foreign Religious Travel

The government continues to deny international travel for many citizens, especially those travelling to religious events. Some 110,000 individuals who have dual Russian-Turkmen citizenship, mainly Russian Orthodox, usually can meet coreligionists abroad and also undertake clerical training. Muslims, however, are not allowed to travel abroad for religious education. In 2017, the government reportedly permitted only 160 persons to travel to Mecca for the hajj pilgrimage, the lowest number since 2009.

### Conscientious Objectors

Turkmen law has no civilian alternative to military service for conscientious objectors. Although those who refuse to serve in the military can face up to two years in jail, Turkmen authorities typically issue only suspended

prison sentences or terms of “corrective labor,” under which the state docks a portion of the convicted person’s salary. As of the end of the reporting period, at least 12 conscientious objectors reportedly were handed down sentences since 2014, including a Jehovah’s Witness who received a two-year corrective labor term in February 2017. The UN Human Rights Committee repeatedly has found that such penalties violate the human rights of conscientious objectors.

## U.S. POLICY

For over a decade, U.S. policy in Central Asia has been dominated by the Afghan war, with human rights and religious freedom remaining low on the list of regional priorities. The United States has key security and economic interests in Turkmenistan due to its proximity to and shared populations with Afghanistan and Iran, and its huge natural gas supplies. Despite its officially neutral status, Turkmenistan has allowed the Northern Distribution Network to deliver supplies to U.S. and international troops in Afghanistan, as well as the refueling of U.S. flights with nonlethal supplies at the Ashgabat International Airport. During counterterrorism operations, U.S. Special Operations Forces reportedly have been allowed to enter Turkmenistan on a “case-by-case” basis with the Turkmen government’s permission.

In September 2017, the State Department hosted the third meeting of the C5+1 Ministerial, which brings together the foreign ministers of the five Central Asian states and the United States for discussions on various multilateral issues, including respect for basic freedoms. In April 2017, the State Department’s Special Advisor for Religious Minorities in the Near East and South and Central Asia traveled to Turkmenistan to discuss religious freedom concerns.

Initiated in 2009 by the State Department, the ABCs are a regular mechanism for the United States and Turkmenistan to discuss a wide range of bilateral issues, including regional security, economic and trade relations, social and cultural ties, and human rights. However, no ABC sessions were held in 2016 or 2017 because of scheduling issues, thereby depriving the United States of a major opportunity to raise human rights concerns, including religious freedom.

In December 2017, the State Department redesignated Turkmenistan as a CPC under IRFA, a

designation it first made in 2014. While acknowledging “deep concern” for severe religious freedom violations, the State Department cited “the necessity for cooperation with the Government of Turkmenistan on certain core U.S. national security interests” such as “collective efforts to counter violent extremism and transnational terrorism” as a justification to continue a waiver of presidential action.

### KEY FINDINGS

In 2017, hope was widespread in Uzbekistan that the stated reformist course of newly elected President Shavkat Mirziyoyev would lead to a relaxation in the repression of religious freedom. A USCIRF delegation that visited the country in 2017 was encouraged by changes in religious policies that would have been unthinkable under the previous administration, including prisoner releases and the easing of some of the restrictions on the practice of Islam. However, the Uzbek government has not yet embarked on a major deviation from its overall policy of severe restriction of religious freedom, premised on the threat posed by Islamic extremism. In addition, an unknown number of Muslim religious prisoners—often estimated at over 10,000—continue to serve lengthy sentences in harsh conditions on dubious charges. Also, during

the year, Christian minorities experienced constant harassment in the form of raids, literature confiscations, short-term detention, and torture. The most accurate picture of religious freedom conditions in Uzbekistan remains uncertain and incomplete due to intense government surveillance, intimidation, and fear of reprisals among religious believers for speaking out. Based on these systematic, egregious, ongoing violations, USCIRF again finds in 2018 that Uzbekistan merits designation as a “country of particular concern,” or CPC, under the 1998 International Religious Freedom Act (IRFA). While the U.S. State Department has designated Uzbekistan as a CPC since 2006, most recently in December 2017, it has indefinitely waived taking any action as a consequence of the designation.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Redesignate Uzbekistan as a CPC under IRFA;
- Lift the waiver on taking any action as a consequence of the CPC designation, in place since January 2009, and work to establish a binding agreement with the Uzbek government, under section 405(c) of IRFA, on steps it can take to be removed from the CPC list; should negotiations fail or Uzbekistan not uphold its commitments, impose sanctions, as stipulated in IRFA;
- Use targeted tools against specific officials and agencies identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the “specially designated nationals” list maintained by the U.S. Department of the Treasury’s Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the Global Magnitsky Human Rights Accountability Act, and asset freezes under the Global Magnitsky Act;
- Urge the Uzbek government to close the notorious Jasliq Prison, where many religious prisoners of conscience are held;
- Press for at the highest levels and work to secure the immediate release of individuals imprisoned for their peaceful religious activities or religious affiliations and press the Uzbek government to treat prisoners humanely and allow them access to family, human rights monitors, adequate medical care, and lawyers, and the ability to practice their faith;
- Make the return of corruption-linked funds seized by the United States under the Kleptocracy Asset Recovery Initiative dependent on the Uzbek government’s adoption of specific actions to improve religious freedom conditions and comply with international human rights standards;
- Ensure that the U.S. Embassy, including at the ambassadorial level, maintains appropriate contacts with human rights activists and religious leaders;
- Urge the Uzbek government to bring its laws into conformity with international human rights standards, including removing registration requirements on religious communities, permitting the distribution and possession of peaceful religious literature, and permitting the sharing of religious beliefs;
- Ensure continued U.S. funding for Radio Ozodlik and the Uzbek service of the Voice of America so that uncensored information about events inside Uzbekistan, including those related to religious freedom, continues to be disseminated; and
- Ensure that INTERPOL implements announced reforms to more effectively process complaints about the misuse of international arrest and extradition requests, known as “red notices,” to pursue political and religious dissidents.

## COUNTRY FACTS

### FULL NAME

Republic of Uzbekistan

### GOVERNMENT

Presidential Republic

### POPULATION

29,700,000

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam and Christianity (Orthodox, Catholic, and Protestant)

### RELIGIOUS DEMOGRAPHY\*

93% Muslim (92% Sunni and 1% Shi'a)

4% Russian Orthodox Christian

3% Other (including Protestants, Catholics, Jehovah's Witnesses, Buddhists, Jews, and Baha'is)

\* U.S. Department of State

## BACKGROUND

Uzbekistan's 1998 Law on Freedom of Conscience and Religious Organizations severely limits the rights of all religious groups and facilitates government control of religious activity, particularly of the majority Muslim community. The law criminalizes unregistered religious activity; requires official approval of the content, production, and distribution of religious publications; bans minors from religious organizations; allows only clerics to wear religious clothing in public; and prohibits proselytism and other missionary activities. Many religious groups cannot meet registration requirements, such as a permanent representation in eight of the country's 13 provinces. A detailed censorship decree went into effect in 2014 banning materials that "distort" beliefs or encourage individuals to change religions.

The Council on Religious Affairs (CRA) censors religious materials. The government also maintains an extensive list of banned international websites, particularly those pertaining to human rights and freedom of religion or belief. The religion law prohibits the import, storage, production, and distribution of unapproved religious materials. Members of various religious communities reportedly destroy their own sacred texts due to fear of confiscation during police raids. According to a CRA official, Uzbek law only allows religious texts to be read inside the buildings of registered religious groups.

The Uzbek government regards religious activity outside of official channels with deep suspicion and wields a variety of repressive instruments against those who fail to submit to state control of religious practice, including fines, punitive searches, detention, torture, prolonged imprisonment, and the intimidation of family members. While Uzbekistan faces security threats from groups using violence in the name of religion, the government has used vague anti-extremism laws against peaceful religious adherents and others who pose no credible security threat. In April 2016, articles 244-1 and 244-2 of the Criminal Code were broadened and the maximum penalty raised from five years to eight years in prison for the crime of having "extremist materials," and from 15 years to 20 years in prison for taking part in "extremist organizations." Particular targets of government legal persecution include alleged Islamic fundamentalists and Christian groups suspected of proselytism.

In October 2017, USCIRF commissioners and staff visited Uzbekistan for the first time in 13 years, traveling to Tashkent, Bukhara, and Ferghana to meet with government officials, religious communities, and nongovernmental organizations. Although the USCIRF delegation was heartened by evidence of positive changes, it was clear that the Uzbek government still has significant work to do in bringing its treatment of religious belief and activity in line with international standards.



## RELIGIOUS FREEDOM CONDITIONS 2017

### Arbitrary Accusations of Islamic Extremism

With several hundred Uzbeks believed to be fighting in Syria and Iraq, and Uzbeks implicated in several recent terrorist attacks around the world, the Uzbek government has legitimate concerns about terrorism. Nevertheless, the widespread use of torture and coercion by Uzbek authorities, the use of religious charges to settle political and economic scores, and frequent reliance on guilt by association make it difficult to disentangle legitimate prosecutions from arbitrary or fabricated ones. For example, in February 2016, an Uzbek citizen and Armenian Christian fish farmer, Aramais Avakian, was sentenced along with four Uzbeks to seven years in prison on allegations of planning to stage a rebellion and then flee to Syria to join the Islamic State of Iraq and Syria (ISIS). Not only did the case appear to have been based on testimony extracted through torture, but the chief witness and codefendant later admitted to inventing many of the key details. Avakian's family, for its part, claimed he was targeted after he refused to surrender ownership of his fish farm to a local administrator.

In line with a general easing of longstanding repressive policies under President Mirziyoyev in 2017, human rights observers reported to USCIRF during its October 2017 visit that the number of incidents of harsh and arbitrary treatment of Muslims appeared to have declined. The government itself publicized the removal of 16,000 out of 17,000 names from an official "blacklist" of suspected Islamic extremists, albeit some of whom were small children, elderly relatives, and other family members of imprisoned religious believers who did not even know they were on the list. However, the lack of free and independent media in Uzbekistan and the lack of transparency on the part of the government makes it difficult to assess the depth of these changes, and violations of religious freedom continued to occur in 2017. In November 2017, several independent news outlets based outside of Uzbekistan reported on mass raids throughout the Tashkent area in which close to 100 people were detained, many of whom were the family members of

persons already imprisoned on religious grounds. While most were released after being questioned about their ties to the Islamic fundamentalist movement Hizb ut-Tahrir and the whereabouts of a suspected female extremist who has been a fugitive since 2008, seven persons continued to be held at the end of the reporting period. According to the Uzbek Initiative Group of Independent Human Rights Defenders (IGNPU), one of those arrested was Nasrullokh Agzamov, whose father has been in prison since 2001 and whose uncle died under torture in 2006.

In October 2017, Radio Ozodlik reported on a rare public protest against the torture and detention of religious believers. Assisted by longtime human rights activist Elena Urlaeva and journalist Malohat Eshankulova, several individuals spoke out against the arrest and mistreatment of their sons. One woman, Inobat Arzieva, reported that her son Hasan was arrested in April 2017 after returning from Russia and is now paralyzed after having been severely beaten by interrogators. Another woman, Barno Vosieva, reported that her son was arrested in 2017 and tortured with electric shocks. Neither of these cases was reported by other independent news outlets, demonstrating how difficult it can be to obtain information about human rights abuses in Uzbekistan.

Also, in October 2017, a member of Uzbekistan's tiny Shi'a minority, Dzhakhongir Kulidzhanov, was sentenced to five years in prison for participation in an illegal religious organization. Dzhakhongir was one of 20 ethnic Iranian Shi'a Muslim men in the city of Bukhara who were detained in February 2017 after they gathered in a café to celebrate the birthday of venerated Islamic figure Sayiddah Zaynab and read an e-book about the Battle of Karbala. Although only Kulidzhanov

ultimately was convicted, another man was so badly beaten in detention that he had to undergo surgery on his kidneys. Although it is not known exactly why these men were targeted, the government of Uzbekistan often avoids addressing the concerns of ethnic minorities in

the country, including Iranians, by classifying them as ethnic Uzbeks in their internal identity documents.

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*. . . the number of incidents of harsh and arbitrary treatment of Muslims appeared to have declined . . . [but] . . . a member of Uzbekistan's tiny Shi'a minority . . . was sentenced to five years in prison . . .*

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In March 2017, 18-year-old Ilkhom Kamolov died in custody shortly after being arrested by the Uzbek security service (SNB). Ilkhom's brother Rakhmidin was detained by Russian authorities in Moscow in late 2016 at the request of the Uzbek government on charges of belonging to Hizb ut-Tahrir and sentenced to 16 years in a Russian prison in December 2017. In January 2017, Umar Badalov was arrested at the Tashkent airport after arriving from Russia, where he worked as a heavy equipment operator. Badalov previously had been convicted of Islamic extremism and was amnestied in 2003 after serving four years of a 17-year sentence; the IGNU reported that the authorities planned to charge him with having committed a September 2015 bombing outside a mosque that took place while he and his wife were at a maternity hospital 35 kilometers away.

### Inhumane Detention Conditions

In Uzbek prisons and labor camps, religious prisoners of conscience routinely face physical and psychological torture, malnutrition, poor sanitation, and arbitrary changes of conditions. During USCIRF's 2017 visit, a recently released prisoner described the notorious Jasliq Prison in remote northwestern Uzbekistan as a "veritable concentration camp," where even uttering the name of God in passing was forbidden. Radio Ozodlik reported on the case of Mukhabbat Kholmatova, whose two sons have been imprisoned on charges of religious extremism since 2010. In the summer of 2017, one son, Alisher, reported that prison guards had poured scalding water on his genitals and those of four or other prisoners as punishment for praying daily. In 2017, the independent news agency Tsentr-1 reported on the deaths of two religious prisoners in Uzbek prisons. One, Shorasul Shorakhimov died in July after serving 12 years in prison, while his brother-in-law, Abduzhalil Karimov, was released with a terminal illness after 18 years in prison and died shortly thereafter in May.

The Uzbek government frequently and arbitrarily extends the prison terms of prisoners who are on the verge of completing their sentences, often under absurd or

improbable pretexts. This amounts to a form of indefinite detention, whereby the government effectively can keep individuals imprisoned for life by repeatedly prolonging their sentences; human rights activists believe that several thousand prisoners are held indefinitely with this tactic. In 2017, at least two religious prisoners are known to have had their sentences extended by up to five years within a month of their release in January: Abdukarim Mirzaev, for failing to shave, and Akhmadillo Mirzaev, for failing to make his bed. Sisters Mehriniso and Zulhumor Hamdamova, who are serving terms for providing private religious education to women, had their sentences extended in the summer and fall of 2016 by three years; Mehriniso reportedly is suffering from a uterine tumor that has grown so large it is now inoperable and for which the prison authorities have refused to allow treatment.

Sources reported to USCIRF that prison conditions have improved under President Mirziyoyev. At Jasliq Prison, each unit of prisoners has a choice of two religious books made available to them for use between nine in the morning and five in the evening. Long-serving prisoners accused of belonging to Hizb ut-Tahrir have been moved to better facilities or have less-strict regimens. As of late 2017, it was reported that the practice of arbitrarily extending sentences had ceased; however, it was unknown whether that meant religious prisoners would be allowed to leave prison before the end of their already-assigned sentences. For example, Forum 18 reported that six men convicted of studying the works of Turkish theologian Said Nursi were released in November 2017. However, the men had either completed their

terms earlier in the year or were due for release within a year. During its October 2017 visit, USCIRF was informed by members of civil society that parole commissions were interviewing prisoners and that long-serving religious

prisoners were, in fact, being released from prison. The full extent of the prisoner releases remains unclear; when questioned by USCIRF, Uzbek government representatives declined to provide any data about the number of persons imprisoned on religious grounds, the number of those released, or even examples of persons released.

*. . . religious prisoners of conscience routinely face physical and psychological torture . . . [although] . . . prison conditions have improved under President Mirziyoyev.*

A former prisoner with whom USCIRF spoke stated that while releases from Jasliq Prison had increased from perhaps 10 a year under the previous president to 15 to 20 a month under President Mirziyoyev, those released were prisoners whose sentences the administration was no longer extending.

On the occasion of the 25th anniversary of the adoption of the Uzbek constitution in December 2017, President Mirziyoyev announced that 965 prisoners were being pardoned, of whom 763 were imprisoned under the articles of the Criminal Code used to punish religious belief. Because this was a pardon and not an amnesty, the criminal convictions of those released remain in force.

### Restrictions on Muslim Religious Activity

Private religious practice without official sanction is subject to severe penalties in Uzbekistan. Even the public practice of state-sanctioned Islam has long been restricted in different and unpredictable ways in an effort to diminish religiosity. In 2017, however, the government eased some of the most unpopular restrictions, including on children, religious education, and public devotion. In late 2017, the government announced that mosques would be allowed to broadcast the call to prayer, although which mosques, when, and at what volume was reportedly yet to be determined; as of the end of the reporting period, the largest mosque in Tashkent was broadcasting the call to prayer.

Despite the fact that Uzbekistan is Central Asia's most populous state, the government has long sought to limit the number of institutions of Islamic higher education. As of 2017, Uzbekistan had only 250 persons studying in 11 institutions of higher education (compared to 112 institutions in much-smaller Kyrgyzstan); consequently, Uzbekistan has approximately one imam for every 8,000 residents. In November 2017, the government announced that another 700 places would be made available for adults to pursue paid religious education. The government's general disapproval of religious education for children and prohibitions on participation in religious ritual have also been sources

of friction within society. Reversing a longstanding prohibition, however, in 2017, children were permitted to take part in Ramadan celebrations at mosques, which in turn were allowed to stay open much later than had earlier been the case. Observers reported to USCIRF that other changes were visible at mosques, including the removal of police guards at mosque entrances and a lessening of the propaganda content in the sermons delivered by imams, who appeared to have more freedom to craft their messages.

Receiving government permission to leave the country for the Muslim hajj pilgrimage remains difficult. In January 2017, the Uzbek government announced that citizens would be restricted to one pilgrimage in a lifetime. In December 2017, the government announced that prospective pilgrims would have to fulfill several conditions, including proof of solvency, demonstrated authority in their communities, and the ability to serve as an example to others.

### Persecution of Expatriates and Their Families

A large number of Uzbek citizens live abroad, including at least 1.7 million in Russia, mostly for economic reasons but also to escape religious and political

persecution. The government closely surveils the families of expatriates in the belief that Uzbeks overseas are susceptible to subversion and religious extremism. In addition, the Uzbek government reportedly has issued numerous international arrest and

extradition requests—better known as INTERPOL “red notices”—for hundreds of its citizens, including against political and religious dissidents.

### Repression of Christians

The Uzbek government reserves the harshest punishments for the expression of religious belief by the Muslim majority population, but members of Christian denominations suspected of missionary activity—above all preaching to ethnic Uzbeks, as opposed to ethnic Russians and Koreans—are singled out for constant harassment

*Private religious practice without official sanction is subject to severe penalties in Uzbekistan. Even the public practice of state-sanctioned Islam has long been restricted in different and unpredictable ways in an effort to diminish religiosity.*

in the form of fines, raids, seizures of literature, short-term detentions, and physical mistreatment. During USCIRF's visit to Uzbekistan in 2017, a climate of fear was evident among Christian minority groups, some of whom clearly had been warned not to speak with outsiders, or canceled meetings outright.

On an administrative level, the limitations imposed upon Christian groups in Uzbekistan revolve around the issues of registration, religious literature, and proselytism. The onerous requirements for registering a religious community mask the fact that the eventual granting of any registration is entirely at the whim of the authorities. It has been years since the government has permitted any new Christian communities to register, and authorities have engaged in violent reprisals against communities, such as the Jehovah's Witnesses, that have attempted to register in recent years. When asked by USCIRF about the inability of communities to register, Uzbek government officials falsely claimed that no such application had been made in the last 10 years. Contradictory instructions exist about where even a personal Bible may be kept, and these regularly are confiscated from private homes. The circulation of Uzbek-language Bibles is tightly controlled by a government-run Bible Society, and conducting prayers in the Uzbek language or using Uzbek translators is unofficially forbidden.

The Jehovah's Witnesses are among the Christian groups most targeted by Uzbek authorities. During the visit of UN Special Rapporteur on freedom of religion or belief Dr. Ahmed Shaheed in October 2017, 19 Witnesses were briefly arrested, apparently on the orders of the CRA. The Jehovah's Witnesses are allowed to maintain only one prayer hall in the country, in Chirchik, a distant suburb of Tashkent. After the Jehovah's Witnesses in Urgench attempted to register their community in December 2016, a wave of official retaliation followed. Police beat one Witness for hours, resulting in a traumatic brain injury and partial hearing loss. His mother, who had been honored by the local press for her work, was fined and fired from her job. Authorities repeatedly harassed and threat-

ened to deport the wife of the head of the community in Chirchik, a Turkmen citizen, in late 2016 and 2017.

*... members of Christian denominations suspected of missionary activity ... are singled out for constant harassment in the form of fines, raids, seizures of literature, short-term detentions, and physical mistreatment.*

From September 2016 to July 2017, the prayer meetings and homes of Jehovah's Witnesses reportedly were subjected to 185 raids by police; close to 150 Witnesses were fined, and seven were imprisoned for several days at a time.

These raids were accompanied by beatings, threats, and, in one case, the groping of female detainees by police officers.

Dozens of Protestant believers, including Baptists and Seventh-day Adventists, were also victims of raids, fines, and temporary detention throughout the country in 2017. In April and June, at least six Protestants were given short jail terms of between five and 15 days for praying together. Two Protestants, who were severely beaten by police in August 2017 for hosting a pastor in a private home in northwestern Uzbekistan, reportedly were brushed off when they asked to file a complaint.

## U.S. POLICY

Uzbekistan is Central Asia's most populous country and shares borders with the four other former Soviet republics in Central Asia as well as Afghanistan. The country also has a central position in the regional Soviet-era rail system that connects with Russia. Therefore, U.S. policy in Uzbekistan has focused on the country's key position in the Northern Distribution Network (NDN), a supply route for international forces in Afghanistan. Uzbekistan is the NDN hub but at times has not been cooperative. Although aid and assistance periodically has been withheld over the last decade due to human rights concerns, there remain important spheres of cooperation between the United States and Uzbekistan, including counternarcotics, border security, and counterterrorism.

In December 2017, President Donald Trump spoke with President Mirziyoyev by phone about regional security and cooperation. In November 2017, National Security Council Senior Director Lisa Curtis also met with President Mirziyoyev. In September 2017, Secretary of State Rex

Tillerson hosted a meeting in New York of the C5+1 Ministerial, which brings together the foreign ministers of the five Central Asian states and the United States for discussions on various multilateral issues, including respect for basic freedoms. In October 2017, Dr. Shaheed made the first visit to Uzbekistan by a UN Special Procedures mandate-holder in 15 years.

In February 2016, the U.S. Department of Justice froze more than \$800 million held in Western bank accounts in connection with an investigation into bribes allegedly paid by Western mobile network operators to Gulnara Karimova, the daughter of the late Uzbek president. The money was seized under the Kleptocracy Asset Recovery Initiative, an anticorruption program inaugurated by the Department of Justice in 2010. Some argue that the return of the money

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to Uzbek authorities should be contingent on the fulfillment of human rights obligations. In December 2017, Karimova was sanctioned under the Global Magnitsky Act.

Since 2006, the State Department has designated Uzbekistan as a CPC for its systematic, ongoing, and egregious violations of religious freedom. The CPC

designation was renewed most recently in December 2017. The State Department cited “the necessity for cooperation with the Government of Uzbekistan on certain core U.S. national security interests” such as “collective efforts

to counter violent extremism and transnational terrorism” as a justification to continue a waiver of presidential action, including sanctions.





### KEY FINDINGS

In 2017, Vietnam hosted world leaders for the Asia-Pacific Economic Cooperation (APEC) Summit, but instead of using the opportunity to demonstrate its commitment to a rules-based international order, the government amplified human rights abuses, including against freedom of religion or belief. The government's crackdown on religion, expression, association, and assembly was nationwide, suggesting a concerted effort to silence critics and peaceful activists while the world was watching. Vietnam intensified its harassment, arrests, imprisonments, and torture of peaceful activists, dissidents, and bloggers, including persons of faith targeted by the government and nonstate actors for their religious practice or religious freedom advocacy. These developments do not bode

well for the implementation of Vietnam's new Law on Belief and Religion, effective January 1, 2018, which includes mandatory government approvals, increased government control, and new punishments for violators. The Vietnamese government's previous willingness to engage international actors, including the United States, on religious freedom and related human rights is significantly marred by its relentless targeting of religious individuals and organizations throughout 2017. Based on these systematic, ongoing, egregious violations of religious freedom, USCIRF again finds that Vietnam merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA) in 2018, as it has every year since 2002.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Designate Vietnam as a CPC under IRFA;
- Enter into a binding agreement with the Vietnamese government, as authorized under section 405(c) of IRFA, setting forth mutually agreed commitments that would foster critical reforms to improve religious freedom;
- Use targeted tools against specific officials and agencies identified as having participated in or responsible for human rights abuses, including particularly severe violations of religious freedom, such as the "specially designated nationals" list maintained by the U.S. Department of the Treasury's Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the [Global Magnitsky Human Rights Accountability Act](#), and asset freezes under the Global Magnitsky Act;
- Monitor the government of Vietnam's implementation of the Law on Belief and Religion to ensure that religious organizations—particularly those that are unregistered and/or unrecognized—are able to worship freely and conduct religious activities, and that government or nonstate actors do not threaten, physically assault, detain, or imprison them for the peaceful practice of their faith;
- Encourage the government of Vietnam to acknowledge and address violations against religious communities by state and nonstate actors, including individuals sponsored by the government to carry out such extrajudicial acts, and support the training of local government officials, lawyers, judges, and police and security forces who implement, enforce, and interpret the rule of law;
- Urge the Vietnamese government to cease detaining and imprisoning members of religious organizations, as well as human rights activists, for peaceful religious activity or advocacy or for their religious affiliations, and to promptly and unconditionally release all prisoners of conscience;
- Direct the U.S. Embassy in Hanoi and the U.S. Consulate in Ho Chi Minh City to advocate on behalf of prisoners of conscience and call for their immediate and unconditional release; maintain appropriate contact, including in-person visits, with Vietnamese prisoners of conscience; and press the government of Vietnam to ensure them regular access to their families, human rights monitors, adequate medical care, and proper legal representation, as specified in international human rights instruments; and
- Assist Vietnamese civil society organizations, including through funding, as appropriate, to strengthen their skills and connect them with like-minded domestic and international partners, and also work to demonstrate to the Vietnamese government the value in allowing civil society to engage in the public square.

## COUNTRY FACTS

### FULL NAME

Socialist Republic of Vietnam

### GOVERNMENT

Communist State

### POPULATION

95,000,000+

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

38 religious organizations from 14 religious traditions: Buddhism, Islam, Baha'i, Catholicism, Protestantism, Mormonism, Hoa Hao, Cao Dai, Buu Son Ky Huong, Tinh Do Cu Si Phat Hoi, Tu An Hieu Nghia, Phat Duong Nam Tong Minh Su Dao, Minh Ly Dao Tam Tong Mieu, Khmer Brahmanism

### RELIGIOUS DEMOGRAPHY\*

More than 50% Buddhist  
6.6% Catholic  
1.5–3% Hoa Hao  
1–4% Cao Dai  
1–2% Protestant  
0.1% Muslim (including ethnic Cham Muslims)

### OTHER GROUPS

Baha'i, Falun Gong, Hindu, Mormon, Jehovah's Witnesses, and practitioners of local religions or other forms of traditional worship

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

## BACKGROUND

In some respects, Vietnam is experiencing promising economic openness, revealing its receptivity to greater international investment, integration, and cooperation. The role that peaceful activists, human rights defenders, and others play in shaping the discourse about social issues is also expanding. However, their peaceful activism is often diminished by the government's ever-tightening media censorship, control over the internet and social media, and overall willingness to quash—sometimes violently—perceived criticism and dissent, leading in 2017 to what human rights advocates characterized as an outright assault on freedom and universal human rights in Vietnam.

The government in Hanoi sometimes takes a hands-off, ambivalent approach to the crackdown, sometimes feigns ignorance, particularly of violations in remote rural areas in some provinces, and sometimes is complicit in directing or tolerating abuses. The use of plain-clothes thugs, many of whom likely work for a government security agency, to commit acts of violence against religious believers and others has risen in 2017, allowing the government to be removed from the actual

violence. With respect to violations of freedom of religion or belief, USCIRF has long observed a disconnect between the central government and the local officials, public security, and organized thugs who continue to threaten and physically harm religious followers and their houses of worship or other religious property. These types of extrajudicial actions by nonstate actors have intensified in 2017, as has brutality and torture against civilians overall. These systematic, ongoing, egregious religious freedom violations demonstrate why constitutional and other legal measures that purport to protect freedom of religion or belief are not sufficient when government and nonstate actors violate the rule of law with impunity and disregard international human rights standards. (For more information about religious freedom in Vietnam and Southeast Asia, refer to USCIRF's September 2017 report, [A Right for All: Freedom of Religion or Belief in ASEAN](#).)

## RELIGIOUS FREEDOM CONDITIONS 2017

### Positive Trends

Encouraging the Vietnamese government when it takes positive steps to improve religious freedom and related

human rights is an important part of the process toward meaningful and lasting reforms, even though such positive steps do not erase or lessen the violations that do occur. On the whole, Vietnam embraces its vast religious diversity, though typically only as long as religious groups operate within government control. Religious followers in some parts of the country—such as urban, well-developed areas—are able to exercise their religion or belief freely, openly, and without fear, which stands in contrast to ongoing religious freedom violations, particularly against ethnic minority communities in rural areas of some provinces.

In one positive example, Jehovah’s Witnesses report that the Vietnamese government has granted registration and recognition certificates to many of its congregations and local groups, enabling adherents to worship freely. However, because a handful of other congregations and groups have faced longstanding difficulties registering in certain provinces—particularly in Bac Giang, Kien Giang, and Nghe An, where local authorities routinely interfere in religious activities—the Representative Committee of Jehovah’s Witnesses continues to seek the government’s assistance in resolving outstanding challenges and hopes to obtain national recognition in the near future.

### Harassment of Certain Religious Groups and Individuals

Vietnamese local authorities, police, or hired thugs regularly target certain individuals and groups because of their faith; ethnicity; advocacy for democracy, human rights, or religious freedom; historic ties to the West; or desire to remain independent of Communist government control. These include, but are not limited to, the independent Cao Dai; independent Buddhists like the Unified Buddhist Church of Vietnam (UBCV), Hoa Hao, and Khmer Krom; Montagnards; Hmong; indigenous peoples; Falun Gong; and followers of Duong Van Minh.

In April and May 2017, authorities interfered with UBCV members’ celebrations leading up to and in honor of Vesak Day, recognized as the Buddha’s

birthday. In Hue, police interrogated leaders of the UBCV-affiliated Buddhist Youth Movement (BYM) and cautioned local Buddhists about attending any ceremonies. In July 2017, authorities similarly interfered with BYM’s annual summer camp, and organizers noted police disruptions were worse than in previous years.

Following the May 2017 death in custody of Hoa Hao Buddhist Mr. Nguyen Huu Tan, police and plain-clothes agents from Binh Minh Township and Vinh Long Province aggressively surveilled, harassed, and threatened Mr. Nguyen’s family to accept the authorities’ explanation that his death was a suicide, which the family disputes. Family supporters reported that authorities have repressed three generations of Mr. Tan’s family, including playing a role in the deaths of several members. Throughout 2017, independent Hoa Hao Buddhists in An Giang Province reported that local authorities harassed and physically assaulted them and interfered with ceremonies and worship, including by detaining some followers under house arrest. On July 30, 2017, police abducted Hoa Hao Buddhist Mr. Nguyen Bac Truyen outside the Catholic Redemptorist Church in Ho Chi Minh City and arrested him for allegedly “acting to overthrow the people’s government”; authorities denied him access to his wife and legal representation and continued to hold him incommunicado at the end of the reporting period.

Like many other minorities, the Khmer Krom are discriminated against because of both their religious and ethnic identity. In 2017, authorities questioned several Khmer Krom Buddhists for defending the Khmer Krom identity, heritage, and language.

*Media reported several incidents in 2017 involving so-called “Red Flag” militant groups—progovernment mobs—that harassed Catholics.*

Media reported several incidents in 2017 involving so-called “Red Flag” militant groups—progovernment mobs—that harassed Catholics. In September 2017, armed men in Dong Nai Province confronted

a Catholic priest for Facebook posts the group considered to be critical of the government. In October 2017, a reported 300 participants of a Red Flag group threatened two priests from Vinh Diocese for opposing the government’s response to the 2016 Formosa Steel Plant toxic spill environmental disaster. Similar attacks took place in

May and June against Catholic communities in Nghe An Province. The disaster negatively affected communities throughout central Vietnam, including, for example, the all-Catholic fishing community of Dong Yen Parish in Ha Tinh Province. Government-directed or government-tolerated harassment, assaults, and arrests against Catholics reached such intense levels that some parishioners have fled Vietnam. In November 2017, four Catholic activists who were part of the anti-Formosa campaign were among dozens of Vietnamese asylum-seekers whom Indonesia deported to Vietnam; police in Vietnam immediately took all the individuals in for questioning. In December 2017, the Indonesian government deported another four Catholic activists to Vietnam.

Ethnic minority Montagnards from the Central Highlands, many of whom are Protestant, face numerous government restrictions: some are prevented from holding religious ceremonies; many are summoned to meet with local authorities and pressured to cease practicing their faith; and pastors are harassed or punished. For example, over the course of several months during 2017, police in Dak Lak Province reportedly harassed and/or interrogated Montagnards belonging to the Evangelical Church of Christ about their distribution of religious materials, connections to human rights organizations and foreigners, and meetings with imprisoned Pastor A Dao. USCIRF received reports that similar harassment and interrogation occurred in Tra Vinh, Binh Phuoc, and Kon Tum provinces. Also, in 2017, officials in Kon Tum reportedly confiscated land belonging to Montagnards and used weapons against protestors. Over the years, many Montagnard Christians have fled Vietnam due to religious persecution, often to or through Cambodia. In 2017, the Cambodian government rejected the asylum claims of 29 Montagnards whom it determined not to be refugees, despite the United Nations High Commission for Refugees' assurances that they are. They all face deportation to Vietnam, like other Montagnards the Cambodian government returned in 2017 after their asylum claims also were rejected. During an October 2017 visit to Bangkok, USCIRF staff met with Montagnards who fled to Thailand, and learned of entire Montagnard families

*In Tra Vinh Province, Khmer Krom Buddhists report concerns with local authorities' ongoing confiscation and demolition of structures and land used by followers.*

whom Vietnamese authorities threatened, imprisoned, and/or tortured for their faith. Montagnard Christians and others in the Central Highlands continue to report that authorities—through the threat of imprisonment and torture—attempt to force religious believers to renounce their faith.

### Harassment Relating to Property and/or Disruption of Religious Activities

Land grabbing and destruction of religious property is not always religious in nature and at times may have little to do with religious freedom, for example, when authorities expropriate land for commercial use. However, such actions often disrupt or interfere with religious practices and, in the case of several Catholic communities in Vietnam, increasingly threaten how they observe their faith. During 2017, Benedictines met with government officials in Thua Thien-Hue Province to resolve a land dispute involving Thien An Catholic Monastery and the surrounding property, which the government confiscated. In June 2017, prior to the dialogue, local police raided the monastery, reportedly assaulted several Catholics, and desecrated religious artifacts in an attack similar to authorities' attacks on the site in 2016.

Following the September 2016 demolition of Lien Tri Pagoda in Ho Chi Minh City, UBCV Buddhists continue to call for the Vietnamese government to rebuild the pagoda in its original location; at the end of the reporting period, the land remained vacant. The pagoda's abbot, Most Venerable Thich Khong Tanh, and its other monks have been displaced since the demolition. Also, authorities reportedly surveilled UBCV-affiliated temples and pagodas in Ho Chi Minh City, and officials have not allowed

renovation of several other religious structures unless the monks agree to follow the state-run Vietnam Buddhist Sangha. Advocates indicate that authorities have exerted pressure at other UBCV pagodas, such as An Cu

Pagoda in Danang City.

According to reports, authorities continue to threaten several other religious sites. For example, in Tra Vinh Province, Khmer Krom Buddhists report

concerns with local authorities' ongoing confiscation and demolition of structures and land used by followers. Authorities in Long An Province have targeted temples of the independent Cao Dai, including Phu Thanh A Temple, which authorities occupied in March 2017. The government has long harassed followers of Duong Van Minh, a small Christian sect, and destroyed or burned funeral sheds central to the group's core practices; such destructions also often involve arrests and physical assaults, and in 2017 authorities destroyed at least 17 sheds in four provinces: Tuyen Quang, Bac Kan, Cao Bang, and Thai Nguyen.

### Law on Belief and Religion

After the reporting period, on January 1, 2018, Vietnam's new Law on Belief and Religion came into effect. The law codifies and is expected to supersede existing regulations, decrees, policies, and practices governing religion and belief. The law reflects the government's best attempt to date to solicit input from religious organizations and international stakeholders, including the United States; however, the government heeded only some suggestions and disregarded others. The law is not consistent with international human rights standards, such as the International Covenant on Civil and Political Rights, to which Vietnam is party.

In 2017, as information about the law's implementing decrees became available, some religious organizations and human rights advocates expressed concern about its impact and the potential penalties for individuals and organizations the government deems to be in violation. This is in addition to critics' concerns that the underlying law allows increased intrusion into freedom of religion or belief. For example, in June 2017 the Catholic Bishops' Conference of Vietnam issued a letter noting that while the law includes positive elements, it empowers the government—by codifying existing policies and imposing new ones—to interfere with religious organizations and control their activities. Religious individuals and organizations also have expressed concern that the law requires Vietnamese history to be taught in

theological courses; that it involves government officials in the appointment of clergy; and that it and its implementing decrees (the government's additional policies that set out the interpretation and enforcement of the law) are generally antagonistic toward religion.

### Arrests and Imprisonments

Upon the November 2017 launch of the NOW! Campaign—a coalition of human rights organizations working for the unconditional release of all Vietnamese prisoners of conscience—the group released a database of 165 prisoners of conscience, “including some who promoted or protected the right to freedom of religion or belief and others who simply professed or practiced their faith.”

Ahead of Vietnam's role as host of the APEC Summit, Vietnamese authorities increasingly harassed or detained activists. Several religious leaders and followers throughout the country reported that police and other security officials prevented them from leaving their homes ahead of and during the summit. Throughout the year, authorities targeted not only religious followers, but also bloggers, dissidents, and democracy activists, such as Nguyen Ngoc Nhu Quynh, a Catholic woman known by the nickname Mother Mushroom, whom a court sentenced in June to 10 years in prison for allegedly “spreading propaganda against the state.” (In March 2017, she received the secretary of state's 2017 International Women of Courage Award, in absentia.)

Authorities targeted her and countless Catholics and other religious individuals for their outspoken opposition to the 2016 toxic spill environmental disaster. Also in June, the Vietnamese government revoked the citizenship of Vietnam-

ese-born blogger Pham Minh Hoang and subsequently deported him to France, where he also holds citizenship.

In July 2017, authorities arrested four prominent human rights activists, each of whom is a former political prisoner, for “activities aimed at overthrowing the people's government”: Pham Van Troi, Truong Minh Duc, Pastor Nguyen Trung Ton, and Nguyen Bac Truyen. The latter also leads a group of former religious

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and political prisoners. Also in July, a court sentenced blogger Tran Thi Nga to nine years in prison and another five years' probation for allegedly "conducting anti-state propaganda" in connection with her peaceful online activism. In July, authorities charged detained Christian human rights lawyer Nguyen Van Dai with "carrying out activities with the purpose of overthrowing the People's administration." He had been detained in secret, without charges, since his arrest in December 2015; if convicted, he could be sentenced to life imprisonment or death. In September 2017, a Vietnamese court sentenced Catholic blogger Nguyen Van Oai to five years in prison and four years' probation after arresting him in January for resisting police and violating his parole stemming from his 2015 release from prison.

Other prisoners of conscience include Khmer Krom Buddhist the Venerable Thach Thuol, father-son Hoa Hao Buddhists Bui Van Trung and Bui Van Tham, Montagnard pastors A Dao and Y Yich, and Pan Van Thu, the founder and one of several prisoners from the government-banned Buddhist sect known as An Dan Dai Dao. UBCV Patriarch Thich Quang Do, whose health is declining, remains under effective house arrest; he has spent the last 19 years under house arrest, but nearly 30 years total in detention when accounting for his time in prison and under previous house arrest. Authorities have denied him the ability to travel to Hue to obtain medical care.

One notable and welcome prisoner release in 2017 was that of Pastor Nguyen Cong Chinh, who had endured solitary confinement and torture while serving an 11-year prison sentence for allegedly undermining national solidarity. Upon Pastor Chinh's release in July 2017, the Vietnamese government imposed immediate exile on him and his family, which includes his wife, Mrs. Tran Thi Hong, and their five children, all of whom authorities had harassed during the pastor's imprisonment. The entire family now resides in the United States. Earlier in the year, Pastor Chinh reported suffering worse treatment in prison after meeting with officials from the U.S. Consulate Ho Chi Minh City. In October 2017, USCIRF met with Pastor Chinh and Mrs. Hong in Washington, DC. Throughout the year,

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USCIRF advocated on behalf of Pastor Chinh and Mrs. Hong as part of the Commission's [Religious Prisoners of Conscience Project](#). USCIRF also welcomed the May 2017 release of prominent Khmer Krom Buddhist, the Venerable Lieu Ny, though following his release, local authorities actively prevented his attempts to be re-ordained as a monk.

## U.S. POLICY

In 2017, the United States and Vietnam maintained their bilateral relationship and Comprehensive Partnership, in part through high-level visits. On May 23, 2017, Vietnam hosted the 21st session of the U.S.-Vietnam Human Rights Dialogue, where U.S. officials reportedly raised individual prisoner cases as well as the harassment of peaceful activists and human rights defenders. On May 31, 2017, President Donald Trump met with Vietnamese Prime Minister Nguyen Xuan Phuc in Washington, DC. In a [joint statement](#) issued after the visit, both leaders indicated that they held "frank and constructive dialogue on human rights" and "recognized the importance of protecting and promoting human rights, and the interconnection between human rights and the security and sustainable development of each country." In November 2017, President Trump visited Vietnam to attend the APEC Summit. Human rights advocates objected to the location of the summit at a resort in Danang City where in 2010 the Vietnamese government seized land from Con Dau Parish after employing harassment, detention, physical violence, and arrests to force local Catholics to sell or vacate the land.

Throughout the year, U.S. officials spoke out against the Vietnamese government's treatment of activists, dissidents, and human rights defenders, including U.S. Embassy Hanoi statements about prisoners of conscience, including bloggers Tran Thi Nga and blogger Nguyen Ngoc Nhu Quynh. Also, in a July statement, then U.S. Ambassador to Vietnam Ted Osius noted the alarming trend of "increased arrests, convictions, and harsh sentences of peaceful activists," and reminded the Vietnamese government that its laws and actions should be consistent with international human rights standards.



In addition to public statements, the U.S. government also has engaged the Vietnamese government in sensitive negotiations on behalf of specific religious prisoners of conscience, particularly advocating for their immediate release. The U.S. government should continue to pursue both public and private high-level engagement with Vietnamese government officials about prisoners of conscience and religious freedom concerns and do so not just in the context of human rights, but also with respect to discussions about the military, trade, or economic, security, and humanitarian assistance. The United States should also consider when these efforts may provide a degree of protection to religious followers, activists, and their peaceful activities, and whether multilateral approaches may amplify these strategies. In addition, the U.S. government should continue its regular, visible visits to remote rural areas in Vietnam, including direct contact with independent religious communities as appropriate. This should include advocating for and providing support to individuals threatened, detained, assaulted, or arrested by the Vietnamese

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*The United States should also consider when these efforts may provide a degree of protection to religious followers, activists, and their peaceful activities, and whether multilateral approaches may amplify these strategies. In addition, the U.S. government should continue its regular, visible visits to remote rural areas in Vietnam, including direct contact with independent religious communities as appropriate.*

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government due to their participation in or attendance at domestic and international meetings and other gatherings with U.S. officials and other international stakeholders.

Due to Vietnam's systematic, ongoing, and egregious religious freedom violations, the State Department designated that country as a CPC from

2004 to 2006 and entered into a binding agreement with the Vietnamese government under IRFA. When the CPC designation was lifted, USCIRF concurred with the State Department's assessment that the designation and binding agreement had brought about modest religious freedom improvements, without hindering the bilateral relationship; nevertheless, USCIRF felt it was

too soon to determine whether the new policies would be permanent or effective in the long term. Since the CPC designation was lifted, the government of Vietnam has continued to persecute religious individuals and organizations, at times even regressing from the short-lived progress under the CPC designation and binding agreement.



# AFGHANISTAN

## TIER 2

### KEY FINDINGS

The security situation in Afghanistan remains unsettled, which negatively impacts religious freedom throughout the country. Despite a rise in socioeconomic status for Shi'a Muslims in recent years, attacks against this community—especially by the Islamic State in the Khorasan Province (ISKP)—continued during 2017, and in some cases worsened. In addition, religious leaders involved in efforts to fight extremism and bridge the gap between various Muslim groups were murdered by extremists at a higher frequency in 2017 than in previous years. Non-Muslim groups like Hindus, Christians, and Sikhs remain endangered minorities and lack the ability to publicly take part in their religious traditions. Aspects of the country's constitution and other laws are contrary to international standards for free-

dom of religion or belief. Challenges facing the nation's women also continued, especially in relation to forced marriage and access to education and equal employment. Based on these concerns, in 2018 USCIRF again places Afghanistan on its Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). USCIRF also finds that the Taliban continued to commit particularly severe religious freedom violations in 2017, and therefore again recommends in 2018 that the group merits designation as an "entity of particular concern," or EPC, under December 2016 amendments to IRFA.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Designate the Taliban as an EPC under IRFA, as amended by the Frank R. Wolf International Religious Freedom Act of 2016;
- Emphasize to Afghanistan's president and chief executive the relationship between religious freedom and overall security in the country;
- Encourage the Afghan Ministry of Education and Ministry of Information and Culture to publicly promote freedom of religion or belief through public education and by creating a civic space for the open discussion of diverse opinions on matters of religion and society in the country;
- Facilitate cooperation between Afghanistan's Ministry of Women's Affairs and the U.S. Department of State's Office of Global Women's Issues to assist women in accessing education and employment while also addressing through legislation the practice of forced marriage;
- Urge the Afghan government through cooperation between the U.S. Embassy, leading parliamentarians, the Ministry of Law, and the Directorate on Fatwa and Accounts in the Supreme Court to:
  - Revoke the 2004 media law prohibiting "un-Islamic" writings; and
  - Overturn through appropriate legislation the 2007 decision by the Supreme Court that the Baha'i faith is blasphemous and converts to it are apostates;
- Encourage the Afghan government to enhance the Ministry on Hajj and Religious Affairs' role in fostering interfaith dialogue and empowering religious minority groups;
- Advocate for the Ministries of Interior, Defense, and Hajj and Religious Affairs to work collectively to provide security for and facilitate cooperative meetings between faith leaders and scholars from various religions and from the various Muslim communities that exist in Afghanistan;
- Ensure the integration of religious freedom concerns with related issues such as countering religious extremism and resolving sectarian conflict into State Department and Defense Department strategies and policies concerning Afghanistan; and
- Ensure that human rights concerns, including freedom of religion or belief, are integrated into all bilateral or multilateral talks seeking peace and reconciliation between the Afghan government and the Taliban.

## COUNTRY FACTS

### FULL NAME

Islamic Republic of Afghanistan

### GOVERNMENT

Unitary Presidential Islamic Republic

### POPULATION

33,000,000

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam

### RELIGIOUS DEMOGRAPHY\*

98–99% Muslim

80% Sunni Muslim

10–19% Shi'a Muslim (including Ismailis)

> 1% Others (Hindu, Sikh, Baha'i, and Christian)

\*Estimates compiled from CIA World Factbook and The Pew Research Center

## BACKGROUND

While much of Afghanistan's population is Muslim, the country is ethnically diverse, including Pashtuns (42 percent), Tajiks (27 percent), Hazaras (9 percent), Uzbeks (9 percent), Turkmen (3 percent), and Baloch (2 percent). The country is used as a base of operations for various international and local terrorist groups, including Al-Qaeda, the Islamic State in Iraq and Syria (ISIS/ISKP), the Taliban, and the Haqqani network (which also uses Pakistan as a base of operations).

The nation's leadership under Chief Executive Abdullah Abdullah and President Ashraf Ghani was unable to prevent attacks on religious minorities in 2017. This is in part related to the fact that the government of Afghanistan only exercises control over 62 percent of its national territory, with insurgent groups controlling up to 16 percent and contesting 21 percent of the country's territory.

The constitution designates Islam as the official religion of the state and requires all parliamentary laws to accord with Islamic principles. Article 35 of the constitution mandates that no political party manifestos contravene Islam, and article 45 requires the state to create a public education curriculum based on the tenants of Islam. The constitution's

rules for the judiciary require the use of Hanafi Shari'ah jurisprudence in the absence of laws or constitutional provisions governing a case. For example, blasphemy is not criminalized in the constitution or in Afghanistan's penal code but can be punished by death under Hanafi jurisprudence. In addition, a 2004 media law allows for the detention of any writer who publishes material deemed anti-Islamic by a committee composed of fellow journalists and government officials.

Article 2 of the constitution, which makes Islam the state religion, also states that non-Muslims are free to practice their "religious rites . . . within the bounds of law." However, there is no provision in the constitution that explicitly protects freedom of religion or belief for every Afghan citizen. Moreover, the limited right to worship that is provided to non-Muslims is unlike the more expansive right to freedom of religion or belief recognized by article 18 of the

[Universal Declaration of Human Rights \(UDHR\)](#).

Yet, article 7 of Afghanistan's constitution requires the government to respect the UDHR.

The conflict between

the UDHR and the Afghan constitution relating to religious freedom remains unresolved.

*The nation's leadership . . . was unable to prevent attacks on religious minorities in 2017.*

## RELIGIOUS FREEDOM CONDITIONS 2017

### Treatment of Shi'a Muslims

Since the U.S. invasion of Afghanistan in 2001, many historically disadvantaged ethnic and religious minority groups have overcome generations of discrimination to hold prominent positions in the public and private sectors. This is especially true for the Shi'a community, whose sociopolitical imprint has grown over the last two decades. While the State Department has stated that there are no reliable data concerning the percentage of Shi'a Muslims and Sunni Muslims, there are now over 10,000 Shi'a mosques in the country, 400 of which are in the capital city of Kabul.

Shi'a Muslims' sociopolitical ascendance has been one of the reasons extremist groups continue to target Shi'a Muslims, whom they consider to be apostates who are "worthy of killing." In 2017, groups affiliated with ISIS in Afghanistan continued to attack Shi'a mosques and neighborhoods. Many former Taliban leaders have allied themselves with ISIS and pledged allegiance to ISIS leader Abu Bakr al-Baghdadi, while many ISIS fighters have fled from Syria and established bases in Afghanistan. These dual phenomena have increased ISIS's imprint in Afghanistan, which operates under the name ISKP.

Based on the commands of Abu Bakr al-Baghdadi and the global ISIS leadership, ISKP has targeted members of other Islamic subgroups or sects it considers heretics, especially Shi'a Muslims. In 2017, this led to several attacks on major Shi'a mosques like the Al Zahra Mosque in Kabul and the Imam Mohammad Baqir Mosque in the city of Herat. In December 2017, an attack was carried out by ISKP against the Shi'a-dominated Tabayan Social and Cultural Center in Kabul, leaving 41 people dead. Reportedly, at least seven targeted attacks against Shi'a Muslims took place in 2017 that have left nearly 149 people dead and 300 wounded.

Such attacks often have coincided with Shi'a religious festivals like Lailat-UI-Qadir, Ashura, Muharram, or Hazrat Mahdi's birthday. In response to this threat, the Afghan government has attempted to provide additional security and offered weapons to civilians living near Shi'a mosques. Nevertheless, attacks continued throughout the year. By attacking the community's

mosques during religious celebrations, groups like ISKP aim to eliminate the ability of Shi'a Muslims to practice their faith openly and take part in their public traditions.

Extremist groups, including ISKP and the Taliban, targeted one specific ethnic group in particular: the overwhelmingly Shi'a Hazaras. There were at least two major incidents of these extremist groups targeting Hazara Shi'a in 2017, one that involved the murder of thirteen coal mine workers and another in which ISKP beheaded three victims. Further, Hazara advocates report that the country's current leadership has sidelined Hazara political leaders and parties and left them with little influence over government policies.

### Violence against Religious Leaders

A trend that emerged in 2017 was the increased targeting of progressive faith leaders in Afghanistan, especially those who are working in interfaith commissions or local anti-extremist Shura councils. There are several governmental and nongovernmental organizations and conferences that seek to bridge the sectarian divide between Shi'a and Sunni Muslims. Leaders attending these kinds of events were targeted with greater frequency in 2017 than in previous years.

The United Nations Assistance Mission to Afghanistan explained in its midyear report for 2017 that there were at least eleven attacks on religious leaders in the first half of 2017, while there were only two such attacks in the

previous reporting period. This points to a damaging trend that threatens to derail cooperation between religious leaders of various religious communities. Further, by targeting leaders of the

Shi'a Muslim minority community, groups like ISKP aim to weaken that community and deprive it of strong leadership. If this trend is not abated, the security of the Shi'a community and the potential for sectarian and interfaith peace will be further imperiled in Afghanistan.

### Conditions for Other Religious Minorities

Before the fall of the government to the Taliban in 1992, there were nearly 200,000 Hindu and Sikh citizens in Afghanistan, a number that has dwindled to just 200

*A trend that emerged in 2017 was the increased targeting of progressive faith leaders in Afghanistan. . . .*

families, or a total of between 3,000 and 7,000 people, according to the nongovernmental organization National Council of Hindus and Sikhs. After a great deal of negotiations with the government and failed past attempts, Hindus and Sikhs were granted representation in the parliament in 2016. President Ghani has made attempts to empower and employ members from this community.

However, the remaining Hindu and Christian families have abandoned visually distinguishable temples and churches in favor of plain buildings and often celebrate their holy days in private to ensure their security. Further, with no crematoria in the country, these communities are unable to carry out their religious funeral rites. When ceremonies have been carried out in residential areas, conflicts with the neighborhood's Muslim community have arisen.

For the Baha'i community in Afghanistan, there is little population or treatment data available. The community has lived in relative anonymity since the 2007 declaration by the General Directorate of Fatwas and Accounts of the Supreme Court of Afghanistan, which proclaimed that the Baha'i faith was a blasphemous group.

### Women and Religious Freedom

The status of women's rights in Afghanistan remained much the same as in 2016. The Taliban-led government in the 1990s violently eliminated the rights of women based on extremist interpretations of Islam and Shari'ah law, and in 2017 extremist groups inspired by the Taliban's ideology continued to deny women their rights in the areas that these groups controlled. During 2017, governmental and societal actors also continued to enforce religious and social norms in ways that discriminated against women and restricted their right to freedom of religion or belief. Honor killings based on allegations of extra marital sex, premarital sex, or any form of perceived disobedience continued to impact Afghan women due to strict interpretations of Shari'ah. Often, many cases of domestic violence or honor-based violence go unreported because the perpetrators and victims are family members. Further, while some interpretations of Shari'ah law in Afghanistan accept child marriages, in April 2017, the government created the National Action Plan to Eliminate Early and Child Marriages to stem the practice and enforce the age of consent as 18 years old.

### U.S. POLICY

Afghanistan continues to be a central focus for U.S. policy in South Asia. Defeating terrorist groups like the Taliban and ISIS in Afghanistan is a means of allowing the government of Afghanistan to exercise control over its entire territory and suppress the growth of international terrorist groups in the rest of the region. There are two military missions operating within Afghanistan: the North Atlantic Treaty Organization (NATO) Resolute Support mission and the joint U.S.-Afghan mission. Attempts to resolve the conflict through peace talks with the Taliban have failed, and ISKP and other extremist groups are likely to try to stymie future attempts. In 2017, General John W. Nicholson, commander of the U.S. forces in Afghanistan since 2016, explained that the low troop levels committed by the international community and the United States have created a stalemate with extremist groups that may be difficult to break without additional forces. Partly in response to this, President Trump promised 3,000 additional U.S. troops to augment the 14,000 currently stationed in the country. The NATO Resolute Support mission also agreed to provide an additional 3,000 troops to its training forces in the country.

Unlike President Barack Obama, President Donald Trump has not applied any timeline for U.S. involvement in Afghanistan, but has based withdrawal of troops on conditions that must be fulfilled by the international community, the United States, and the Afghanistan security forces and government. The exact nature of the conditions has not been publicized.

During the year, then Secretary of State Rex Tillerson visited Bagram Airbase in October and Vice President Mike Pence visited Kabul in December, meeting with President Ghani and delivering a speech to troops. Both emphasized the commitment of the United States to help securing Afghanistan and empowering the Afghan government.

In 2017, the State Department continued to assist the Afghan leadership in the protection of human rights and religious freedom. In meetings with senior government officials, embassy officials emphasized religious tolerance and the need to provide protection to the nation's religious minorities. The U.S. Embassy also sought to create outreach programs encouraging peaceful interfaith and intrafaith dialogue.



# AZERBAIJAN

## TIER 2

### KEY FINDINGS

The government of Azerbaijan maintained its largely uncompromising stance on religious freedom in 2017. It tightly controls religious activities through a religion law and various articles of the administrative and criminal codes. Penalties range from fines to imprisonment. Police harassment of Protestants, Jehovah's Witnesses, and some Muslim groups in the form of raids and fines continued unchecked during the year. Protestants, Jehovah's Witnesses, and followers of Turkish theologian Said Nursi were punished for violating various restrictions, including those on religious literature and gathering for prayer. Muslim religious leaders who did not conform to state-dictated rules of observance were warned, fined, or detained, and, in one case, a mosque was demolished. Azerbaijani authorities often cite the threat of subversion from neighboring Iran as a justification for arresting Shi'a clerics and activists. In such cases, it is difficult to know the true extent of Iranian infiltration in Azerbaijan and to what extent certain individuals and groups are targeted by the government for their political activities as opposed to

their religious beliefs. In December 2017, in the continuation of a series of trials that began in 2016, 12 members of the Muslim Unity Movement (MUM) were sentenced to prison terms of between 12 and 17 years on numerous charges, including terrorism. Whether MUM is a religious entity or a political movement or both is unclear. In January 2017, 18 activists from the same group received prison terms of between 10 and 20 years. Two separate lists maintained by nongovernmental organizations (NGOs) contend that roughly two-thirds of the approximately 160 Azerbaijani prisoners of conscience are imprisoned on religious grounds. In 2017, several prisoners reported being tortured by their jailers. Based on these concerns, in 2018 USCIRF again places Azerbaijan on its Tier 2, for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Urge the Azerbaijani government to reform its religion law to bring it into conformity with recommendations by the Council of Europe's Venice Commission and the Organization for Security and Cooperation in Europe (OSCE) in 2012;
- Work with the highest levels of the Azerbaijani government to secure the release of prisoners of conscience and ensure detainee access to family, human rights monitors, adequate medical care, legal counsel, and religious accommodations;
- Continue the maintenance of contact, including at the ambassadorial level, between the U.S. Embassy in Azerbaijan and human rights and religious freedom activists;
- Urge the Azerbaijani government to agree to visits by the UN Special Rapporteurs on freedom of religion or belief, on independence of the judiciary, and on torture; set specific visit dates; and provide the necessary conditions for such visits;
- Encourage the Azerbaijani government to arrange and enable visits by the three OSCE Personal Representatives on Tolerance.
- Press the government of Azerbaijan to allow religious groups to operate freely, including amending the religion law's strict registration requirements;
- Specify freedom of religion or belief as a grants category and area of activity for the U.S. Agency for International Development (USAID) and U.S. Embassy in Azerbaijan, and encourage the National Endowment for Democracy to make grants for civil society programs on tolerance and freedom of religion or belief; and
- Ensure continued U.S. funding for Radio Azadliq, the Azerbaijani Service of Radio Free Europe/Radio Liberty (RFE/RL), and the Azeri Service of the Voice of America, so that uncensored information about events inside Azerbaijan, including those related to religious freedom, continues to be disseminated.

## COUNTRY FACTS

### FULL NAME

Republic of Azerbaijan

### GOVERNMENT

Presidential Republic

### POPULATION

10,000,000

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Shi'a Islam, Sunni Islam, Christianity, Judaism

### RELIGIOUS DEMOGRAPHY\*

96% Muslim (65% Shi'a, 35% Sunni)

4% Other (includes Orthodox and Protestant Christians, Catholics, Jews, Baha'is, and others)

\*U.S. Department of State

## BACKGROUND

Unlike other former Soviet states with Muslim-majority populations, Azerbaijan has a Shi'a Muslim majority. Shi'a and Sunni Muslims, Russian Orthodox Christians, and Jews officially are viewed as the country's "traditional" religious groups. Historically, the country has been tolerant of religious pluralism. The country has been ruled by the Aliyev family since 1993, first by Heydar Aliyev and then by his son Ilham, who has been president since 2003.

Azerbaijan's 2009 religion law tightly controls religious activity: it sets complex registration procedures, limits religious activity to a group's registered address, restricts the content, production, import, export, distribution, and sale of religious texts, and requires state approval of religious education for clergy. Alleged offenders face major fines. In 2014, the European Court of Human Rights (ECtHR) noted that the law gives officials "unlimited discretionary power" to define and prosecute "illegal" religious activity. Under 2015 religion law amendments, religious groups must file official reports documenting their activities and limit religious expression such as the display of banners or slogans to places of worship. Azerbaijani citizens with foreign education and non-Azerbaijani citizens are also banned from leading Islamic rituals, subject to prison terms or fines. Such regulations are intended to prevent Iranian-instructed imams from operating in Azerbaijan.

Exemptions are made for Christian and Jewish prayer leaders trained abroad.

Despite Azerbaijan's pledge to the Council of Europe when it joined that organization in 2001 to enact an alternative military service law, there are criminal penalties for refusal of military service. Other legal amendments further restrict religious freedom: officials have wide powers to act against "extremist" religious activity, citizenship can be removed from members of allegedly extremist religious groups, police can regulate religious materials, and parents who do not send their children to state schools are subject to administrative fines.

In January 2017, 18 activists from the MUM received prison terms of between 10 and 20 years. In December 2017, another 12 defendants associated with the MUM were sentenced to long prison terms; they had been arrested in November 2015 in the town of Nardaran, whose population is apparently oriented toward the Iranian government. Two policemen and five civilians died during the original arrests.

## RELIGIOUS FREEDOM CONDITIONS 2017

### Government Control through Registration

Registration with the government is mandatory for religious groups to conduct activities. Religious groups that are denied registration or refuse to register on theological grounds are deemed "illegal" and may face raids and other penalties. The State Committee for

Work with Religious Organizations (SCWRO), which oversees registration, has refused to process registration applications. By the end of the reporting period, many communities that applied in 2009 were still waiting for the SCWRO to process these applications. Religious communities unable to gain legal status include all independent mosques outside the state-backed Caucasian Muslim Board (CMB), as well as some of the CMB's own mosques. Almost all Protestant denominations (including Baptists, Seventh-day Adventists, and Pentecostals) have been denied full registration and therefore encounter certain limitations on their activities. Jehovah's Witnesses also lack legal status. Some NGOs that campaign for religious freedom or discuss religion, such as the International Religious Liberty Association and the Center for Defense of Freedom of Conscience and Religion, have been denied registration. The branch of the SCWRO for Baku reportedly announced in December 2017 that seven registered religious communities had been abolished for failing to comply with the laws, although no further information was provided.

### Repression of Independent Muslims

Muslims face additional legal restrictions that do not apply to other faiths. All mosques must belong to the CMB, which dates to the Soviet era. Mosques must be founded by Azerbaijani citizens and report their activities to the CMB, which also appoints all imams. Police enforce an official 2008 ban on praying outside of mosques. In July 2017, Sardar Babayev—an Iranian-educated Shi'a imam in the town of Masalli—was sentenced to three years in prison for performing religious rites.

The Sunni Muslim minorities of northern Azerbaijan, many of whom are not ethnic Azeris, and Shi'a Muslims who do not conform to the state-dictated rules of Shi'a observance face added scrutiny from the authorities. The government suspects the Sunni Muslim minorities of having ties to extremist groups in the North Caucasus. In late September 2017, the Baku police warned against unlicensed observance of the Shi'a Muslim commemoration of Ashura. In mid-October 2017, security forces and

members of the SCWRO raided two mosques in Baku and fined their leaders for unspecified "illegal religious rituals." In May 2017, an imam in the Gyoichai region was fired and fined as punishment for refusing to follow the state's official Muslim calendar, which more closely adheres to Shi'a ritual dates. In April 2017, a Sunni Muslim man who was reading the works of Turkish theologian Said Nursi was fined by authorities. In March 2017, 21 Sunni Muslims detained during a religious gathering in the town of Quba were issued fines by a court. A Shi'a imam who had been expelled, along with his congregation, from a mosque in Baku's Old City in 2004 for failing to recognize the authority of the CMB received a warning after he returned to the mosque during Ramadan in 2017.

### Religious Prisoners

Two NGOs—the Center for the Protection of Political Prisoners in Azerbaijan and the Unified List of Political Prisoners in Azerbaijan—maintain lists of political prisoners; the lists for the second half of 2017 indicate that between 90 and 100 persons were imprisoned, allegedly for their religious beliefs.

### Closure of Places of Worship

Since 2009, Azerbaijan has closed or destroyed numerous houses of worship, mainly Sunni mosques. In the wake of the November 2015 raid on Nardaran, four Shi'a mosques there were forcibly closed, and in 2016 authorities reportedly had forced four Sunni mosques to close or restrict activities

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*Muslims who do not conform to the state-dictated rules of Shi'a observance face added scrutiny.*

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under various pretexts. In April 2017, President Ilham Aliyev personally intervened after crowds of protesters blocked the demolition of the Gadzhi Dzhavad mosque in Baku. Although Aliyev promised a commission would look into the matter and that a new mosque would be built before demolition could proceed, the Gadzhi Dzhavad mosque was demolished under cover of darkness in July 2017.

### Status of Religious Minorities

Jewish groups have long lived in Azerbaijan and have rarely faced anti-Semitism. The Azerbaijani government publicly stresses the absence of anti-Semitism and its

good relations with Israel. Baku also has a small Catholic community that has received some Azerbaijani state funding to construct a church. Two registered Georgian Orthodox communities in the Gakh region cannot hold religious services. The Azerbaijani government has neither returned any confiscated religious facilities, such as the Armenian Apostolic, Great Grace, and Lutheran churches in

Baku, nor provided compensation for properties seized.

In January 2016, two female Jehovah's Witnesses, Valida Jabrayilova and Irina Zakharchenko, were released after spending almost a year in prison for proselytism. They were acquitted of all charges in February 2017.

Over two dozen Jehovah's Witnesses were detained in 2017 for gathering for prayer in private homes. In June 2017, two apartments in Baku where Witnesses had gathered for prayer were raided by police, the participants detained, and one homeowner told to expect a fine. In January 2017, police and the SCWRO raided a Jehovah's Witness prayer meeting in the town of Barda. One female Witness was threatened with sexual assault and the homeowner was eventually fined.

In northern Azerbaijan in 2017, Hamid Shabanov and Mehman Agamammadov—two pastors from a Baptist congregation near the border with Georgia—continued to appeal fines levied against them for conducting worship services in November 2016. The Azerbaijani government has refused to register their religious community since 1994, apparently because of its sensitive location in a village made up of ethnic Georgian Sunni Muslims.

### Government Control of Religious Materials

Official enforcement of restrictions on religious literature continued in 2017. Protestants, Jehovah's Witnesses, and followers of Turkish theologian Said Nursi were the particular targets of raids, confiscations, fines, detentions, and deportations for violating such restrictions. In July 2017, the independent Azerbaijani news agency, Turan, reported that the Interior Ministry had fined 10 people during countrywide raids against distributors of unspecified illegal religious literature. According

to the Ministry, in the first half of 2017, 138 persons were detained for distributing religious "propaganda." Among the items seized were 1066 pieces of literature,

102 CDs and DVDs, 94 newspapers, and 16 audiotapes. The government maintains that much of this "propaganda" includes incitements to violence.

In two episodes in 2017 that demonstrated

the importance of bringing international attention to these violations of religious freedom, two female Jehovah's Witnesses received compensation for their yearlong imprisonment on charges of distributing illegal literature, while Azerbaijan's only Christian bookstore, owned by an American citizen, finally received a license to operate after eight years of petitioning.

### Situation in the Nakhichevan Exclave

The Nakhichevan Autonomous Republic—an Azerbaijani exclave that borders Iran, Armenia, and Turkey—has a population of 410,000. This exclave faces even more severe religious freedom restrictions than the rest of Azerbaijan. The Baha'i, Adventist, and Hare Krishna faiths are banned. Local Sunni Muslims are denied mosques. Up to 50 Shi'a mosques, especially those officially viewed as under strong Iranian influence, reportedly were closed in recent years.

### U.S. POLICY

The United States would like to see Azerbaijan evolve into a pro-Western democracy with an open market economy. Other goals include: promoting regional stability—primarily resolution of the Nagorno-Karabakh conflict; enhancing energy security; and fostering economic and political reforms. U.S. companies cooperate in offshore oil development with Azerbaijan. Azerbaijan supports the North Atlantic Treaty Organization (NATO) operations in Afghanistan by participating in the Northern Distribution Network and counters transnational threats, especially from Iran. U.S. assistance helps build capacity for maritime counterterrorism operations, especially in its Caspian Sea area, and provides military security training courses. U.S. civil society assistance in

*Official enforcement of restrictions on religious literature continued in 2017. . . . In the first half of 2017, 138 persons were detained for distributing religious "propaganda."*

Azerbaijan focuses on small grants for civil society and on civic dialogue.

In 2017, the State Department and the U.S. Mission to the OSCE made several public statements critical of human rights conditions in Azerbaijan, but they did not mention religious repression. The U.S. Embassy in Azerbaijan regularly meets with Azerbaijani government authorities to press them regarding registration requirements and literature restrictions for religious minorities. Embassy officials also regularly meet with representatives of Muslim, Christian, and Jewish groups to monitor the government's treatment of their religious observance. Ambassador Robert F. Cekuta hosted an iftar dinner during Ramadan in June 2017 in which he called for the continuation of Azerbaijan's tradition of religious tolerance.





### KEY FINDINGS

In 2017, the Bahraini government made a concerted effort to promote religious freedom, interfaith understanding, and peaceful coexistence, including by King Hamad bin Al Khalifa issuing the Kingdom of Bahrain Declaration and announcing the establishment of the King Hamad Global Centre for Inter-Faith Dialogue and Peaceful Co-Existence. In addition, non-Muslim religious communities continued to be able to freely practice their faith, both publicly and privately. Nevertheless, religious freedom conditions did not improve for the majority Shi'a Muslim community amid an ongoing stifling of dissent and a deterioration of human rights conditions generally. While Shi'a religious leaders were not targeted in 2017 as they had been during the summer of 2016, a significant crackdown in May 2017 resulted in the deaths of five Shi'a Muslim demonstrators, injuries to dozens, and the arrests and detentions of civilians and religious leaders. In addition, during the year, authorities continued to deny some

Shi'a clerics access to specific mosques and banned others from conducting Friday prayers, sermons, and other religious services. Discrimination against Shi'a Muslims in government employment and some public and social services continued. Also, during the reporting period, Iranian government support for subversive activity by Shi'a militant groups in Bahrain increased. In 2017, the government made some progress in redressing past abuses against Shi'a Muslims but backtracked on other recommendations it had made progress on from the 2011 report of the Bahrain Independent Commission of Inquiry (BICI). As a consequence of developments in 2017, in 2018 USCIRF—for the second year in a row—places Bahrain on its Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the “systematic, ongoing, egregious” standard for designation as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Encourage the Bahraini government to address religious freedom concerns both privately and publicly, and report openly on the government's success or failure to implement genuine reforms, including by making public an annual assessment of Bahrain's progress, or lack thereof, on implementing BICI recommendations;
- Urge the Bahraini government to continue to make progress in implementing the BICI recommendations, including those related to freedom of religion and belief, sectarian incitement, and accountability for past abuses against the Shi'a community;
- Press for at the highest levels and work to secure the unconditional release of prisoners of conscience and religious freedom advocates, and press the country's government to treat prisoners humanely and allow them access to family, human rights monitors, adequate medical care, lawyers, and the ability to practice their faith;
- Apply the Global Magnitsky Human Rights Accountability Act, [Executive Order 13818](#), or other relevant targeted tools, to deny U.S. visas to and block the U.S. assets of specific officials and agencies identified as responsible for violations of the right to freedom of religion or belief;
- Ensure clear and consistent messaging at all levels of the U.S. government regarding Bahrain's human rights and religious freedom obligations under international law;
- Increase support for rule of law, community policing, and countering violent extremism programs;
- Assist in the training of government entities, including security officials, prosecutors, and judges, to better address sectarian violence and incitement through practices consistent with international human rights standards;
- Include Bahraini civil society and religious leaders in exchange and U.S. visitor programs that promote religious tolerance, interreligious understanding, and interfaith dialogue;
- Urge the Bahraini government to pass a law in the Shura Council addressing incitement to violence in the media, ensuring compliance with international human rights standards; and
- Urge the Bahraini government to cooperate fully with international mechanisms on human rights issues, including by inviting visits from the United Nations (UN) Special Rapporteur on freedom of religion or belief.

## COUNTRY FACTS

### FULL NAME

Kingdom of Bahrain

### GOVERNMENT

Constitutional Monarchy

### POPULATION

1,410,942

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

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

### RELIGIOUS DEMOGRAPHY\*

70.3% Muslim (60% Shi'a, 35–40% Sunni)

14.5% Christian

9.8% Hindu

2.5% Buddhist

0.6% Jewish

<0.1% Folk religion

1.9% Unaffiliated

0.2% Other (including Sikhs and Baha'is)

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

## BACKGROUND

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

During the past year, the overall human rights situation continued to decline. In June 2017, authorities shut down the sole remaining independent news site, Al Wasat, which reported on issues affecting the majority Shi'a community, reportedly for "creating discord" and damaging Bahrain's relations with other countries. In May, the government suspended indefinitely the last major political opposition entity, the National Democratic Action Society (Wa'ad), for criticizing the execution of three Bahrainis in January 2017. In addition, prominent human rights defenders and members of outlawed political opposition groups were sentenced to prison during the year or continued to serve lengthy terms. For example, in July 2017, noted human rights

defender Nabeel Rajab was sentenced to two years in prison for criticizing the government in a tweet; in February 2018, after the end of the reporting period, Rajab was sentenced to an additional five years in prison for tweets criticizing alleged abuses by authorities in Bahraini prisons and the conflict in Yemen. In September 2017, UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein stated that "democratic space in the country has essentially been shut down" and that since June 2016, Bahraini authorities have imposed "severe restrictions on civil society and political activism through arrests, intimidation, travel bans and closure orders." The Bahraini government contends that those arrested and charged breached public order laws during authorized processions or protests, in some cases carrying weapons. Bahraini and international human rights groups, the UN, and the State Department dispute this.

Furthermore, in 2017, Bahraini authorities cited increased efforts by Iran to expand its influence in the country as the reason for heightened government concern about subversive activity by Iranian-backed Shi'a militants. While Iran's support for such activities in Bahrain has been documented more widely during the past year, the Bahraini government sometimes used this pretext to crack down on some Shi'a opposition

leaders, clerics, and activists without substantiating subversion or criminal activity; such rhetoric and actions also exacerbated sectarian tensions in the country. Most Bahraini Shi'a clerics deny any subversive relationship with Iran and state their primary tie with the country is having acquired religious training in Qom, Iran, the largest center for Shi'a religious study in the world.

In October 2017, USCIRF staff and representatives of the International Religious Freedom Office at the State Department traveled jointly to Bahrain. In March 2018, after the end of the reporting period, USCIRF Commissioners and staff traveled to Bahrain to assess religious freedom conditions and meet with Bahraini government officials, the government-appointed National Institution for Human Rights, the U.S. Ambassador and other embassy officials, lawyers, and representatives of civil society and religious communities.

## RELIGIOUS FREEDOM CONDITIONS 2017

### Positive Developments and Ongoing Challenges

In September 2017, Bahraini King Hamad bin Isa Al-Khalifa announced the release of The Kingdom of Bahrain Declaration, a document that highlights the rich history of religious diversity and pluralism in Bahrain and calls for religious freedom for all and peaceful coexistence. In September 2017, the Bahraini government also announced that the King Hamad Global Centre for Inter-Faith Dialogue and Peaceful Co-Existence would be inaugurated in 2018 in Bahrain. The center is expected to host dialogues and conferences on religious freedom and interfaith dialogue, among other things.

Compared to other countries in the region, Bahrain is—and has long been—pluralistic, and among the most tolerant of religious minority communities.

The majority Shi'a Muslim community—despite facing challenges since uprisings in 2011—is generally free to worship in mosques without incident and perform religious rites and ceremonies without

interference. Nevertheless, over the past two years, authorities increasingly have targeted religious leaders and some religious activities while clamping down on freedoms of expression, association, and assembly. In response to concerns about the negative effect on religious freedom conditions, Bahraini officials argue that religious freedom is not being violated, but rather that opposition groups and activists are causing political and security problems by violating laws or creating discord.

### Non-Muslim Religious Minority Communities

Approximately half of the expatriate workers in the country are non-Muslim. The government officially recognizes 19 religious entities, including more than a dozen Christian denominations, a tiny Jewish community, Hindus, Sikhs, Buddhists, and Baha'is. The various communities reported the ability to publicly and privately practice their faiths without interference or limitation. Bahrain hosts an active 200-year-old Hindu temple—the oldest in Gulf—the Arabian Peninsula's only intact synagogue, and the seat of the Catholic Vicarate of Northern Arabia, which includes Kuwait, Qatar,

and Saudi Arabia. A new Catholic church—which will be the largest in the Gulf region—is in the process of being built on land donated by the King.

### Targeting of Shi'a Religious Leaders and Activists

In 2017, the targeting of Shi'a clerics was less pronounced when compared to the previous year. Many of the clerics who were arrested, detained, and imprisoned during the summer of 2016 were either released or completed their prison terms; others have pending cases on which authorities took no action. Sheikh Mohammad al-Shahabi was among the first of the clerics to be released, leaving prison in February 2017 after his sentence was commuted from two years to six months.

Nevertheless, during the year, the government continued to target and prosecute Shi'a Muslim political

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*In September 2017, Bahraini King Hamad bin Isa Al-Khalifa announced the release of The Kingdom of Bahrain Declaration, a document that . . . calls for religious freedom for all and peaceful coexistence.*

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figures—some affiliated with Al Wefaq, the leading Shi'a Islamist political society that was dissolved in 2016—often on unfounded or unsubstantiated charges with implications for religious freedom. In May, Sheikh Isa Qassim, Bahrain's most senior Shi'a cleric, was given a one-year suspended sentence on charges of money laundering, which human rights groups called unsubstantiated; Shi'a activists claim the charges stemmed from Sheikh Qassim's collection

of *khums*, which senior Shi'a clerics receive and spend to serve the poor and indigent. Two of Sheikh Qassim's aides, Sheikh Hussein Mahrus and Mirza al-Obaidli, were given three-year suspended sentences on the same charges. In 2016, authorities revoked Sheikh Qassim's citizenship for allegedly seeking to form an organization supporting foreign religious leaders, an allegation he denied.

Later in May, soon after Sheikh Qassim's sentencing, Bahraini authorities undertook a security operation in the predominantly Shi'a Muslim village of Diraz, the location where Sheikh Qassim has been living under house arrest since 2016, and where supporters staged regular demonstrations since his citizenship was revoked. According to human rights organizations, the security operation shut off access to the village and authorities cleared out the area using live ammunition, resulting in the deaths of five civilians, injuries to dozens, including police officers, and nearly 300 arrests. Several individuals, including some Shi'a clerics, were charged and convicted of incitement to hatred and violence and illegal gathering; their cases were ongoing at the end of the year. In June, a group of UN human rights experts, including the Special Rapporteur on freedom of religion or belief, [criticized](#) Bahrain security forces for using "excessive and lethal force to disperse peaceful protestors who had gathered in a sit-in." The statement urged the government to "cease its campaign of persecution against human rights defenders, journalists and anyone else with divergent opinions, and take all measures to guarantee a safe and enabling environment for all Bahrainis, independent of their political opinions, beliefs or confession." The government claimed it gave ample warning before clearing out the village, but

many demonstrators opted not to leave. At the end of the reporting period, authorities continued to deny Shi'a clerics and worshippers access during Friday prayers to the Imam al-Sadiq Mosque in Diraz.

*... the targeting of Shi'a clerics constitutes a systematic campaign of harassment that violates their rights to freedom of assembly, speech, and religion.*

According to Bahraini and international human rights groups, the targeting of Shi'a clerics constitutes a systematic campaign of harassment that violates their rights to freedom of assembly, speech, and religion. In

many of these cases, the Bahraini government has used charges of insulting religious symbols and/or religion, illegal gathering, unlawful protesting, engaging in political speech in sermons, and supporting terrorism.

### The Dissolution of Al Wefaq

In July 2016, the government dissolved the Shi'a Islamist political society, Al Wefaq, and seized its assets, on accusations that it provided "a nourishing environment for terrorism, extremism, and violence." Al Wefaq disputed these charges and appealed the ruling to the highest court in Bahrain, the Court of Cassation. In February 2017, the Court of Cassation denied the appeal, drawing strong criticism from the UN and international human rights groups.

In December 2016, Al Wefaq's former secretary general, Sheikh Ali Salman, was sentenced to nine years in prison in a retrial ordered by the Court of Cassation. Sheikh Salman was convicted on a range of security-related charges—including inciting regime change and insulting the Ministry of Interior—that UN experts have criticized as violating his freedoms of expression, association, and religion. In April 2017, his sentence was reduced to four years. In November 2017, he was charged separately with spying for Qatar, which he denied; at the end of the reporting period, that case was ongoing. In the past, the State Department called for Sheikh Salman's unconditional release; he has been imprisoned since December 2014.

### Implementation of BICI Recommendations

The Bahraini government asserts that it has implemented all 26 of the BICI recommendations, including

those related to freedom of religion or belief. However, human rights groups and the State Department have concluded that only some recommendations have been implemented, while others were either fulfilled partially or not fulfilled at all. The latest assessment, a June 2016 [State Department report](#), found that “much work remains to be done” in implementing the recommendations, including in areas related to religious freedom and sectarian incitement.

As recommended in the BICI report, the Bahraini government has created entities to address accountability for abuses, including a Civilian Settlement Office to compensate for deaths and injuries from the 2011 unrest, an Office of the Ombudsman in the Ministry of Interior to ensure compliance with policing standards and receive reports of misconduct, and a Special Investigations Unit (SIU) in the Office of Public Prosecution to investigate and prosecute security personnel for committing crimes against civilians. According to the SIU, since 2011, 51 cases have been referred to criminal courts and more than 120 defendants for trial, including 17 officers employed by the Ministry of Interior. Of those convicted, prison sentences ranged from six months to seven years. During the last four months of 2017, the SIU received 31 complaints and referred 13 members of the security forces for criminal prosecution; those cases are ongoing.

During the past year, the government appeared to backtrack in two areas where it had made progress. In January 2017, Bahraini authorities restored arrest and investigation powers to the National Security Agency, which the BICI report found to have tortured and abused predominantly Shi’a Muslim demonstrators. In April, the king signed a bill amending the constitution to allow military courts the right to try civilians; human rights groups called the move an attempt to deny due process to Shi’a Muslim dissidents and activists charged with unsubstantiated or unfounded terrorist-related crimes.

By the end of the reporting period, the Bahraini government had rebuilt 20 of the 30 Shi’a mosques and religious structures that were destroyed in 2011 and identified in the BICI report. The government estimated

it spent approximately \$10 million doing so. Three structures still require legal and administrative approval, and no progress has been made on their rebuilding. Seven structures were built at the expense of the Shi’a community. According to the State Department, the Bahraini government claimed it had reimbursed the Shi’a community for reconstruction costs through payments to the national Shi’a endowment; however, members of the Shi’a community dispute this claim. The government also has stated that it helped secure legal permits for the seven structures.

### Limitations on Religious Expression and Sectarian Incitement

While government officials discouraged sectarian language in media outlets, progovernment and private media at times used inflammatory, sectarian rhetoric. In addition, the Ministry of Information Affairs has drafted a new law that would curb incitement to violence, hatred, and sectarianism, as recommended in the BICI report; however, the law has not yet been referred to the Shura Council for consideration.

In May 2016, the parliament passed, and the Shura Council ratified, article 5 of the Political Societies Law, which prevents clerics who give sermons from joining political societies that engage in any political activities. The law also states that “political societies’ heads and leaders shouldn’t be religious preachers, even if they occupy the position in the societies without being paid.”

*While government officials discouraged sectarian language in media outlets, progovernment and private media at times used inflammatory, sectarian rhetoric.*

Human rights groups view this as limiting clerics’ free speech and association rights, while Bahraini officials see it as a way to prevent the politicization of religious activities. Bahraini officials claim that freedom of

expression and speech is upheld in the country, but say that some groups use this defense to incite hatred and sectarian violence.

Article 169 of the penal code imposes up to two years’ imprisonment and a fine for publishing “falsified” or “untrue” reports, and states that laws on freedom of expression must be “compatible with values of a democratic society.” Human rights groups are concerned that

such broad language, subject to varying interpretations, increases the likelihood of infringement of freedom of expression, including religious expression.

Furthermore, articles 309 and 310 of the penal code criminalize insulting a recognized religious community, its rituals, or religious symbols—with a term of imprisonment up to one year or a fine not exceeding 100 Bahraini dinars (approximately \$265). Despite charges and convictions in previous years, there were no known convictions during the reporting period.

### Other Forms of Discrimination

According to human rights groups, members of the Shi'a community still cannot serve in the active military, only in administrative positions, and there are no Shi'a Muslims in the upper levels of the Bahraini government security apparatus, including the military and police. In addition, [UN experts found](#) patterns of cultural, economic, educational, and social discrimination against the Shi'a Muslim community, including in the education system, media, public sector employment, and other government social policies such as housing and welfare programs. The Bahraini government denies any discrimination against the Shi'a community in government employment, and asserts there has been progress to diversify the military and security apparatus. For example, the government continued recruiting individuals from all segments of society, including the Shi'a Muslim community, into its community policing program.

In October 2017, authorities reportedly interfered with some Ashura commemorations. According to human rights groups, security forces removed religious banners and posters from 21 predominantly Shi'a Muslim neighborhoods, met protests with tear gas and live ammunition, and arrested 12 civilians. Bahraini officials claimed they were forced to intervene due to excessive vandalism and looting by youth.

### New Personal Status Law

In July 2017, Bahrain became the first country in the region to pass a unified personal status law, covering both Shi'a and Sunni Muslims. The new law weakens the

power of religious courts to regulate marriage, divorce, and custody issues, among other things. The Bahraini government hailed the passage of the law as significant progress on the legal status of all female Bahraini citizens, both Sunni and Shi'a Muslim. Some Shi'a Muslim legislators and others within the Shi'a community opposed the law, arguing that only senior Shi'a clerics should have the authority to legislate on such matters, not the state.

### U.S. POLICY

U.S.-Bahraini relations have been focused primarily on geopolitical concerns, including the regional influence of Iran and security cooperation. Bahrain, a longstanding U.S. ally in the region, has hosted a U.S. naval presence since 1946 and is home to over 8,000 members of the U.S. armed services, mostly affiliated with the Fifth Fleet of the United States Navy. In 2002, the United States designated Bahrain as a “major non-NATO ally,” allowing the country access to defense research cooperation and purchase of certain otherwise-restricted U.S. arms.

While the Obama Administration conditioned the sale of F-16 fighter jets on specific human rights progress, the Trump Administration has prioritized a closer defense relationship with Bahrain. In March 2017, the administration announced it planned to drop all human rights conditions

*In July 2017, Bahrain became the first country in the region to pass a unified personal status law, covering both Shi'a and Sunni Muslims.*

on the sale of F-16 fighter jets and other arms to Bahrain, and in September it approved a \$3.8 billion arms deal package. In November 2017, President Donald Trump and then Secretary of State Rex Tillerson met with Crown Prince Salman bin Hamad Al Khalifa in Washington, DC. These discussions reportedly focused on countering Iranian regional influence, resolving ongoing Gulf tensions, and promoting economic relations. President Trump also extended the 1991 U.S.-Bahrain Defense Cooperation Agreement for another 15 years.

Also in March, the State Department [designated](#) two Bahraini nationals, Ahmad Hasan Yusuf and Alsayed Murtadha Majeed Ramadhan Alawi, as Specially Designated Global Terrorists under Executive Order 13224. Both Yusuf and Alawi are affiliates of a Bahrain-based violent group, al-Ashtar Brigade,



that has claimed responsibility for about 20 bombings since 2013. In publishing the designation, the State Department noted that Iran funded and supported the Brigade and, therefore, the designations were part of the U.S. effort to “aggressively target Iran’s destabilizing and terrorism-related activities in the region.”

The 2011 BICI report has provided the major framework in recent years for U.S. assessments of progress on human rights reforms in Bahrain. In both 2013 and 2015, Congress directed the secretary of state to submit an assessment of Bahrain’s progress in implementing the BICI recommendations, including a description of specific steps taken and an assessment of compliance with each recommendation. The State Department produced two such reports, one in 2013 and one in 2016. Both reports found the government had made some progress, but that more was needed, particularly relating to the independence and accountability of investigative bodies and promotion of national reconciliation. The 2016 report noted progress in rebuilding demolished Shi’a mosques and in implementing tolerance in school curricula.

During 2017, State Department officials spoke out about human rights developments in Bahrain. In June, the State Department [expressed concern](#) about the

dissolution of the opposition Wa’ad political society and about the deaths in Diraz. In July, the State Department called for the release of human rights defenders [Nabeel Rajab](#) and Ebtisam al-Saegh and urged Bahrain to respect fundamental freedoms.

In August 2017, during the rollout of the 2016 international religious freedom report, then Secretary Tillerson [expressed concern](#) that the Bahraini government “continued to question, detain, and arrest Shia clerics, community members, and opposition politicians” as well as about “ongoing discrimination in government employment, education, and the justice system” against the Shi’a community, which he urged the government to stop. According to the State Department, U.S. government officials at all levels, including embassy staff, have urged the Bahraini government to fully implement the BICI recommendations, end discrimination against the Shi’a community, support national unity and reconciliation efforts, respect freedom of expression, bolster the independence of watchdog organizations, and provide for the religious freedom of prisoners.



### KEY FINDINGS

During the reporting period, religious freedom conditions in Cuba remained poor. The Cuban government engaged in harassment campaigns that included detentions and repeated interrogations targeting religious leaders and activists who advocate for religious freedom. Officials threatened to confiscate numerous churches and interrogated religious leaders countrywide about the legal status of their religious properties. The government continues to interfere in religious groups' internal affairs and actively limits, controls, and monitors their religious practice, access to information, and communications through a restrictive system of laws and policies, surveillance, and harassment. While the Cuban constitution guarantees freedom of religion or belief, this protection is limited by other constitutional and legal provisions. At the end of the reporting period, 55 religious communities were registered; only registered religious communities are legally permitted to receive foreign visitors, import religious materials, meet in approved houses of worship, and apply to travel abroad for

religious purposes. The Cuban Communist Party Office of Religious Affairs (ORA) answers only to the Party and so it has broad, largely unchecked power to control religious activity, including approving some religious ceremonies other than worship services, repair or construction of houses of worship, and importation of religious materials. Authorities prevent human rights and pro-democracy activists from participating in religious activities, sometimes using force. Almost every Sunday in 2017, the government prevented members of Ladies in White from attending Mass. In a positive development, officials verbally promised the Assemblies of God that the government would not confiscate 1,400 of their churches as it threatened to do in 2015 and 2016. Based on these concerns, in 2018 USCIRF again places Cuba on its Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Publicly denounce violations of religious freedom and related human rights in Cuba;
- Press the Cuban government to:
  - Stop harassment of religious leaders;
  - End the practice of violently preventing democracy and human rights activists from attending religious services;
  - End destruction of, threats to destroy, and threats to expropriate houses of worship;
  - Lift restrictions on religious communities buying property, building or repairing houses of worship, holding religious processions, importing religious materials, and admitting religious leaders;
  - Allow unregistered religious groups to operate freely and legally, and repeal government policies that restrict religious services in homes or other personal property;
- Allow registered and unregistered religious groups to conduct religious education;
- Cease interference with religious activities and religious communities' internal affairs; and
- Hold accountable police and other security personnel for actions that violate the human rights of religious practitioners, including the religious freedom of political prisoners;
- Increase opportunities for Cuban religious leaders from both registered and unregistered religious communities to travel to, exchange aid and materials with, and interact with coreligionists in the United States;
- Apply the [Global Magnitsky Human Rights Accountability Act](#), [Executive Order 13818](#), or other relevant targeted tools, to deny U.S. visas to and block the U.S. assets of specific officials and agencies identified as responsible for violations of the right to freedom of religion or belief, including considering responsible officials from the ORA for such measures;
- Use appropriated funds to advance internet freedom and widespread access to mass media, and protect Cuban 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 Cuba, as informed by the findings and recommendations of the [Cuba Internet Task Force](#) created pursuant to the National Security Presidential Memorandum, "[Strengthening the Policy of the United States Toward Cuba](#)"; and
- Encourage international partners, including key Latin American and European countries and regional blocs, to ensure violations of freedom of religion or belief and related human rights are part of all formal and informal multilateral or bilateral discussions with Cuba.

## COUNTRY FACTS

### FULL NAME

Republic of Cuba

### GOVERNMENT

Communist State

### POPULATION

11,147,407

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

55 registered religious communities

### RELIGIOUS DEMOGRAPHY\*

60–70% Roman Catholic (commonly syncretic, mixed with traditional African religions, especially Santería)

5% Protestant

25% Unaffiliated

\*U.S. Department of State

## BACKGROUND

President Raúl Castro and his inner circle rule with absolute authority, and the Communist Party is the country's only constitutionally recognized party. Despite previous statements that President Castro would leave office in February 2018, the Cuban parliament voted unanimously in December 2017 to extend his mandate until April 2018, citing the need to respond to the devastation wrought by Hurricane Irma.

Authorities engage in arbitrary, short-term, and politically motivated detentions; assaults against human rights and pro-democracy activists and dissidents; extensive surveillance and intimidation; and organizing “acts of repudiation,” incidents in which government-recruited mobs harass and at times assault activists, religious leaders, and others targeted by the government.

The Cuban government does not allow human rights organizations to operate legally, and it controls all access to media, printing, and construction materials. The government severely restricts internet access in the country, denying access to many and limiting even approved users to a tightly controlled intranet. While home access became legal in December

2016 in some urban areas, legal restrictions, high prices, and extremely slow connections mean the internet remains unavailable for most Cubans. Internet content relating to human rights, including the site for the Ladies in White, is blocked entirely, and content cannot run contrary to “Cuban society’s moral principles.”

While the Cuban constitution guarantees freedom of religion or belief, this protection is limited by other constitutional and legal provisions. Article 8 affirms that “the State recognizes, respects, and guarantees religious freedom,” and article 55 further guarantees the right to “change religious beliefs or not have any,

and to profess, within the confines of the law, the religious worship of his/her preference.” However, article 62 qualifies that all rights can be limited based on the “aims of the socialist State and the nation’s determination to

*Internet content relating to human rights, including the site for the Ladies in White, is blocked entirely, and content cannot run contrary to “Cuban society’s moral principles.”*

build socialism and communism.” The Cuban penal code’s Abuse of Liberty of Worship clause permits the imprisonment of any person the government determines abuses constitutional religious freedom protections by placing religious beliefs in conflict with other state goals.

The Cuban government controls religious activities through the ORA of the Central Committee of the Cuban Communist Party and the Ministry of Justice (MOJ). The government requires religious communities to register with the MOJ, a process that includes disclosure of funding sources and locations for activities and certification that they are not duplicating the activities of other registered religious communities. The ORA has final authority over registration decisions and is accountable only to the Party itself. It therefore holds broad, largely unchecked power to control legal religious practice in Cuba.

At the end of the reporting period, 55 religious communities were registered, primarily Christian denominations, more than half of which have some form of association with the government-recognized Cuban Council of Churches (CCC). Only registered religious communities are legally permitted to receive foreign visitors, import religious materials, meet in approved houses of worship, and apply to travel abroad for religious purposes. Local Communist Party officials must approve all religious activities of registered groups other than regular worship services, such as repairing or building houses of worship and holding processions or events outside religious buildings.

The government also restricts religious practice by denying independent religious communities access to state media, limits exit visas, requires the registration of publications, limits the entry of foreign religious workers, and restricts bank accounts to one per denomination or religious association. Further, the ORA continues to pressure religious communities to make their financing, internal governing structures, statutes, and constitutions more hierarchical, which aids government efforts to control them. Religious freedom advocates report that community officials discriminate against Christians in employment and schools, including denying some Christian children food in schools.

Non-Christian groups are subject to similar levels of restrictions, including practitioners of the syncretic tradition of Santería, which draws upon Yoruba reli-

gion and is among the most populous traditions in the country. In one example of this dynamic of cooptation and resistance, the government-controlled Yoruba Cultural Association of Cuba issues an annual prophecy for the year to come, which is disavowed by independent, unregistered groups like the Free Yoruba Association of Cuba. Cuba's Jewish population, estimated to number around 1,000 people, generally operates within the restrictions imposed by the ORA.

In 2005, the Cuban government implemented a law to regulate house churches (congregations that gather for worship in private homes). Many Protestant denominations rely on house churches due to government restrictions on new building construction; the State Department reports there are an estimated 2,000–10,000 house churches in Cuba. The law, known as Directive 43 and Resolution 46, requires all house churches to register

and submit to the government detailed information on their membership, the house church's inhabitants, and the schedule of services. It permits no more than three meetings to be held per week, bars foreign citizens from participating in services without government

permission, and requires house churches of the same denomination to be at least two kilometers apart.

In January 2015, the Cuban government announced Legal Decree 322, the General Law on Housing, purportedly to regulate private properties and zoning laws. However, Cuban authorities have used Legal Decree 322 to threaten expropriation of churches.

## RELIGIOUS FREEDOM CONDITIONS 2017

### Detention and Harassment of Religious Leaders and Activists

Throughout 2017, the Cuban government engaged in harassment campaigns against targeted religious leaders and activists who advocate for religious freedom on the island.

In January, Dr. Óscar Elías Biscet, recipient of the U.S. Presidential Medal of Freedom, was briefly detained and then released with a warning to cease

*Only registered religious communities are legally permitted to receive foreign visitors, import religious materials, meet in approved houses of worship, and apply to travel abroad for religious purposes.*

his activism. Dr. Biscet, who served nine years of a 25-year sentence for human rights activities including opposing the Cuban government's abortion practices, was honored in 2016 by the Patmos Institute, which promotes interfaith dialogue and religious freedom in Cuba. In June 2016, USCIRF met with Dr. Biscet and his wife Elsa Morejón.

Over the past year, Church of God in Cuba Pastor Ramón Rigal endured arbitrary decisions and uncertainty in his prosecution for homeschooling his children according to his religious beliefs. On February 21, 2017, Pastor Rigal and his wife Ayda Expósito were arrested and charged with "acting contrary to the normal development of a minor." They were released the next day and ordered to report to the police every week in person until their trial. On April 25, a Cuban court sentenced Pastor Rigal to a year in prison and his wife to one year of house arrest. On July 6, a judge reduced Pastor Rigal's sentence to six months of house arrest if his children attended a state school. On July 31, government officials informed Pastor Rigal he would be prohibited from serving as pastor of his church and ordered him instead to work checking local houses' water supplies for mosquitoes. In early August, the local courts overturned the ruling, allowing him to serve. On September 5, a Guantanamo Province court reversed this decision, barring the pastor from seeking private employment and forcing him to take up a low-paying government job.

In April, religious freedom activist and Patmos Institute member Félix Yuniel Llerena López traveled to the United States to raise awareness about conditions in Cuba. During this trip, Llerena López met with USCIRF, as well as Congressional offices and other U.S. government officials. Upon his return to Cuba on April 27, security agents detained him at the Abel Santamaría Airport in Santa Clara and inspected his luggage. The following day, police interrogated him and his mother and forced him to sign a pre-arrest warrant for public disorder. On May 8, Llerena López was expelled from the Enrique José Varona Pedagogical University in Havana. On June 17, he was prevented from leaving the country and was informed that since April he had been subject to a travel ban. A month

later, he was arrested, released later that day, and told that charges of possessing pornographic materials would be brought against him. On October 2, Llerena López was informed that all charges against him had been dropped and the travel ban lifted.

Several other individuals associated with the Patmos Institute also were harassed or expelled from universities, either as students or professors, due to their actual or suspected religious beliefs or activities. Central Cuba coordinator Leonardo Alonso was detained in November 2017, while his daughter Professor Dalila Rodríguez was expelled from her teaching position at the Marta Abreu Central University of Las Villas earlier in the year. Rodríguez reported that she was questioned about her father's religious freedom activities and any contact with Baptist pastor and activist Mario Félix Leonart Barroso, with whom USCIRF met repeatedly in 2017. After having been detained and arrested multiple times over their years of activism, Pastor Leonart Barroso and his wife Yoaxis Marcheco have received asylum in the United States.

The Cuban government continued to try to close down Reverend Mario Jorge Travieso's Strong Winds Church. Although the government demolished the Strong Winds church in 2016, Reverend Travieso continued to hold services outside on the grounds. Authorities visited Rev. Travieso multiple times during the reporting period to complain about "noise nuisance" during services, including parishioners praying and singing. In February, police summoned Rev. Travieso, interrogated him for two

hours, and threatened to confiscate the church property. On April 3, the government fined him 1,500 Cuban pesos (\$57) for building a wall too high. On May 12, the Department of Physical Planning

interrogated Rev. Travieso for two hours.

In September, security officers disrupted an interdenominational Christian service held in the city plaza of El Cristo, Santiago de Cuba Province. Although the organizers stated that they had received permission to hold the service, the officers shut it down and issued a pre-arrest warrant and a warning to the lead pastor, Ernesto Lora.

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*In September, security officers disrupted an interdenominational Christian service held in the city plaza of El Cristo, Santiago de Cuba Province.*

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Since 2005, authorities have harassed religious freedom advocate Rev. Aláin Toledano Valiente. In 2017, police presented Rev. Toledano with a pre-arrest warrant; no further action was taken by the end of the reporting period.

### Threats to Churches

In 2017, officials used Legal Decree 322 to threaten confiscation of multiple churches; officials offered churches the option to continue to use the buildings in exchange for rent.

Throughout the reporting period, authorities continued to threaten to confiscate or demolish the Fire and Dynamism Church in Camagüey, the Paths of Justice Church in Santiago, the Kingdom of God Church in Santiago, and the Baptist Berean Mission Church in Las Tunas.

Government officials also interrogated religious leaders countrywide about the legal status of their religious properties. In some cases, the officials confiscated property deeds, leaving the religious communities vulnerable to charges of maintaining illegal properties and the risk of such properties being destroyed or confiscated.

On July 6, the building that houses the World Missions Council of the Western Baptist Convention of Cuba was occupied by illegal residents, who remained there at the end of the reporting period. Although the Convention alerted the police and the ORA to the situation, the government has not taken action to return the building.

### Denial of Religious Freedom for Democracy and Human Rights Activists

As in previous reporting years, the Cuban government continued to deny pro-democracy and human rights activists their constitutional and international rights to freedom of religion or belief. Human rights activists detained on their way to religious services, mostly Catholic Mass, were frequently beaten and held for up to 24 hours without charge. Church leaders continued to report that government officials pressured them to expel or shun such activists. Other activists and their

family members were denied access to religious materials or practices in detention.

Almost every Sunday during the year, countrywide, the government prevented an average of about 60 members of the Ladies in White from attending religious services. Ladies in White are the wives and relatives of dissidents imprisoned in 2003; they wear white during weekly marches to Sunday Mass to increase attention to the imprisonment of their husbands, sons, or others in Cuba. In the majority of cases, these individuals were detained on their way to Mass and released hours later. Individuals reported being beaten, harassed, subjected to arbitrary fines, and detained for 24 hours or more. In an increasing number of instances, Ladies in White were released in remote areas far from their homes or otherwise publicly humiliated. In particular, Ladies in White leader Berta Soler Fernández is

often targeted for violent arrest and strangled by security forces, while others including Daisy Artiles del Sol, María Josefa Acon Sardiñas, and Magda Onelvis Mendoza Díaz reported being beaten during detention. In July

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*Human rights activists detained on their way to religious services, mostly Catholic Mass, were frequently beaten and held for up to 24 hours without charge.*

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2017, outspoken critics of the regime, Catholic priests José Conrado Rodríguez and Castor Álvarez Devesa, held a mass at the headquarters of the Ladies in White in protest of the group's being denied access to church ceremonies and to highlight their concern about religious freedom conditions.

### Positive Developments

In April, officials verbally promised the Assemblies of God that the government would not confiscate or demolish their churches as it threatened to do in 2015 and 2016. The government declared 2,000 Assemblies of God churches "illegal" in 2015, jeopardizing their leaders and congregants, and had slated 1,400 of those for confiscation.

### U.S. POLICY

U.S.-Cuban relations deteriorated in 2017. During the reporting period, the State Department confirmed that 24 U.S. diplomats (and some spouses) suffered attacks

leading to such injuries as mild brain trauma, hearing loss, severe headaches, and loss of balance, among other symptoms. The source of the attacks, which started in late 2016, is unknown. The Cuban government has denied involvement in or knowledge of the attacks. In response to the attacks, the U.S. government withdrew 60 percent of its embassy staff, suspended the issuance of visas to Cubans, and required the Cuban Embassy in the United States to reduce its staff by two-thirds.

In 2017, the Trump Administration reversed the Obama Administration's policies to increase travel to and trade with Cuba, reflecting the Trump Administration's position that increased trade opportunities should follow demonstrated religious freedom and human rights improvements. President Trump issued a June 2017 National Security Presidential Memorandum entitled "[Strengthening the Policy of the United States Toward Cuba](#)." The memo focused on the need for human rights and free enterprise in Cuba, instructing the federal government to ensure that specific policies, including democracy promotion and travel guidelines, benefit the Cuban people, rather than the government. The policy further instructed the secretary of state to provide a report to the president on the degree to which the Cuban government has fulfilled the requirements of a transition government, as outlined in the [Cuban Liberty and Democratic Solidarity \(LIBERTAD\) Act of 1996](#). In January 2018, after the end of the reporting period, the State Department convened a [Cuba Internet Task Force](#), which was mandated by the new policy memo to "examine the technological challenges and opportunities for expanding internet access in Cuba."

In an October 2017 [speech](#), President Trump named Iran, North Korea, Cuba, and Venezuela as "repressive regimes," reiterating that "we will not lift the sanctions on [them] until they restore political and religious freedom for their people." The following month, the Trump Administration announced new regulations that prohibited individual travel to Cuba but permitted group travel for approved specific purposes, barred U.S. citizens from patronizing listed hotels and restaurants that benefit Cuban officials, and restricted commercial exchanges with 180 entities. The new policies do not impact travel or business plans

already contracted, only those initiated after the publication of the regulations in the Federal Register. U.S. airlines and cruise ships can continue to operate.

### KEY FINDINGS

In 2017, despite a deteriorating human rights situation overall, including arrests of political dissidents and journalists, religious freedom conditions in Egypt largely remained the same as in 2016. President Abdelفتاح al-Sisi continued his overtures to promote religious tolerance, including attending Coptic Christmas Eve Mass for the fourth consecutive year. The government also continued its education curriculum reform process and planned to revamp the entire education system. The Egyptian government prioritized the construction and reconstruction of several prominent non-Muslim houses of worship, including St. Mark's Coptic Orthodox Cathedral in Cairo and the Eliyahu Hanavi synagogue in Alexandria, but as of early 2018, only 53 out of the 5,540 churches that applied had received approvals for renovation, construction, or registration under the 2016 Church Construction Law. Despite positive developments, the number of blasphemy cases filed against individuals increased

in 2017 from 2016. In addition, human rights groups reported more than 120 sectarian attacks, including mob attacks against Christians and churches, and the lack of effective prosecution of perpetrators remained a serious concern. A series of attacks in 2017 by affiliates of the terrorist group the Islamic State of Iraq and Syria (ISIS) targeted houses of worship, including Egypt's deadliest attack on a Sufi mosque, in Sinai, that resulted in the deaths of 305 people, and bombings and attacks against churches and Christians that resulted in almost 100 deaths and hundreds of injuries. The Baha'i and Jehovah's Witness communities also remained unrecognized. Based on these concerns, USCIRF again places Egypt on its Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Urge the Egyptian government to accelerate approvals for the churches that have applied for renovation, construction, or registration under the 2016 Church Construction Law;
- 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;
- Press the Egyptian government to undertake further reforms to improve religious freedom conditions, including: repealing decrees banning the Baha'i and Jehovah's Witness faiths, removing religion from official identity documents, and passing laws consistent with article 53 of the constitution to create an independent antidiscrimination body;
- Urge the Egyptian government to repeal or revise article 98(f) of the penal code, which criminalizes contempt of religion, or blasphemy, and in the interim provide the 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;
- Press the Egyptian government to address incitement to violence and discrimination against disfavored Muslims and non-Muslims, including by prosecuting clerics who incite violence against Muslim or non-Muslim minority communities;
- Press the Egyptian government to continue to revise all textbooks and other educational materials to remove any language or images that promote intolerance, hatred, or violence toward any group of persons based on religion or belief, and include the concepts of tolerance and respect for the human rights of all individuals, including religious freedom, in all school curricula, textbooks, and teacher training;
- Provide support for education reform and teacher training initiatives;
- Provide support to human rights and other civil society or nongovernmental organizations (NGOs) to advance freedom of religion or belief for all Egyptians;
- 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 and the prosecution of perpetrators of sectarian violence; and
- Apply the Global Magnitsky Human Rights Accountability Act, [Executive Order 13818](#), or other relevant targeted tools, to deny U.S. visas to and block the U.S. assets of specific officials and agencies identified as responsible for violations of the right to freedom of religion or belief.

## COUNTRY FACTS

### FULL NAME

Arab Republic of Egypt

### GOVERNMENT

Presidential Republic

### POPULATION

97,041,072 (July 2017 estimate)

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam (Sunni/Shi'a), Christianity (Orthodox, Catholic, Protestant)

### RELIGIOUS DEMOGRAPHY\*

85–90% Muslim (predominantly Sunni)

10–15% Christian (majority Coptic Orthodox, other Christians include Armenian Apostolic, Catholic, Maronite, Orthodox, and Anglican) (2015 estimate)

\*CIA World Factbook and U.S. Department of State

## BACKGROUND

Egypt's constitution identifies Islam as the state religion, and the principles of Shari'ah as the primary source of legislation. While article 64 of the constitution states that "freedom of belief is absolute," only Muslims, Christians, and Jews can practice their religion publicly and build places of worship. Of the country's estimated 97 million people, 85 to 90 percent are Sunni Muslims, and non-Sunni Muslims comprise less than 1 percent. Ten to 15 percent are Christians, the vast majority of whom belong to the Coptic Orthodox Church and less than 2 percent of whom belong to various other denominations, including Catholic, Protestant, Maronite, Armenian Apostolic, Greek and Syrian Orthodox, and Anglican. There are at least 2,000 Baha'is, approximately 1,500 Jehovah's Witnesses, and fewer than 10 Jews.

Egypt has seen progress and setbacks during its political transition since 2013. In 2014, a new constitution was overwhelmingly approved by referendum, and in May 2014, Sisi was elected president. Parliamentary elections in late 2015 resulted in 39 Christians out of a 596-member House of Representatives, seated in January 2016. Presidential elections are scheduled to be held in late March 2018.

In 2017, the government's efforts to combat extremism and terrorism continued to negatively affect human

rights conditions and civil society activities. The government continued to crack down on dissent. Five individuals who attempted to run for president were either arrested or intimidated into withdrawing their candidacy. Sympathizers and members of the Muslim Brotherhood, journalists, secular and liberal activists, and opposition figures have been harassed, jailed, and given harsh prison terms, including death sentences for Brotherhood members and other Islamists, sometimes on legitimate—though other times on unfounded—security charges.

Law 70 of 2017 for Regulating the Work of Associations and Other Institutions Working in the Field of Civil Work, enacted in May 2017, prohibits NGOs from carrying out any work that may "harm national security, public order, public morality, or public health." However, none of these terms are explicitly defined. The law grants several government agencies, including the General Intelligence Directorate and the Defense and Interior Ministries, the authority to oversee NGOs, including monitoring day-to-day activities, and the power to object to an organization's choice of leadership or the scheduling of internal meetings. Relocating buildings without informing the proper authorities is subject to punishments ranging from imprisonment of one to five years, to a fine of 50,000 to 1,000,000 Egyptian pounds (approximately \$2,800 to \$56,600).

In January 2017 and March 2018, the latter after the reporting period, USCIRF delegations traveled to Egypt to assess religious freedom conditions and met with a range of Egyptian government officials, including the Minister of Education and the Minister of Religious Endowments; the Grand Sheikh of Al-Azhar, Ahmed El-Tayeb; Pope Tawadros II, head of the Coptic Orthodox Church; the U.S. chargé d'affaires and other embassy officials; and members of civil society, including religious leaders, human rights defenders, and lawyers.

## RELIGIOUS FREEDOM CONDITIONS 2017

### Positive Developments

In 2017, President Sisi and his government continued their efforts to highlight Egypt's religious diversity to both domestic and international audiences. For example, in May 2017, at the Arab-Islamic-American Summit in Riyadh, Saudi Arabia, President Sisi referred to Egypt as a "land of Islam, Christianity and Judaism" and "an epitome of moderate thought, tolerance and enlightenment."

For the fourth year in a row, President Sisi, along with members of the Ministry of Religious Endowments, attended Coptic Christmas Mass, held this year at the Church of the Nativity of Christ, a church being built in the new administrative capital outside of Cairo.

The Ministry of Education also continued to remove and/or clarify passages from primary school textbooks, particularly Islamic education books, deemed to promote extremist ideology. During USCIRF's March 2018 visit, the Minister of Education outlined plans to roll out over a period of several years a new education system and curriculum for primary and secondary schools starting in the fall of 2018. According to Egyptian officials, the government continued to dismantle and close down a number of private schools operated by groups teaching extremist ideology.

In both January 2017 and March 2018, USCIRF met with the Grand Sheikh of Al-Azhar University, Ahmed El-Tayeb, who highlighted the institution's commitment to promoting religious tolerance and understanding.

The university continued to train imams and provide Islamic education, which served approximately two million primary and secondary students and 350,000–400,000 university students throughout the country, as well as approximately 35,000 students from 108 foreign countries. Al-Azhar, along with the Coptic Orthodox Church and other Christian denominations, continued to lead and participate in the Egyptian Family House. The 27-member leadership council's purpose is to engage directly with government ministers concerning public policy, and it has made special efforts to promote religious tolerance, especially in Upper Egypt. Al-Azhar, as well as the Ministry of Religious Endowments, worked with the National Council of Women, a government body focused on the advancement of women, to create a program to bring together more than 500 female Muslim lay preachers and nuns to promote religious tolerance throughout Egypt.

Regarding reform to religious discourse in society, the Egyptian government actively monitored *fatwas* (religious edicts) issued by clerics. Dar al-Ifta, a govern-

ment entity headed by the Grand Mufti, continued to counter *fatwas* online that espouse radical views. It has also created its own magazine, *Insight*, as a counter-narrative to the one promoted by extremist groups. The Ministry of Religious Endowments

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*During USCIRF's March 2018 visit, the Minister of Education outlined plans to roll out over a period of several years a new education system and curriculum for primary and secondary schools starting in the fall of 2018.*

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and Dar al-Ifta continued to train senior imams on the skills of issuing responsible and accurate *fatwas*. Dar al-Ifta will also hold its fourth international conference in October 2018, meant to bring together imams and non-Muslim religious leaders to discuss radicalization and effective ways of countering it.

### Attacks by ISIS Affiliates

Throughout 2017, ISIS affiliates targeted Christians. In February 2017, ISIS-linked militants in the Sinai released a video inciting violence against Egypt's Christians. In April, on Palm Sunday, a bombing at St. George's Church in Tanta killed 30 people and injured 79, and a second bombing at St. Mark's Cathedral in Alexandria, the seat of the Coptic papacy, killed 17 people and injured 48. In

May, ISIS-linked militants killed a father and son in the Sinai; they shot the father and burned the son alive. Also in May, unknown gunmen killed 28 pilgrims who were en route by bus to the Monastery of St. Samuel in Minya. In October, Father Samaan Shehata, a Coptic priest, was stabbed in Cairo. In late December, ISIS militants opened fire on the Helwan Church near Cairo, killing 11 civilians and a policeman.

In 2017, ISIS affiliates also targeted Sufi Muslims in what was considered the deadliest terrorist attack in Egypt's modern history. ISIS-linked militants bombed a Sufi mosque in the Sinai Peninsula and then sprayed gunfire on worshippers as they tried to escape. A total of 305 people were killed and at least 128 others were injured. Several international leaders, including President Donald Trump, offered their condolences to the Egyptian president.

President Sisi has made firm statements in the wake of terrorist attacks, particularly the ones on the Sufi mosque and Helwan Church, vowing to continue "cleansing the country of terrorism and extremism." While perpetrators of some of these incidents were arrested and/or prosecuted, accountability for all actors involved remained insufficient, as discussed below in the section on Sectarian Attacks and Impunity. Some members of the Christian community remain fearful that perpetrators may evade punishment.

During USCIRF's visit, Christian interlocutors voiced concern about the vulnerability of their facilities but had differing views about the government's ability to protect them. Some stated that the government had increased security for churches and was trying to prevent future acts of terrorism, but others said the government did not effectively protect them and that some church security personnel conducted surveillance rather than guarding the churches.

### Construction, Renovation, and Registration of Churches

In September 2016, the parliament passed and President Sisi approved a new law to regulate the construction and renovation of churches. At the time, the Coptic

Orthodox, Catholic, and Anglican denominations publicly supported the law. However, some Christian and human rights organizations voiced concern that the law allows governors to deny church-building permits with no clear avenue to appeal, requires that churches be built "commensurate with" the number of Christians in an area, and allows authorities to deny construction permits if granting them would undermine "public safety." The law also creates a committee, appointed by the cabinet, to review applications to license informal or unlicensed churches, of which there are many due to the difficulty of obtaining official permits. The 10-member committee has nine government representatives (including from the Ministry of Defense, the Ministry of Interior, and General Intelligence Services) but just one representative from "the church" (without specifying which denomination).

A year after its passage, discontent with the law has grown. At the end of the reporting period, none of the 5,540 churches that had applied during 2017 for licenses had been approved. During the week of USCIRF's visit

*At the end of the reporting period, none of the 5,540 churches that had applied during 2017 for licenses had been approved.*

in early March 2018, 53 churches were approved, with promises from officials that another 200 were to come soon after. Some Christian leaders stated that the law had been used to justify closing

down churches and had prevented maintenance of existing churches, and that the government's management of churches under Egypt's new terrorism laws had targeted their community disproportionately. However, government officials informed USCIRF that regulation of churches is necessary to ensure compliance with property and construction laws at both the city and governorate levels. Since September 2016, the government has issued four decrees to allocate land for the sole use of churches (in Port Said, Minya, Fayyoub, and South Sinai). Over the last six years, only 11 church construction permits had been awarded.

### Sectarian Attacks and Impunity

According to human rights groups, in 2017 alone there were 22 cases of attacks against churches, including many perpetrated by ISIS affiliates and others perpetrated by



sectarian mobs. Perpetrators of these and other sectarian-related attacks continued to go largely unpunished, perpetuating an atmosphere of impunity. In some cases, instead of pursuing justice through the rule of law, local Egyptian authorities, particularly in Upper Egypt, continued to conduct “customary reconciliation” sessions between Muslims and Christians. Local authorities and Muslim and Christian religious leaders at times have abused these sessions to compel victims to abandon their claims to any legal remedy. Human rights groups have argued that reconciliation sessions disadvantage Christians, in some cases resulting in Christian families being forced to leave their villages and sell their property.

There were a few relevant prosecutions in 2017. In March 2017, a court sentenced Adel Soliman to death for the January 2017 murder of Coptic shopkeeper Youssef Lamei in Alexandria; at year’s end, the sentence remained under appeal. Following an attack on a Coptic Christian-owned house used as an unregistered church in Atfih village in December 2017, a court imposed on approximately 15 individuals one-year suspended sentences and fines of 500 Egyptian pounds (\$28), which they too may appeal. The court also fined the owner of the house 360,000 Egyptian pounds (\$20,500) for converting his house into a church without a license; the Archdiocese of Atfih reportedly had applied for a license for the church, which has been used for 15 years, under the 2016 Church Construction Law. In January 2018, after the reporting period, a public prosecutor filed murder charges against a man accused of killing 11 individuals in the December 2017 Helwan Coptic Church attack; the case remains ongoing. In February 2018, also after the end of the reporting period, a court confirmed a death sentence for Ahmed el-Sonbati for the October 2017 murder of Coptic Orthodox priest Fr. Samaan Shehata, after the Grand Mufti ratified the November 2017 sentence.

### Discrimination Against Christians

Discriminatory laws and policies that remain in place continued to impact Christians negatively, including the blasphemy law (discussed below) and limits on conversion from Islam. Egyptian-born Muslims who

have converted to Christianity still cannot reflect their change of religious affiliation on identity documents, and in many cases face intense social hostility. Some Christian leaders told USCIRF of intimidation and arrests by security services when they learned of conversions. In addition, incidents of kidnappings for ransom and extortion of Christians continued to occur, particularly in Upper Egypt.

Few Christians hold positions of authority in the government. USCIRF met with the first Coptic co-chair of the parliament’s Committee for Religious Affairs and Endowments. However, only one of the 36 government ministers is Christian, and there are no Christian governors, even in Christian-majority areas. Between 1971 and 2015, there were no Christian members in the Supreme Council of the Armed Forces; in 2016, the military named the first one.

### 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 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 December 2017, a bill to ban atheism was proposed—but failed—in the parliament’s Committee on Religious

Affairs. After the reporting period, in January 2018, the Minister of Religious Endowments, Mukhtar Jum’a, publicly equated atheists with terrorists.

In 2017, there were 15 known cases and investigations under article 98(f), an increase from 2016, many involving expression on social media. While the majority of such charges in Egypt are leveled against Sunni Muslims, most of those sentenced by courts to prison terms for blasphemy have been Christians, Shi’a Muslims, and atheists. A conviction can result in a prison term of up to five years and a fine. For example, in February 2017, Sunni Muslim cleric Mohamed Abdullah al-Nasr was sentenced to five years in prison for “contempt of religion” for questioning various

*In 2017, there were 15 known cases and investigations under article 98(f), an increase from 2016, many involving expression on social media.*

interpretations of Qur'anic texts on Facebook; at the end of the reporting period, he remained in prison pending appeal. In December 2017, Ibrahim Khalil, a 29-year-old from a Christian family, was accused of "administering a Facebook page that promotes atheism." He was interrogated for five hours, and—as of March 2018—remained detained and under investigation.

*According to the leader of the community in Cairo, only five Jews remain in the capital, and three in Alexandria.*

### Baha'is and Jehovah's Witnesses

The Baha'i and Jehovah's Witness faiths 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. In 2017, members of the community could not publicly celebrate the birthday of the Baha'i faith's founder, Baha'u'llah. 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 recent years, the Ministry of Religious Endowments has sponsored public workshops to raise awareness about the "growing dangers" of the spread of the Baha'i faith in Egypt. The ministry sold a book at the 2017 Cairo Book Fair that discussed the dangers of the Baha'i faith.

As a policy, Baha'i marriage is not recognized because the community has no recognized spiritual institution. In January 2018, after the end of the reporting period, one Baha'i couple was awarded a marriage license after the couple took its case to the courts. Two other such cases are pending.

As reported previously, 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. According to community members, this largely stems from the Coptic Church's refusal to recognize Jehovah's Witnesses as Christians. For the past several years, security officials continued to harass and interrogate Jehovah's Witnesses by monitoring their activities and communications.

### Anti-Semitism and the Jewish Community

The Jewish community in Egypt is virtually extinct. According to the leader of the community in Cairo,

only five Jews remain in the capital, and three in Alexandria. In 2017, anti-Semitic content remained rampant in Egypt's state-controlled and semi-official media, and state authorities

failed to take adequate steps to curb anti-Semitic statements. Community sites, such as synagogues and cemeteries, including the second-largest Jewish cemetery in the world, remained in dire need of renovation and repair. In a positive development, the Egyptian government is restoring the 160-year-old Eliyahu Hanavi synagogue in Alexandria, one of the largest synagogues in the Middle East. The Ministry of Antiquities' Project Sector is investing \$2.2 million in the project.

### U.S. POLICY

Historically, Egypt has been one of the United States' most important allies in the Middle East. Since the 1979 Egypt-Israel Peace Treaty, the U.S. and Egyptian governments have cooperated closely on military and counterterrorism efforts, as well as on overall regional stability. According to the Congressional Research Service, between 1946 and 2016 the United States provided Egypt with a total of \$78.3 billion in bilateral foreign aid, including \$1.3 billion a year in foreign military financing (FMF) from 1987 to the present.

President Trump has sought to improve relations with Egypt, but his administration has voiced occasional concern about Egypt's human rights record and the NGO law in particular, as well as the detention of U.S. citizens in Egypt. The Fiscal Year (FY) 2018 omnibus allocates \$112.5 million in Economic Support Funds (ESF) to Egypt. In August 2017, the administration reprogrammed away from Egypt \$65.7 million of the FY2017 FMF funds, as well as \$30 million of FY2016 economic aid. As of March 2018, it had also delayed Egypt's ability to use \$195 million in FY2016 FMF due to concerns about human rights and Egypt's relationship with North Korea. For FY2019, the president has requested a total of

\$1.38 billion in foreign assistance for Egypt, almost all of which would come from the FMF account.

After the reporting period, in January 2018, Vice President Mike Pence met with President Sisi in Egypt to discuss a series of issues, including the Trump Administration's December 2017 recognition of Jerusalem as the capital of Israel, which was met with criticism in Egypt. Pope Tawadros II and the Grand Sheikh of Al-Azhar Ahmed El-Tayeb refused to meet with the vice president during his visit. The vice president also highlighted the continued detention of two U.S. citizens in Egypt and the shared fight against terrorism. In November 2017, President Trump offered his sympathy for the attack on the Sufi mosque in Sinai, calling it a "horrible and cowardly terrorist attack on innocent and defenseless" worshippers and emphasizing that terrorism and its ideological roots must be defeated.

According to State Department officials, the U.S. government continues to prioritize religious freedom concerns with the Ministries of Foreign Affairs and Interior. This includes urging the government to hold the perpetrators of sectarian crimes accountable, repeal article 98(f) on blasphemy, and prevent discrimination against and the intimidation of Egypt's smallest religious minority groups. It has also emphasized the need to accelerate the approvals under the 2016 Church Law. The State Department also welcomed anticipated changes to the education curriculum, as well as religious institutions' commitment to curbing extremism and terrorism. Finally, the U.S. Embassy continues to support programs seeking to encourage and promote religious tolerance, including among youth.



## KEY FINDINGS

In 2017, religious freedom conditions continued a downward trend in India. India's history as a multicultural and multireligious society remained threatened by an increasingly exclusionary conception of national identity based on religion. During the year, Hindu-nationalist groups sought to "Saffronize" India through violence, intimidation, and harassment against non-Hindus and Hindu Dalits. Both public and private actors pursued this effort. Approximately one-third of state governments enforced anti-conversion and/or anti-cow slaughter laws against non-Hindus, and mobs engaged in violence against Muslims or Dalits whose families have been engaged in the dairy, leather, or beef trades for generations, and against Christians for proselytizing. "Cow protection" lynch mobs killed at least 10 victims in 2017. Forced conversions of non-Hindus to Hinduism through "homecoming" ceremonies (*ghar wapsi*) were reported, and rules on the registration of foreign-funded nongovernmental organizations (NGOs) were used discriminatorily against religious minority groups. The worsening conditions for religious freedom largely impacted 10 states (Uttar Pradesh, Andhra Pradesh, Bihar, Chhattisgarh, Gujarat, Odisha, Karnataka, Madhya Pradesh, Maharashtra, and Rajasthan); the 19 remaining states remained relatively open

and free for religious minorities. At the federal level, Prime Minister Narendra Modi has made statements decrying mob violence, but members of his own political party have affiliations with Hindu extremist groups and many have used discriminatory language about religious minorities. Despite Indian government statistics indicating that communal violence has increased sharply over the past two years, the Modi Administration has not addressed the problem. His administration also has done little to provide justice for victims of large-scale past incidents of communal violence, often caused by inflammatory speeches delivered by leaders of Modi's party. While serious capacity and other challenges hamper Indian institutions' ability to address these and other problems, the active and independent judiciary exemplified by India's Supreme Court, the Ministry of Minority Affairs, and the National Commission for Minorities provide opportunities for the government to protect minorities and counter intolerance. Based on these concerns, in 2018 USCIRF again places India on its Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA).

## RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Integrate concern for religious freedom into bilateral discussions with India, including the framework of future Strategic Dialogues, at both the federal and state levels;
- Press the Indian government to allow USCIRF to visit the country and to invite the United Nations (UN) Special Rapporteur on freedom of religion or belief to visit India;
- Apply the Global Magnitsky Human Rights Accountability Act, [Executive Order 13818](#), or other relevant targeted tools, to deny U.S. visas to and block the U.S. assets of specific officials and agencies identified as responsible for violations of the right to freedom of religion or belief;
- Increase the U.S. Embassy's attention to issues of religious freedom and related human rights, including through visits to areas where religiously motivated violence has occurred and meetings with religious communities, local governmental leaders, and police;
- Advocate for the central Indian government to press states with anti-conversion and anti-cow slaughter laws to repeal or amend them to conform with international human rights standards; and
- Work with the Modi Administration to create a multiyear strategy to deal with hate crimes targeting religious minorities, including by:
  - Supporting the Ministries of Home Affairs and Law and Justice to strengthen the training and capacity of state and central police to prevent and punish cases of religious violence, while also protecting victims and witnesses;
- Assisting the Ministry of Law and Justice to work with state prosecutors to increase the rate of prosecutions for hate crimes targeting religious minorities; and
- Pressing state governments to prosecute religious leaders, government officials, and media personalities who incite violence against religious minority groups through public speeches or articles, as was recommended by the National Minorities Ministry in July 2014; and
- Urge the Indian government to promote interfaith dialogue and harmony, including by empowering the National Commission for Minorities and the Ministry of Minority Affairs to expand the scope of their work to include interfaith dialogue and assisting victims of mass communal violence.

## COUNTRY FACTS

### FULL NAME

Republic of India

### GOVERNMENT

Federal Parliamentary Republic

### POPULATION

1,210,193,422

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Secular Constitution

### RELIGIOUS DEMOGRAPHY\*

79.80% Hindu

14.2% Muslim

2.3% Christian

1.7% Sikh

0.7% Buddhist

0.4% Jain

0.7% Other (including Zoroastrians, Jews, Baha'is, and tribal religions)

0.2% Religion not stated

\*Estimates compiled from the 2011 Census of India (15th Census)

## BACKGROUND

The world's largest democracy, India remains a leader in South Asia, with an active and independent judiciary, a vibrant and uninterrupted parliamentary system of democracy, and a prominent position in the global economy. India has a federal constitutional system that limits some powers of the central government and bolsters the authority of states to make policies and decisions suited to their local needs.

Conditions for religious minorities have deteriorated over the last decade due to a multifaceted campaign by Hindu-nationalist groups like Rashtriya Swayamsevak Sang (RSS), Sangh Parivar, and Vishva Hindu Parishad (VHP) to alienate non-Hindus or lower-caste Hindus. The victims of this campaign include Muslims, Christians, Sikhs, Buddhists, and Jains, as well as Dalit Hindus, who belong to the lowest rung in the Hindu caste system. These groups face challenges ranging from acts of violence or intimidation, to the loss of political power, to increasing feelings of disenfranchisement and "otherness."

*Conditions for religious minorities have deteriorated over the last decade due to a multifaceted campaign by Hindu-nationalist groups . . .*

In 2017, the Indian government's criminal data collection agency, the National Crime Records Bureau, reported that communal violence increased significantly during 2016. Further, just after the reporting period, Union Minister of State for Home Affairs Hansraj Ahir reported to parliament that 111 people were murdered and 2,384 injured in 822 communal clashes during 2017 (as compared to 86 people killed and 2,321 injured in 703 incidents the previous year). However, religious minorities are not only concerned with security; they also faced diminishing representation in the legislature despite a growth in their population numbers. For example, in the state of Uttar Pradesh, Muslims constituted 19 percent of the population but their representation in the legislative

assembly dropped to 6 percent in 2017, which is likely a consequence of discrimination faced by Muslims. In addition, out of 1,400 members of Prime Minister Modi's Hindu-nationalist Bharatiya Janata

Party (BJP) serving as ministers of state assemblies across the nation, only four were Muslim.



Various nationalist groups in India have adopted the ideology of Hindutva, or “Hindu-ness,” which has three pillars—common nation, race, and culture—and forms the basis of an exclusionary national narrative focused exclusively on the rights of Hindus. These groups’ views and activities range across a spectrum. Yet, both moderate and extreme forces within the Hindutva movement point to the fact that the Muslim percentage of the total population rose from 10 percent in 1950 to 14 percent in 2011, which in their view necessitates their actions against the Muslim community. For the more extreme Hindutva groups, this means the expulsion, killing, or conversion of all non-Hindus, while more moderate forces merely

want greater influence of Hindu principles in the state’s decision-making process. Members of the BJP have affiliations with Hindu extremist groups, and many have used discriminatory language about religious minorities. For example, in early 2018, just after the reporting period, BJP parliamentarian Vinay Katiyar stated that “Muslims have been given their share (of land). They should go to Bangladesh or Pakistan.”

The influence of these groups is evident across a range of areas. For example, the RSS and other Hindutva extremist groups have expanded the scope and size of the religious schools—which teach their intolerant ideology—in their Vidya Bharti system to nearly four million students, and have tried to distribute their own books in the public schools. Their youth wings have used intimidation and violence in colleges to silence their secular or non-Hindu classmates and shut down events that challenge their viewpoints. Hindutva extremist groups rioted and burned down cinemas in response to allegations that the 2017 movie *Padmaavat* depicted a Hindu queen having a romantic daydream about a Muslim king. The director of the film rejected these accusations, saying no such scene was in the film. The public response, inflamed by Hindutva groups, caused some state legislatures and courts to temporarily ban the film’s showings. Hindutva-nationalists also have attempted to erase or downplay the influence of non-Hindus in Indian history. For example, the central government omitted the Taj Mahal, which was built by a Muslim ruler, from its “cultural site”

list in 2017. Some members of the BJP have alleged that the Taj Mahal was built on the grounds of a Hindu temple and should be renamed as a Hindu religious site; a court, however, rejected these claims based on the testimony of historical experts.

Beyond the challenges from Hindutva groups, institutional challenges impact progress on all issues, including religious freedom. Indian state and central

government agencies face an immense task that has left, for example, the police and courts overwhelmed by the needs of a growing population and longstanding gaps in their capacity, training, and funding. Also, worsening income inequality

*Indian state and central government agencies face an immense task that has left . . . the police and courts overwhelmed by the needs of a growing population and longstanding gaps in their capacity, training, and funding.*

has left more Indians suffering from poverty and has exacerbated historical conditions of inequality for certain religious and social minorities.

## RELIGIOUS FREEDOM CONDITIONS 2017 Positive Developments

Despite an overall deterioration of religious freedom conditions in 2017, there were positive developments. Some government entities have made efforts to counter increasing intolerance in the country. The active and independent judiciary, exemplified by India’s Supreme Court, decided several cases during the year that protect the rights of religious minorities. For example, in the Hadiya case, the Supreme Court held that if a Hindu woman willingly consents to marrying a Muslim man and converting to his religion, the judicial system has no role in examining the validity of that relationship. In another case involving the central government-administered Kendriya Vidyalayas schools, the Supreme Court demanded an investigation into whether students at public schools could be forced to recite compulsory Hindu prayers, given that the state must remain secular in India. The court cited articles 19 and 28(1) of the Indian constitution, which guarantee the right to freedom of expression and prohibit religious instruction in state-funded schools, respectively.

Furthermore, two government entities—the National Commission for Minorities and the Ministry

of Minority Affairs—have addressed issues of security, education, and employment for religious minorities and have made efforts to address threats faced by religious minorities, including Muslims, Christians, Sikhs, Buddhists, and Jains. For 2018, the Ministry of Minority Affairs was granted a 12 percent increase in its budget from the central government. The National Commission for Minorities also has been working over the last several years to document and report to the government incidents in which politicians and government officials engage publicly in incitement to violence against religious minorities.

### Anti-Conversion Laws and Forced Conversion

Anti-conversion laws have been passed in six states, including Odisha, Madhya Pradesh, Chhattisgarh, Gujrat, Arunachal Pradesh, and Himachal Pradesh. These laws prohibit conversion based on force, allurements, inducement, or fraud, but have been applied discriminatorily in many instances against Muslims and Christians engaged in proselytization. In some states, anyone engaged in conversion must register with local government authorities. In 2017, religious minority leaders and adherents faced intimidation and arrest as a result of these laws. For example, a Catholic nun, along with four tribal women, were detained in June 2017 based on suspicion of induced conversion. In April 2017, three Christians were arrested in the Khandwa district based on allegations that they were converting people. In July 2017, Christians protested in Ludhiana, Punjab, after Sultan Masih, the pastor of the Temple of God Church, was murdered in public based on suspicions of his engaging in the conversion of others.

In 2017, the media dedicated a great deal of coverage to inflammatory allegations that Muslim extremist groups in India were leading a “love jihad,” or an organized campaign to coerce Hindu women to marry Muslim men and convert to Islam. The media coverage has fueled private citizens to commit horrific attacks, including the incident involving Shambhu Lal Regar’s viral video. In December, 2017 Regar released a video in which he hacked to death

and then burned the corpse of Afrazul Khan, a Muslim day laborer. Regar narrated the video by warning Muslim viewers that the same fate will come to those who engage in the conversion of Hindu women. Khan’s family approached the National Human Rights Commission because they feared Regar would not be properly prosecuted by Rajasthan’s courts, and that they would face threats without adequate police protection.

While greater scrutiny has been paid to the conversion of Hindus away from Hinduism, some Hindu-nationalist groups have sought to convert non-Hindus to Hinduism through “homecoming” conversion ceremonies (*ghar warpsi*) that in some cases reportedly involve force or coercion. These ceremonies are based on the view that all individuals born in India are Hindus by default, even if their communities have practiced other faiths for several generations. There continued to be reports of such ceremonies in 2017, although their number and nature were impossible to confirm.

### Cow Slaughter Laws and Vigilante Groups

Under article 48 of India’s constitution, the slaughter of cows is prohibited. Accordingly, 21 out of 29 states in India prohibit cow slaughter in various forms, with prison sentences ranging from six months to 14 years. Since 2005, the Supreme Court has accepted the constitutionality of cow slaughter laws. In 2017, several state governments changed their laws to increase the punishment for cow slaughter.

While prohibitions on cow slaughter have a long history in India, “cow protection” lynch mobs are a new phenomenon, and such groups murdered at least 10 victims in 2017. Not only do these mobs take the law into their own hands by publicly beating or murdering individuals suspected of cow slaughter, usually with impunity, but they also often harass and intimidate individuals engaged in the dairy industry without connections to cow slaughtering. One incident that took place in Alwar, Rajasthan, led to the public murder of a dairy farmer named Pehlu Khan. Khan made a deathbed statement to the police identifying six people who were responsible

*While prohibitions on cow slaughter have a long history in India, “cow protection” lynch mobs are a new phenomenon, and such groups murdered at least 10 victims in 2017.*

for his beating. While some of the suspects were arrested, criminal charges against all six suspects were dismissed, and none were charged with murder.

### NGO Registration

Several international missionary and human rights groups have been prohibited from operating in India since the Foreign Contribution Regulation Act (FCRA) of 1976 was updated in 2010. Under the revision to the law, the government can shut down any internationally funded NGO engaged in “any activities detrimental to the national interest.” The government has used this provision to shut down thousands of international NGOs since 2014; some reports estimate that 10,000 to 33,000 NGOs have been denied licenses to operate or continue operations. The NGOs targeted were often political opponents of the Modi Administration, but also included non-Hindu religious organizations, especially Christian churches or missionary groups.

Some Hindutva extremists see the potential of Christian missionaries converting Dalits as particularly threatening to the Hindu population, as there are nearly 200 million Dalits in India. Many observers assert that it was this fear of mass conversion that led to the 2017 shutdown of Compassion International, the largest religious-affiliated charity operating in India, which provided services to nearly 150,000 Indian children. While Compassion International hopes to reopen its operations in India in the future, this may prove difficult considering the discriminatory way the FCRA has been applied against Christian groups. Additionally, the process for NGO certification lacks transparency, and often, newly shuttered NGOs cannot seek reasons for the denial of their operational license.

### Continued Impunity for Large-Scale Communal Violence

India has suffered through instances of large-scale communal violence that remain unresolved years later. In 1992, after Hindutva activists destroyed the Babri Mosque in Uttar Pradesh, nearly 2,000 people lost their

lives after months of rioting. In 2002, three days of violence in Gujarat left 790 Muslims and 254 Hindus dead, according to government reports; other organizations and scholars have reported that nearly 2,000 people lost their lives. In 2007 in Odisha, Christians suffered several months of unrest that killed 100 people and destroyed 300 churches and 6,000 homes. In 2013, the Muzaffarnagar district of Uttar Pradesh saw communal clashes that killed 42 Muslims and 20 Hindus, along with the displacement of 50,000 people.

Although each incident had unique characteristics and causes, there are commonalities. There has

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*Massive violent incidents are more likely to reoccur if the Modi Administration and state governments continue to fail to punish individuals who engage in violence and incitement to violence against religious minorities.*

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not been accountability for the killings due to ineffective prosecutions. Furthermore, victims have complained that the government has not provided adequate assistance to rebuild destroyed neighborhoods, homes, and places of

worship. Finally, these instances of communal violence were often preceded by incitement to violence against minorities by politicians or religious leaders. Massive violent incidents are more likely to reoccur if the Modi Administration and state governments continue to fail to punish individuals who engage in violence and incitement to violence against religious minorities.

### U.S. POLICY

India and the United States have strengthened ties over the last several decades, with India now described as a “strategic” and “natural” partner of the United States. Since 2004, the United States and India have pursued a strategic relationship based on shared concerns relating to energy, security, and the growing threat of terrorism, as well as shared values of democracy and the rule of law. In 2016, Prime Minister Modi visited the United States, where he met with then President Barack Obama and addressed a joint session of the U.S. Congress. President Donald Trump [stated in August 2017](#) that “another critical part of the [the U.S. government’s] South Asia strategy . . . is to further develop its strategic relationship with India [which has made] important contributions to stability in Afghanistan.” The Trump Administration

has emphasized that India is a central partner to U.S.-South Asia relations. The two nations deepened their connections when then Secretary of State Rex Tillerson visited India in October 2017 and when Ivanka Trump, special adviser to the president, attended the Modi Administration's Global Entrepreneurship Summit in India in November. Much of the increased focus has been on trade and economic relations.

In 2009, then Secretary of State Hillary Clinton launched the U.S.-India Strategic Dialogue, through which the countries have discussed a wide range of bilateral, regional, and global issues such as economic development, business and trade, education, technology, counterterrorism, and the environment. Human rights and religious freedom, however, have not been emphasized. In 2017, senators John Kennedy (R-LA), Roy Blunt (R-MO), Mike Crapo (R-ID), James Lankford (R-OK), and Amy Klobuchar (D-MN) wrote a letter to President Trump urging him to raise the issue of deteriorating religious freedom in India during Prime Minister Modi's June 2017 visit to Washington, DC, although it is unknown whether he did so. During a joint address with Prime Minister Modi at the Association of Southeast Asian Nations (ASEAN) summit in November 2017, [President Trump complimented the Modi Administration](#) for "bringing around lots of factions in India—bringing them all together."

Since 2001, USCIRF has attempted to visit India in order to assess religious freedom conditions on the ground. However, on three different occasions—in 2001, 2009, and 2016—the government of India refused to grant visas for a USCIRF delegation despite requests being supported by the U.S. State Department.

### ADDITIONAL STATEMENT OF COMMISSIONER TENZIN DORJEE

India is secular, democratic, and the second-most-populated nation with a multifaith, multiethnic, multilingual, and multicultural society. Many religions such as Hinduism, Buddhism, Jainism, and Sikhism originated in India and many other religions including Islam, Christianity, and the Baha'i faith coexist there, too. From ancient time, India has an exemplary tradition of Ahimsa (nonviolence), respect, and tolerance for different faiths and tenets including that of nihilists (Chravakas). Ancient India witnessed outstanding

debate and dialogue among different religions based on mutual respect, appreciation, and learning. Unfortunately, this exemplary tradition has eroded in India due to religious fundamentalism and mixing religion with politics, among other factors. India is a land of multiple faiths and philosophies, and she must uphold the pride and dignity of her ancient secular tradition. Last December, while engaging in voluntary teaching in India, I attended two public events of His Holiness the Dalai Lama in Bengaluru and Tumkur. His Holiness profoundly admires India's secular values—such as interfaith respect and appreciation of ancient—traditions and advocated for reviving them within the modern education system for the greater good of the country and beyond. Overall, I believe India has practiced peaceful coexistence of diverse religions and beliefs for centuries. However, India must systematically address identity politics conjoined with religion in order to protect the freedom of religious minorities and ensure secular India thrives. Emphasizing centuries-old secular values, India can set an example for the globe to transcend polarized interfaith conflicts while advancing interfaith exchanges, peace, harmony, respect, and understanding.

## KEY FINDINGS

In 2017, a high-profile gubernatorial election in Jakarta and a related blasphemy conviction of the capital city's then governor underscored the risk in manipulating religion for political gain. Much of this troubling trajectory was driven by the words and actions of hardliner and other intolerant groups, who in 2017 continued to use religion to advance their agenda. Although not mainstream, these individuals and groups were able to influence political and societal debate and to commit acts of discrimination and violence, often in the name of religion, with near impunity. Certain parts of the country are more restrictive and more hostile toward religious minorities than others; this includes Aceh, West Java, and South Sulawesi. And certain religious communities were targeted more than others,

such as Ahmadiyya and Shi'a Muslims, Christians, believers outside the six officially recognized faiths, and nonbelievers. Indonesia's central government at times responded in a manner that supports religious freedom and related human rights, but provincial and local governments, as well as law enforcement, regularly exacerbated divisions and failed to prevent religious-based discrimination and violence. In 2018, USCIRF again places Indonesia on its Tier 2, where it has been since 2004, for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA).

## RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Urge the Indonesian government at the central, provincial, and local levels to comply with the Indonesian constitution and international human rights standards by:
  - Overturning the 2008 Joint Ministerial Decree on the Ahmadiyya community and any provincial bans on Ahmadi religious practice;
  - Repealing article 156(a) of the penal code and unconditionally releasing anyone sentenced for "deviancy," "denigrating religion," or "blasphemy"; and
  - Amending the 2006 Joint Regulation on Houses of Worship to allow religious communities the right to build and maintain their places of worship free from discrimination and threats;
- Apply the Global Magnitsky Human Rights Accountability Act, [Executive Order 13818](#), or other relevant targeted tools to deny U.S. visas to and block the U.S. assets of specific officials and agencies identified as responsible for violations of the right to freedom of religion or belief;
- Offer technical assistance and guidance to the Indonesian government as it drafts legislation protecting religious freedom, as appropriate;
- Raise in public and private with Indonesian officials the importance of investigating and prosecuting individuals or groups who discriminate or incite or perpetrate acts of violence against religious communities;
- Encourage the Ministry of Home Affairs and other relevant central government bodies to challenge local laws, regulations, and policies that run counter to Indonesia's constitution, the principles of Pancasila, and international human rights standards;
- Prioritize funding for governmental, civil society, and media programs that promote religious freedom; counter extremism; build grassroots intrafaith and interfaith coalitions; expand human rights defenders' reporting ability; train government and religious officials to mediate sectarian disputes; and enhance rule of law and build capacity for legal reform advocates, judicial officials, and parliamentarians; and
- Help to train Indonesian police and counterterrorism officials at all levels to better address sectarian conflict, religion-related violence, and terrorism, including violence against places of worship, through practices consistent with international human rights standards, ensuring those officers have not been implicated in perpetrating or tolerating past human rights abuses pursuant to Leahy Amendment vetting procedures.

## COUNTRY FACTS

### FULL NAME

Republic of Indonesia

### GOVERNMENT

Presidential Republic

### POPULATION

261,000,000

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam, Catholicism, Protestantism, Buddhism, Hinduism, Confucianism

### RELIGIOUS DEMOGRAPHY\*

87.2% Muslim

7% Protestant

2.9% Catholic

1.7% Hindu

0.9% Other (includes Buddhist and Confucian)

0.4% Unspecified

\*Estimates compiled from the CIA World Factbook

## BACKGROUND

Indonesia is the world's most populous Muslim-majority country and is governed by the state ideology known as Pancasila, which comprises five principles: monotheism, civilized humanity, national unity, deliberative democracy, and social justice. In a July 2017 Reuters interview, President Joko Widodo characterized Indonesia as a model of pluralism and moderate Islam, just weeks after he created a presidential working group—known by its acronym, UKP-PIP—to advise the government about whether educational materials and regulations at every level of government are consistent with Pancasila. Earlier in the year, the president's remarks to dissuade Indonesians from manipulating religion for political gain stirred controversy among those who oppose the notion that Indonesia should be secular, prompting the president to clarify that there exists a natural connection between religion and politics. His initial remarks and subsequent clarification were made in the context of the religiously charged blasphemy trial of then Jakarta Governor Basuki Tjahaja Purnama, also known as "Ahok," and the growing influence of hardliners in Indonesia.

For decades, hardliners and other intolerant groups have had deep connections to and influence on the highest levels of government. (In Indonesia, the term hardliner is commonly used to refer to individu-

als and groups who seek to impose their interpretation of Islam on others or to defend Islam from perceived threats, including through intimidation and violence.) While many Indonesians have remained tolerant, certain elements—such as the Islamic Defenders Front (FPI), the Indonesian Council of Ulema (the MUI, the country's top Muslim clerical body), and others—have grown more vocal in calling for increasingly conservative interpretations of Islam. This social undercurrent has been buttressed in part by Saudi investment and influence in Indonesia, which, according to Indonesian academics and think tank experts, has brought a different, stricter form of Islam to the country. Officials from the Ministry of Religious Affairs and Yahya Cholil Staquf, general secretary of Indonesia's largest Muslim organization, also have expressed concerns. The latter urged Saudi Arabia's King Salman bin Abdulaziz al-Saud to denounce radicalism because his March 2017 visit to Indonesia was already seen as implicit support for radical movements in Indonesia. Saudi money, such as through the state-owned Saudi Fund for Development, supports Indonesian mosques and schools, and the government provides funds for educational materials and scholarships to study in Saudi Arabia.

Although the Setara Institute, a local nongovernmental organization, recorded fewer incidents in 2017



of both religious intolerance and religious freedom violations than it had in 2016, it noted concerns about possible religious-based violence connected to the upcoming June 2018 regional elections and 2019 general elections. In 2017, religious concerns influenced the electoral defeat of the incumbent Ahok, a Christian and ethnic Chinese, by Anies Baswedan, a Muslim, in the April 2017 second-round gubernatorial race in Jakarta. Baswedan, previously considered religiously moderate, aligned himself with the FPI and other hardliners who used religious propaganda, rhetoric, and threats to influence the electorate.

In April 2017, Religious Affairs Minister Lukman Hakim Saifuddin urged houses of worship against issuing religious sermons that promote religious or ethnic intolerance. On the sidelines of the September 2017 United Nations (UN) General Assembly in New York City, Indonesian Foreign Minister Retno LP Marsudi spoke about protecting the freedoms of religion and expression and the risk of extremism and violence. In 2017, President Widodo appointed Muhammad Sirajuddin “Din” Syamsuddin as special envoy for religious harmony with a mandate to develop cooperation and interfaith dialogue. Also, Indonesia was among the countries that provided humanitarian aid to Bangladesh to assist Rohingya Muslim refugees who fled Burma. (For more information about how the Rohingya Muslim refugee crisis is a challenge for all of South-east Asia, refer to USCIRF’s September 2017 report, [A](#)

[Right for All: Freedom of Religion or Belief in ASEAN.](#))

## RELIGIOUS FREEDOM CONDITIONS 2017 Forced Closures of and Violence against Religious Properties

Although the 2006 Joint Regulation on Houses of Worship was intended to promote community-level interreligious harmony, in practice it has politicized the construction of houses of worship and often handed over their fate to the influence of hardliners and other intolerant groups. The regulation requires individuals seeking to establish houses of worship to submit the names of at least 90 congregation members and signa-

tures of support from at least 60 local households of a different faith, as well as obtain recommendations from both the local religious affairs office and local Religious Harmony Forum, known as Forum Kerukunan Umat Beragama (FKUB). The regulation provides local governments the latitude to deny permits to smaller congregations and the authority to close or tear down houses of worship built prior to 2006. Hardliners and intolerant individuals or groups, typically those belonging to the majority faith in a particular area, often cite alleged faulty or missing permits or other regulation-related paperwork as justification to protest houses of worship or to pressure local officials to deny or revoke permissions or close the structures.

In 2017, two Christian churches remained closed despite Supreme Court rulings in 2010 and 2011 in favor of their reopening. The congregations of the Indonesian Christian Church (GKI) Yasmin in Bogor and the Filadelfia Batak Church (HKBP Filadelfia) in Bandung, both in West Java, held some of their services—including their 2017 Easter and Christmas services—in front of the Presidential Palace in Jakarta, and have done so ever since local authorities in their respective cities denied their churches’ legal registration in 2008 and 2010.

In March 2017, hundreds of hardliners protested at the Santa Clara Catholic Church in Bekasi, West Java, to demand that local authorities cancel the church’s permit. Police used tear gas to disperse the crowd.

*In March 2017, hundreds of hardliners protested at the Santa Clara Catholic Church in Bekasi, West Java, to demand that local authorities cancel the church’s permit.*

Hardliners effectively closed the Santa Clara Catholic Church in April 2016 by staging rallies and blocking congregants from entering the church after they accused it of having falsely obtained a permit under the 2006 regulation. In positive news, Bekasi’s mayor, Rahmat Effendi, continued to defend the church’s permit and encouraged critics to pursue peaceful, legal avenues if they questioned the legality of the permit.

### Ahmadis

The government’s 2008 Joint Ministerial Decree bans Ahmadis from spreading their faith, effectively criminalizing a guiding principle of the Ahmadiyya faith,

which under the decree is punishable by up to five years in prison. Additionally, the MUI issued a *fatwa* (religious edict) declaring the Ahmadiyya faith to be deviant and heretical. Some religious leaders and entire provinces, through the force of law, have expanded upon the MUI's *fatwa* by banning all Ahmadi activities. Since the 2008 decree and subsequent *fatwas*, authorities have closed or violent protestors have vandalized more than 100 Ahmadi mosques. For example, in February 2017, authorities closed the Al-Hidayah Mosque in Depok, West Java, and posted notice that all Ahmadi activities were "illegal" after the FPI and other hardliners threatened both the mosque and Ahmadis. In June 2017, vandals defaced the mosque as the building remained sealed during Ramadan, forcing followers to use the backyard for prayers.

Ahmadis have reported difficulties obtaining ID cards, which negatively affects their ability to obtain marriage licenses and birth and death certificates, access public services, and freely travel throughout the country. The lack of an ID card could also affect their ability to vote in the upcoming regional and national elections. In June and July 2017, followers in Manislor, West Java, appealed to the Ministry of Home Affairs and the Indonesian Ombudsman to complain about the local district head's refusal to issue them ID cards unless they renounce their faith. In July 2017, Home Affairs Minister Tjahjo Kumolo suggested that Ahmadis leave the religion field on the ID card blank in order to be issued cards without having to renounce their faith.

More than 200 Ahmadis remain internally displaced in Mataram, West Nusa Tenggara, after members of the Anti-Ahmadiyya Alliance destroyed followers' homes nearly 12 years ago.

### Shi'a Muslims

In 2017, public harassment of Shi'a Muslims continued, and some Shi'a Muslims practice Sunni Islam in public to avoid being discriminated against or singled out as different. For years, authorities in certain localities throughout Indonesia, such as the city of Makassar, prohibit the commemoration of Ashura.

### Shari'ah

While Aceh is the only province with Shari'ah law, other provincial governments have established regulations and bylaws premised on Shari'ah. An April 2017 Constitutional Court decision diminished the central government's ability to revoke lower-level bylaws, even if they conflict with national laws; human rights advocates worry the decision opened the door for provincial and local governments to adopt not only Shari'ah laws that disadvantage religious minorities such as Christians, Ahmadis, and Shi'a Muslims, but other discriminatory measures as well.

### Religion on ID Cards

Individuals who do not follow one of the country's six officially recognized faiths or do not identify as one of the six faiths on their ID cards, known as Kartu Tanda Penduduk (KTP), often have difficulty obtaining

licenses and permits, accessing education and government jobs, and completing financial transactions. The Indonesian Constitutional Court took a significant stride in defense of individuals outside the six recognized faiths when

*Ahmadis have reported difficulties obtaining ID cards, which negatively affects their ability to obtain marriage licenses and birth and death certificates, access public services, and freely travel throughout the country.*

it ruled in November 2017 that it was unconstitutional to force individuals following indigenous faiths to identify as Muslim, Catholic, Protestant, Buddhist, Hindu, or Confucian on their ID cards. Until the court's decision, followers of indigenous faiths either had to falsely identify as one of the six recognized faiths or leave the religion field blank on their ID card, which not all local officials allowed. The court recommended that ID cards offer a seventh category so that followers of indigenous faiths could identify as "Believers of the Faith." It is unclear whether the ruling could apply to other faiths, such as Judaism, animism, and others. The country's top Muslim clerical body, the MUI, criticized the decision for equating indigenous faiths with recognized faiths such as Islam. The MUI even suggested creating entirely separate ID cards just for followers of indigenous faiths.

## Religious Rights Protection Bill

A draft of Indonesia's proposed religious rights protection bill, made public in 2017, concerned human rights advocates because the measure would formalize existing policies and regulations that discriminate against religious minorities, such as the extensive requirements to build houses of worship. Also, according to an analysis by Human Rights Watch, the draft would expand the reach of Indonesia's existing 1965 blasphemy law (see next section for more information about blasphemy). Rather than protect their rights, the draft further marginalizes individuals who do not belong to one of the six recognized faiths or no faith at all, entrenching the assault on their civil rights.

## Blasphemy

Article 156(a) of Indonesia's penal code prohibits expression or acts "at enmity with, abusing, or staining a religion adhered to in Indonesia," subject to a maximum penalty of up to five years' imprisonment. The country also has a blasphemy law issued by presidential decree, Law N. 1/PNPS/1965 on the Prevention of Abuse and/or Defamation of Religion. It is this law that established the country's six officially recognized religions and placed those outside these faiths at risk of being accused of blasphemy. According to Amnesty International, more than 100 individuals were prosecuted and convicted for blasphemy in Indonesia between 2005 and 2014. During 2017, the following individuals were among those sentenced or arrested for blasphemy cases in the country, according to Human Rights Watch: Mahful Muis Tumanurung, Ahmad Musadeq, and Andi Cahya, three leaders of the banned faith sect Fajar Nusantara Movement (also known as Gafatar), convicted in March 2017 and sentenced to five, five, and three years in prison, respectively; Aking Saputra of West Java, arrested in June 2017; Donald Ignatius Suyanto of Bali, arrested in July 2017; and Siti Aisyah of Lombok Island, sentenced in August 2017 to two and a half years in prison. In 2017, the most high-profile blasphemy case was that of Ahok, who was convicted in May 2017 and sentenced to two years in

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*It is this law that established the country's six officially recognized religions and placed those outside these faiths at risk of being accused of blasphemy.*

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prison. Expressing concern that conflict and tension surrounding his case could linger, Ahok subsequently dropped his appeal, as did prosecutors. In December 2017, Ahok received a 15-day reduction in his sentence, as did thousands of other prisoners at the end of the year.

## Government Reaction to Hardliners

In July 2017, the Indonesian government banned Hizb ut-Tahrir Indonesia (HTI), an Islamist group considered to be the largely nonviolent, local chapter of a global network known to support establishing Islamic states around the world. President Widodo paved the way for the ban by signing a presidential decree granting the government the power to disband any group that threatens national unity by revoking its legal status. HTI helped organize the protests against Ahok for his alleged blasphemous insults against Islam and the Qur'an. The Indonesian government and supporters

of the ban considered HTI inconsistent with Pancasila, while critics expressed concern that the ban threatens all civil society organizations and restricts freedom of association. In October 2017, the parliament amended existing regulations on mass

organizations to incorporate the underlying presidential decree, granting it the force of law.

## U.S. POLICY

One of the key issues underpinning the U.S.-Indonesia relationship is defense, including bilateral engagement on matters such as terrorism and maritime security as well as their regional mutual interests in the South China Sea, North Korea's nuclear ambitions, and refugees like Rohingya Muslims from Burma.

In April 2017, Vice President Mike Pence visited Indonesia where he toured the Istiqlal Mosque, the largest mosque in Southeast Asia, and participated in an interfaith dialogue. In [remarks](#) with President Widodo, he said, "In your nation, as in mine, religion unifies—it doesn't divide," referring to Indonesia's oft-cited tradition of moderate Islam, which he called, "an inspiration to the world." The vice president also noted the United States' shared values with Indonesia: freedom, rule of

law, human rights, and religious diversity. During the vice president's visit, the United States and Indonesia agreed to several trade and investment deals to support Indonesia's energy and technology needs. In May, Foreign Minister Marsudi visited Washington, DC, to meet with then Secretary of State Rex Tillerson, congressional leaders, and fellow foreign ministers from the countries of the Association of Southeast Asian Nations.

Following a May 2017 suicide bombing at a bus station in Jakarta, the U.S. Embassy in Jakarta [expressed](#) condolences for the three police officers killed in the attack. In June 2017, the United States continued to address growing concerns of radicalism among Indonesia's homegrown terrorists by [designating](#) Majelis Mujahidin Indonesia (MMI) as "Specially Designated Global Terrorists" (SDGTs). According to the U.S. State Department, MMI has links to other designated organizations and individuals, including Jemaah Islamiya and an al-Qaeda affiliate.

During the July 2017 G20 Summit in Germany, President Donald Trump met with President Widodo and [discussed](#) the strategic partnership, including trade opportunities, defense cooperation, defeating regional terrorist threats, and international security.

### KEY FINDINGS

The year 2017 concluded with the ousting from Iraqi territory of the Islamic State of Iraq and Syria (ISIS), the group that had posed the greatest existential threat to Iraq's religious minorities. Before its defeat, the group continued to launch a series of deadly attacks throughout 2017, especially in Shi'a-dominated areas, including Baghdad. In the aftermath of the liberation of areas from ISIS, particularly Sunni-dominated Mosul, human rights groups documented discrimination, torture, and reprisal killings of Sunni Muslims, many of whom were suspected of harboring ISIS sympathies. Additionally, in some locations, "ISIS family camps" were set up after many Sunni Muslims were denied the right to return to their homes. In October, following the Kurdistan Regional Government's (KRG) independence referendum, armed conflict broke out between the Iraqi Security Forces (ISF) and Popular Mobilization Forces (PMF) on one side, and the Kurdish Peshmerga units on the other, destabilizing an already volatile northern Iraq. This led to a change of control from the KRG to the government of Iraq in areas where significant numbers of religious minorities resided, including the

Nineveh Plains, Kirkuk, and the Sinjar Mountains. It remains to be seen whether or not such loss of territory from the KRG to the government of Iraq will be detrimental to the communities living in those areas. While the KRG has made clear overtures since 2014 to integrate religious minority communities into its governing bodies and local representation, the Iraqi government's plan on how it will integrate them effectively and ensure both their security and development remains unclear. Based on these concerns, in 2018 USCIRF again places the government of Iraq on its Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). Also, USCIRF finds that, based on its control of territory and conduct during the reporting period, ISIS merits designation as an "entity of particular concern," or EPC, for particularly severe religious freedom violations that occurred during this reporting period, as defined by December 2016 amendments to IRFA.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Designate ISIS as an EPC under IRFA, as amended by the Frank R. Wolf International Religious Freedom Act of 2016, for its control of territory and conduct in 2017;
- Apply the [Global Magnitsky Human Rights Accountability Act](#), [Executive Order 13818](#), or other relevant targeted tools, to deny U.S. visas to and block the U.S. assets of specific officials and agencies identified as responsible for violations of the right to freedom of religion or belief;
- Encourage both the government of Iraq and the KRG to cease conflict by peacefully negotiating through territory disputes and outstanding budget and oil revenue issues, as well as protecting the rights of all Iraqis;
- Assist the government of Iraq in swiftly implementing United Nations (UN) Security Council Resolution 2379, which includes the selection of a Special Advisor and establishment of an independent investigative team to

support domestic efforts to hold ISIS accountable for its actions in Iraq;

- Provide, in an expeditious manner, U.S. assistance to the most vulnerable communities, especially in minority areas such as predominantly Christian Nineveh Province;
- Prioritize funding for rehabilitation and stabilization for areas liberated from ISIS control to help create conditions to allow displaced communities to return, and to mitigate ethnosectarian tensions, including credible accountability and transitional justice mechanisms;
- Prioritize working with the Iraqi government to curb sectarian attacks by some elements of the PMF and armed groups that promote a sectarian agenda; and
- Stipulate in all military or security assistance to the Iraqi government and the KRG that security forces be 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.

The U.S. Congress should:

- Pass [H.R. 390](#), the Iraq and Syria Genocide Emergency Relief and Accountability Act of 2017, which mandates the provision of emergency relief to victims of genocide, crimes against humanity, and war crimes in Iraq and Syria, and seeks to provide accountability for perpetrators of these crimes; and
- Pass [S. 1158](#), the Elie Wiesel Genocide and Atrocities Prevention Act of 2017, which seeks to enhance U.S. government capabilities to prevent, mitigate, and respond to genocide and other atrocities.
- Pass [H.R. 4238](#), the Iranian Proxies Terrorist Sanctions Act of 2017, which imposes terrorism-related sanctions on two Iranian-controlled militias, As-Saib Ahl Al-Haq and Harakat Hizballah Al-Nujaba, that have carried out sectarian crimes in Syria.

## COUNTRY FACTS

### FULL NAME

Republic of Iraq

### GOVERNMENT

Federal Parliamentary Republic

### POPULATION

39,192,111

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam, Christianity, Sabeen-Mandaenism, the Baha'i faith, Zoroastrianism, Buddhism, Hinduism, Judaism, folk religion

### RELIGIOUS DEMOGRAPHY\*

99% Muslim (55–60% Shi'a, 40–45% Sunni)

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

\*CIA World Factbook

## BACKGROUND

The past year was a pivotal one for Iraq. The most significant development in 2017 was the defeat in December of ISIS, a group that then Secretary of State Rex Tillerson declared in August was “clearly responsible for genocide against Yazidis, Christians, and Shi'a Muslims in areas it controls or has controlled.” In an effort to begin to hold ISIS accountable, in September 2017 the UN Security Council approved [UN Security Council Resolution 2379](#) to authorize a UN investigative team to collect, preserve, and store evidence in Iraq of acts by ISIS that may be war crimes, crimes against humanity, or genocide.

In addition, the KRG's independence referendum in September triggered armed conflict between the government of Iraq and the KRG. This led to a change in control of territory and instability in several areas, including the Nineveh Plains, Kirkuk, and the Sinjar Mountains, areas heavily populated by religious minority communities. Although the Iraqi government is making efforts to curb sectarian tensions between the Sunni and Shi'a communities, as well as the Shi'a and Kurdish communities in areas where clashes took place following the

referendum, it has not been able to halt attacks by the Iranian-backed elements of the PMF that have exacerbated sectarian tensions.

Iraq has long suffered from sectarian tensions, which have adversely affected human rights and religious freedom conditions. Developments since the U.S. invasion in 2003 have led to a severely bifurcated society, with deadly tensions between the Shi'a and Sunni communities, now including Kurdish Sunni Muslims in the aftermath of the September 25 KRG independence referendum. Since 2014, Prime Minister Haider al-Abadi has attempted to reverse former Prime Minister Nouri al-Maliki's sectarian policies, but much work remains. Moreover, al-Abadi has not successfully merged the Iranian-backed PMF with the ISF, leaving them to operate outside of government control in

parts of the country, most recently in areas the PMF and ISF seized from Kurdish Peshmerga forces.

This climate helped to facilitate ISIS's rise in northern and central Iraq, and continues to pose

problems for Iraq despite ISIS's defeat. Saddam Hussein's favoritism of the Sunni population and al-Maliki's favoritism of the Shi'a population created divisions and significant distrust between the two communities; these

*This climate helped to facilitate ISIS's rise in northern and central Iraq, and continues to pose problems for Iraq despite ISIS's defeat.*



tensions have only worsened over time. The Sunni population does not trust the Shi'a majority government to protect its community or incorporate its voice effectively in government; the reverse also holds true for the Shi'a population. In addition, religious minority communities, including the Yazidi and Christian communities, are skeptical of the Iraqi government's willingness and capability to protect them from both Shi'a and Sunni violent armed groups, including ISIS and elements of the PMF. The government of Iraq has tried to bring minority rights—especially within Nineveh Province—to the forefront, and in August appointed Mehdi al-Alaq as General Secretary of the Council of Representatives, with the task of hosting a conference in Bartella on the future of Iraqi minorities. That being said, many religious minority communities remain wary of the notion that religious freedom and human rights are priorities for the government.

## RELIGIOUS FREEDOM CONDITIONS 2017

### Disappearance of Religious Minorities

Even before ISIS's rise, the country's smallest religious communities—which include Catholics, Orthodox Christians, Protestants, Yazidis, and Sabean-Mandaean—were already significantly diminished, and their numbers have continued to decline since ISIS first appeared in Iraq in 2014. According to the Iraqi government's latest statistics from 2010, which do not necessarily capture the true population numbers, especially after the advent of ISIS, almost all of the population is Muslim. Shi'a Muslims—including Arabs, Turkmen, and Faili (Shi'a) Kurds—constitute between 50 and 60 percent of the population. Arab and Kurdish Sunni Muslims constitute 40 percent of the population. Iraq is in particular danger of losing its ancient Christian community, a population that has decreased dramatically in number over the last 15 years. According to Christian leaders, there are now fewer than 250,000 Christians in Iraq, down from a pre-2003 estimate of 1.4 million. Although Christian religious leaders have tried to encourage their followers to remain in the country, many have fled war-ravaged northwestern Iraq, which lacks security or economic opportunity. Yazidi leaders claim their community is now about 400,000–500,000, while the Kaka'i community is not more than 300,000. The Sabean-Mandaean

community is between 1,000 and 2,000, and there are fewer than 2,000 Baha'is.

### Violations by ISIS

On December 9, 2017, Prime Minister al-Abadi announced the complete liberation of all Iraqi territory from ISIS. After more than three years of battle, the United States led the Global Coalition to Defeat ISIS—which included 73 partners—to fully liberate all areas from the group's control. That being said, the military defeat has not led to the release of all religious minority prisoners held by ISIS. According to various sources, of the 6,400 Yazidis once captured by ISIS, approximately 3,200 of them are still hostages, many of them as sexual slaves.

Attacks by ISIS continued throughout most of 2017. Beginning in January, as the battle to retake Mosul waged on, the group launched a series of attacks on Sadr City and Samarra. Simultaneously, the group set off bombs in Baghdad as well, bringing the total death toll in a matter of three days in the three cities to over 60. In May, during the holy month of Ramadan, the group targeted an ice cream shop in the Karrada neighborhood in Baghdad, a majority Shi'a area, killing 17 people and injuring another 32. In September, in the southern Iraqi city of Nasiriyah, a double attack launched by the group on a restaurant frequented by Shi'a pilgrims killed 84 people and injured more than 90.

Mass graves have been discovered throughout the areas previously under ISIS control. Since November 2015, over 50 mass graves have been uncovered, many of them containing Yazidi victims. Following the liberation of Mosul this year, nongovernmental organizations (NGOs) uncovered mass graves throughout northern Iraq. In February, at the Khasfa sinkhole seven kilometers outside of Mosul, 4,000 bodies were discovered, the largest mass grave found to date. Human rights groups found that ISIS would dump bodies, including those of captured policemen and Yazidi men, after mass killings. In March 2017, in Nineveh, a grave of 600 bodies from Badoush Prison and Al Jadaa was discovered. According to survivors of the massacre, ISIS separated out the Sunni and Christian prisoners from the Shi'a prisoners, ordering the Shi'a prisoners to kneel over the mass grave, where they were shot.

On September 21, 2017, after four years of negotiations with the government of Iraq, the UN Security

Council approved [UN Security Council Resolution 2379](#) to authorize a UN investigative team to collect, preserve, and store evidence in Iraq of acts by ISIS that may be war crimes, crimes against humanity, or genocide. The resolution also creates the position of UN Special Adviser to promote accountability for war crimes, crimes against humanity, or genocide committed by ISIS, and to work with survivors in a manner consistent with relevant national laws. Prior to this resolution, there were informal efforts to prosecute captured ISIS members, such as the Nineveh Investigations Unit, which brought together 12 judges who hear approximately 40–50 cases a day. The unit claims that more than 5,000 ISIS members are being held in makeshift prisons in empty houses around Mosul, and two to three members are dying daily due to poor prison conditions. Others have been shot on sight by the PMF or the ISF. The creation of a formal accountability mechanism undoubtedly will bring appropriate attention to the atrocious crimes carried out by ISIS. It also will bring a sense of reconciliation and justice to the religious minority communities and hopefully will deter the commission of retaliatory crimes.

### Violations by the Iraqi Government

Throughout 2017, the fight to defeat ISIS was the top priority for the Iraqi government. However, as more cities were liberated from the group's control, suspicion of Sunni Muslims significantly increased; as a result, Sunni Arabs were denied return to their homes and, in some instances, were attacked, tortured, killed, or forcibly disappeared. For example, following the liberation of Mosul in June 2017, members of the local Sunni Muslim community reported that they were not able to return home—either because they were denied entry through checkpoints or because of delays by local authorities in processing documentation required to return. Families suspected of any possible ties to ISIS are still denied the right to return home and some are being placed in “ISIS family camps.” This is being done under the guise of “de-ISIS-ification,” similar to the informal “de-Baathification” policy that was carried out after the fall of Saddam Hussein. Additionally, throughout the Mosul offensive, numerous reports surfaced that some elements of the ISF and the Iranian-backed PMF, in addition to local Shi'a community members, committed systematic and egregious violations, including killing,

torturing, and forcibly disappearing Sunni Muslim men and boys who they claimed were ISIS supporters. Footage was released in February 2017 showing Shi'a militia groups carrying the Iraqi government flag, dragging the body of a man through the streets of east Mosul and maiming his and two other bodies in public. In the summer of 2017, multiple human rights organizations reported that Sunni Muslim males were washing up on the banks of the Tigris River, while another 15 bodies were found shot between the village of Athba and Hammam al-Alil, south of Mosul.

As in Syria, As-Saib Ahl Al-Haq and Harakat Hizballah Al-Nujaba, two militia groups controlled by Iranian Revolutionary Guard Corps (IRGC) Commander Qassem Soleimani, were identified as having committed sectarian crimes, including raping, attacking, and abducting Sunni Muslims in Iraq. They fought in battles to recapture territories from ISIS on behalf of the Iranian-backed PMF. In the aftermath of ISIS, Sunni-Shi'a tensions have increased, and local leaders and activists have relayed to USCIRF repeatedly that the Iraqi government must address Sunni grievances to prevent the re-emergence of sectarian violence.

### Other Iraqi Government Issues

On November 17, the Iraqi parliament rejected an amendment to its Personal Status Law that would have allowed the Shi'a and Sunni religious establishments to control marriage-related matters. The amendment, introduced by the Fadhila Party along with several Shi'a Muslim parties, included issues of inheritance and divorce, and, by giving certain religious communities power to impose family laws, would have allowed girls to be married as young as age eight under some of these laws. Although the parliament's Women's Rights Committee was able to successfully spearhead push-back against this amendment, in the leadup to the May 2018 national elections, many parties have threatened to reintroduce the bill. If reintroduced and passed, this law would alter Iraq's current secular legal system that does not identify Iraqi citizens on the basis of religion. It would require the courts to apply religious law on issues of marriage, divorce, and inheritance.

The 2015 National Identity Card Law remains problematic for Iraq's minorities. Article 26 of the National Identity Card Law forces children with one Muslim

parent to identify as Muslim, even in cases where a non-Muslim woman was raped by an ISIS member. It also reinforces existing restrictions that Muslims cannot change their religious identification on their identity cards after conversion to any other religion. Christian leaders have said that in some cases, families that are formally registered as Muslim but practice Christianity have fled to avoid registering their children as Muslims or to have their children remain undocumented. The bill, passed in late 2015, was sent back to parliament in 2016 by Prime Minister al-Abadi but was not modified at the time. Now, President Fuad Masum has returned the law to parliament for further debate, based on concerns from religious minority communities.

### Issues in the KRG

The KRG held its independence referendum on September 25, 2017, resulting in 92 percent of the population supporting independence. Shortly after the results were announced, then Secretary of State Tillerson stated that the United States would not recognize the KRG's unilateral referendum, urging it "to respect the constitutionally-mandated role of the central government." Additionally, Baghdad, Iran, and Turkey met to condemn the KRG's move and results, as well as to consider sanctions. As of the end of the reporting period, Baghdad had halted all international flights into Erbil, which impacted the movement of international humanitarian workers and their ability to provide desperately needed aid to religious minority communities. As of December 2017, the KRG hosted over 1.2 million internally displaced persons (IDPs), along with 238,000 Syrian refugees, many of whom remain reliant on international and local humanitarian aid organizations for survival.

Since the referendum's passage, the KRG lost to the Iraqi government significant control of much of the territory it had captured from ISIS. The ISF took control of half of the Nineveh Plains, while the other half has remained under KRG control. This led members of the religious minority communities living in these areas to flee, some finding themselves displaced multiple times since 2014. Yazidi militias affiliated with the ISF/PMF have taken control of Sinjar, which some Yazidis say finally has ended the blockade previously imposed by the KRG. More than 700 families reportedly have been displaced from their homes in the traditional Christian town of Teleskof due

to bombardment from ongoing clashes between the Peshmerga and the ISF/PMF. Kirkuk, a disputed territory and the most oil-rich area in northern Iraq, was also the site of heavy but short-lived clashes; it was ultimately surrendered to ISF/PMF units and is under the control of the Iraqi government. This area, which is one of Iraq's most ethnically and religiously diverse, remains a hotbed for potential conflict. Overall, while some religious minority communities informed USCIRF that they were relieved at the KRG's withdrawal from certain territories, including Sinjar and the Nineveh Plains, many worried about Iranian-backed PMFs that seek to take KRG-controlled lands and operate in a sectarian manner. The KRG remains vulnerable to attacks by the PMF and ISF, and fears of increasing Iranian influence and allegations of abuses by Iranian-backed forces in KRG areas are widespread. Some of Iraq's top religious leaders, including Grand Ayatollah Ali al-Sistani, have called on the Iraqi government to protect the Kurds, a rare move for one of Iraq's most respected Shi'a Muslim religious leaders.

The KRG's retreat to the boundaries it held in 2003 (prior to the U.S. invasion of Iraq) and the resulting change in control of territory from the KRG to Baghdad may prove to have problematic consequences for northern Iraq's religious minorities. Many members of minority communities fled to and settled in areas under KRG control following ISIS's rise, where their voices—which had not been given the attention they deserved by Iraq's central government—had more weight. As a result, more minority communities were involved in local governance and decision-making in the KRG. Prior to the most recent clashes between Baghdad and the KRG, there was increasing space for religious freedom in the KRG. Nevertheless, there are legitimate concerns for religious minority communities living there, which were detailed in USCIRF's [Wilting in the Kurdish Sun: The Hopes and Fears of Religious Minorities in Northern Iraq](#). At the end of the reporting period, religious minority communities were in desperate need of immediate security and stability; without either, interethnic fear will only worsen, fueling potential combat between and among groups.

### U.S. POLICY

On December 9, ISIS, a group that then Secretary of State Tillerson declared was "clearly responsible for genocide," was brought down by the Global Coalition to

Defeat ISIS, led by the United States. The U.S. Administration continues to partner with the ISF, training and equipping them during this time of instability as IDPs return to their homes. The U.S. government also announced it will continue to work with the government of Iraq in order to prevent the reemergence of ISIS or any other violent extremist organization. This includes support to the Iraqi government to provide near-term stabilization activities, including the provision of necessary food, electricity, potable water, and housing.

On October 26, 2017, Vice President Mike Pence [announced](#) that the Department of State would expand funding beyond the UN Development Program (UNDP) and provide direct support through the U.S. Agency for International Development (USAID) for new programs addressing persecuted and displaced religious minority communities. In late 2017, USAID solicited programming ideas from communities, including faith-based groups and private organizations. Such a move was welcomed by many religious minority communities, many of whom had reported that UN funding was difficult to apply for and was not reaching them with the urgency their situation required.

Nevertheless, since June 2015, the UNDP's Funding Facility for Stabilization (FFS) program has assisted more than 960,000 IDPs who remain in need of critical humanitarian aid. The FFS, supported by the Global Coalition, was created at the request of Prime Minister al-Abadi to help the Iraqi government stabilize cities and districts liberated from ISIS in order to facilitate national reconciliation. The FFS has contributed to the return of 2.2 million Iraqis to their homes. It continues to implement more than 1,200 projects in 28 locations. As of late 2017, the UNDP had 161 projects in eight Christian areas scheduled for completion by early 2018. Repairs for houses belonging to Christian communities have been fast-tracked; in the months ahead, a total of 2,500 homes were scheduled for rehabilitation. The UNDP also has implemented 55 projects in predominantly Yazidi towns, and has undertaken 27 projects in other minority communities.

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*As of late 2017, the UNDP had 161 projects in eight Christian areas scheduled for completion by early 2018. Repairs for houses belonging to Christian communities have been fast-tracked; in the months ahead, a total of 2,500 homes were scheduled for rehabilitation.*

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In 2017, the U.S. government provided a total of more than \$601 million in humanitarian assistance to support the 11 million people in need of aid in Iraq, including more than 790,000 people displaced after the Mosul liberation, 940,000 people displaced from the Christian-dominated Nineveh governorate, and more than 240,000 Syrian refugees. The efforts financed by the United States included camp coordination, health and medical support, education projects, food assistance, psychosocial support, shelter rehabilitation, and livelihood development. The United States also has allocated \$112 million to clear improvised explosive devices,

mines, and unexploded ordinance, in addition to educating Iraqis on the dangers of explosive hazards that ISIS left behind.

In 2017, the U.S. Congress was considering two companion bills focusing on Iraq and Syria, both of which USCIRF supported. Both [S. 1158](#), the Elie

Wiesel Genocide and Atrocities Prevention Act of 2017, and [H.R. 390](#), the Iraq and Syria Genocide Emergency Relief and Accountability Act of 2017, focus on stabilization and peace-building in Iraq and Syria. S. 1158 would direct the secretary of state to establish a Mass Atrocities Task Force within the State Department, with the mandate of strengthening the department's efforts at atrocity prevention and response and coordinating the interagency processes on these issues. H.R. 390 would authorize the secretary of state and the USAID administrator to provide assistance to support the efforts of entities, including NGOs, to undertake activities to address ISIS-committed genocide, crimes against humanity, and war crimes in Iraq, including conducting criminal investigations and collecting and preserving evidence. The bill also would authorize the secretary of state and USAID administrator to provide assistance to entities they determine can effectively manage and deliver humanitarian, stabilization, or recovery assistance to members of Iraqi and Syrian religious or ethnic minorities that have been subjected to ISIS genocide, crimes against humanity, or war crimes, or otherwise are a persecuted group.

### KEY FINDINGS

Amid a general crackdown on dissent and nonconformity, during which even secular civil society activists have faced charges of terrorism, the Kazakh government continued to commit serious violations of religious freedom in 2017. During the year, 20 individuals were sentenced to prison terms for the peaceful expression of religious beliefs, including a Jehovah's Witness and members of the Tabligh Jamaat Islamic missionary movement. Government suspicion is aroused particularly by proselytism, connections to religious movements or institutions abroad, and criticism of or dissent from official religious policy. The country's restrictive 2011 religion law bans unregistered religious activity and is enforced through police raids, detentions, fines, and the closing of religious institutions. In December 2016, amendments to this law increased penalties and state controls of religious literature and foreign religious travel, and expanded the definitions of "missionary

activity" and "religious teaching" to penalize a broader range of expression; as of December 2017, additional amendments under consideration would further restrict religious freedom, including education for children, worshipping in private homes, and discussing religious beliefs. Throughout the year, dozens of Muslims and Christians were fined or detained for religious observance or for the possession of religious literature. In an ominous echo of practices in the neighboring countries of Russia and Uzbekistan, Kazakh authorities temporarily banned Jehovah's Witnesses and charged a religious prisoner due for release with new infractions. Based on these concerns, in 2018 USCIRF again places Kazakhstan on its Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Ensure that the U.S.-Kazakh Strategic Partnership Dialogue and other bilateral interactions prioritize discussion of issues relating to freedom of religion or belief, including pressing the Kazakh government to:
  - Refrain from imposing repressive practices similar to other neighboring countries that are recommended by USCIRF for CPC designation;
  - Desist from further restrictive amendments to its laws that infringe on religious freedom and instead bring those laws in line with Kazakhstan's commitments to international human rights standards;
  - Ensure that anti-extremism and counterterrorism campaigns do not serve as a pretext for infringement on the right to peaceful religious observance and expression, in line with the recommendations of the United Nations (UN) Human Rights Committee;
- Provide an alternative to military service for conscientious objectors; and
- Agree to visits by the three Organization for Security and Cooperation in Europe (OSCE) Personal Representatives on Tolerance, set specific dates, and provide the full and necessary conditions for such visits.
- Press for at the highest levels and work to secure the unconditional release of prisoners of conscience, and press the Kazakh government to treat prisoners humanely and allow them access to family, human rights monitors, adequate medical care, and lawyers, and the ability to practice their faith;
- Apply the [Global Magnitsky Human Rights Accountability Act](#), [Executive Order 13818](#), or other relevant targeted tools, to deny U.S. visas to and block the U.S. assets of specific officials and agencies identified as responsible for violations of the right to freedom of religion or belief;
- Ensure the U.S. Embassy, including at the ambassadorial level, maintains active contacts with religious freedom activists; and
- Ensure continued U.S. funding for Radio Azattyq, the Kazakh service of Radio Free Europe/Radio Liberty (RFE/RL), so that uncensored information about events inside Kazakhstan, including those related to religious freedom, continues to be disseminated.



## COUNTRY FACTS

### FULL NAME

Republic of Kazakhstan

### GOVERNMENT

Presidential Republic

### POPULATION

18,500,000

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Sunni Hanafi Islam and Russian Orthodoxy

### RELIGIOUS DEMOGRAPHY\*

70% Muslim (Sunni Hanafi)

26% Christian (including Orthodox, Protestants, Catholics, Jehovah's Witnesses)

3% Other (including Jews, Buddhists, Baha'is, Hare Krishnas)

1% Non-Hanafi Muslim (including Shi'a and Sufi Muslims)

\*U.S. Department of State

## BACKGROUND

Before its 2011 religion law was enacted, Kazakhstan was one of the least repressive post-Soviet Central Asian states with regard to freedom of religion or belief. The religion law, however, sets stringent registration requirements with high membership thresholds, and bans or restricts unregistered religious activities, including those relating to education, literature distribution, and training clergy. Other vague criminal and administrative statutes enable the state to punish most unauthorized religious or political activity. Religious groups are subject to police and secret police surveillance. As a result of the law's registration requirements, the total number of registered religious groups fell sharply after 2011, especially the number of "nontraditional" religious groups, which declined from 48 to 16. By 2013, only Muslim groups affiliated with the state-backed Muslim Board were registered. Shi'a and Ahmadi Muslims were denied legal status, as were mosques attended primarily by particular ethnic groups. As it was during Soviet times, the 11,000 members of the Union of Evangelical Christian Baptists refuse—as a matter of conscience—to register. Catholic communities are exempt from registration due to a government agreement with the Holy See. Although all religions are officially equal under the religion law, its preamble "recognizes the historical role of Hanafi Islam

and Orthodox Christianity." Unfortunately, government practice suggests that other religions do not enjoy the same status. The government also funds "anti-sect centers" that function as quasi-nongovernmental organizations, publicly promoting intolerance against certain religious minorities.

In 2016, Kazakhstan was marked by widespread popular unrest over land reforms, as well as by two attacks on security forces that the government attributed to Islamist fundamentalists, possibly as a pretext for cracking down on civil society. In September 2016, a new government ministry, Religion and Civil Society, was formed; the Religious Affairs Committee, which oversees official policies on religion, falls under its jurisdiction. Reflecting the official assumption that religion is above all a security issue, the chair of the Kazakh National Security Council was appointed to head the new ministry. In December 2016, Kazakh President Nursultan Nazarbayev signed a package of amendments into law increasing penalties and state controls of religious literature and foreign religious travel. The definitions of "missionary activity" and "religious teaching" were widened to penalize a broader range of individuals and activities involving religious expression.

The articles of the Criminal Code most commonly used to imprison religious believers are article 174,



which penalizes “incitation of social, national, clan, racial, class, or religious conflict,” and article 405, which punishes involvement in “extremist” movements banned by the court system. In July 2016, the UN Human Rights Committee criticized the government of Kazakhstan for its use of article 174 and other overly broad laws to punish the peaceful exercise of freedom of religion or belief. In August 2016, the UN Human Rights Committee expressed concern that the “broad formulation” of the concept of extremism in Kazakh law “unduly restrict[s]” religious freedom.

## RELIGIOUS FREEDOM CONDITIONS 2017

### Changes to the Laws

As of December 2017, additional amendments that would further restrict religious freedom were under final consideration by the Kazakh government. Particularly troubling are amendments that would affect education for children, worshipping in private homes, and discussing religious beliefs. Among other things, the proposed amendments would further restrict who may legally proselytize—already broadly defined under Kazakh law to encompass all manner of discussion—and under what circumstances. A requirement for the explicit approval of both parents for children to take part in religious activities would pose another major hurdle to religious organizations organizing large events or children’s education. And a requirement that all worship only take place in specially designated religious institutions would impose unfair burdens on communities either lacking a separate space or simply exercising their freedom to worship in private. Coming on the heels of the December 2016 amendments, the passage of these new amendments is a disturbing sign of the Kazakh government’s increasingly adversarial stance toward religious freedom.

### Repression of Christian Communities

Christians in Kazakhstan—above all, those involved in proselytism or suspected of it—are frequently penalized for distributing religious texts without a license, discussing religion without the required “missionary” registration, and holding unregistered worship meetings.

However, Christians in Kazakhstan also are subject to imprisonment for their beliefs. In 2017, the number of Christian prisoners of conscience in Kazakhstan briefly increased to two; in May 2017, Jehovah’s Witness Teymur Akhmedov, who suffers from cancer, started serving a five-year prison term under article 174 for sharing his beliefs with secret police informers posing as students. In October 2017, Seventh-day Adventist Yklas Kabduakasov was released from prison after completing a two-year sentence for discussing his faith. Two more Christians were convicted on criminal charges in 2017 but received only “restricted freedom” sentences, which limit their freedom of movement inside the country. Asaf Guliyev, another Jehovah’s Witness charged alongside Akhmedov, received five years of restricted freedom, while Baptist Yuri Bekker was sentenced to one year of restricted freedom for refusing to pay a fine levied in September 2015 for distributing religious literature. In August 2017, the UN Working Group on Arbitrary Detention called for Akhmedov’s immediate release.

Much more common were administrative fines and penalties levied against religious communities disfavored by the government, such as Baptists, Seventh-day Adventists, and Jehovah’s Witnesses. In October, June, May, and April of 2017—including on

Easter Sunday—police raided Baptist congregations in the cities of Oskemen, Taraz, and Astrakhanka, and issued fines to three dozen worshippers. In June 2017, heavily armed police

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*. . . the passage of these new amendments is a disturbing sign of the Kazakh government’s increasingly adversarial stance[.]*

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officers raided the headquarters of the Jehovah’s Witnesses in Almaty in a display of force clearly meant to intimidate the community in the weeks leading up to an international convention of Witnesses in late June. Under the pretext that the facilities lacked sufficient surveillance cameras, the headquarters received a three-month ban, which the Kazakh courts reduced on appeal to a ban on activity in certain buildings. During the convention, police held dozens of busloads of attendees for hours, ostensibly for document checks.

Other communities were hit with three-month court-ordered bans or were issued fines on frivolous pretexts. The Baptist New Life Church in Oskemen received

a temporary ban in August 2017, and the Source of Life Protestant Church in Almaty was temporarily banned in April 2017. Following an inspection, the Presbyterian God's Grace (Blagodat') Church in Astana was fined \$1,300 for taking "inadequate measures as a building at heightened risk of terrorist attack."

Discussions of faith without a missionary permit from a registered religious organization are banned, as is the publication, distribution, and import of all uncensored texts and religious items, including icons. In July 2017, six Protestants who had conducted a baptism were fined and one, a Canadian citizen, was deported. From February through July 2017, at least nine Baptists and two Jehovah's Witnesses are known to have been fined in different parts of Kazakhstan for possession or distribution of religious literature. The Kazakh government also continues to interfere with children's religious education, often citing the legal requirement that both parents must give written approval of children's involvement in religious activity. In November 2017, Forum 18 reported that four Seventh-day Adventists and Jehovah's Witnesses had been penalized for allowing children to participate in worship that year. The refusal of Jehovah's Witnesses to carry arms also has led to government persecution. On a positive note, all criminal charges filed were dropped against six conscripts who refused military service as conscientious objectors in 2017.

## Repression of Muslims

In 2017, Muslims still constituted the vast majority of those sentenced to multiyear prison terms in Kazakhstan for the peaceful expression of religious belief. As in the case of Kazakhstan's Christians, government suspicion is aroused by proselytism, connections to religious movements or institutions abroad, and criticism of or dissent from official religious policy.

Presumed members of the Tabligh Jamaat missionary movement regularly are targeted. Tabligh Jamaat was banned as "extremist" in 2013, despite a study commissioned by the secret police and the Religious Affairs Committee that found the movement is neither extremist nor terrorist. Between April and August 2017, 15 members of Tabligh Jamaat were sentenced to between

one and four years in prison for their membership in the movement. Since December 2014, a total of 61 accused Tabligh Jamaat adherents (all Kazakh citizens) reportedly received criminal convictions: 47 received prison terms, and 14 received restricted freedom sentences confining them to their hometowns. When Forum 18 inquired about the verdict in one case in August 2017 in which Iliyan Raiymzhan received a four-year sentence, the prosecutor conceded that the defendant's "crime" had been "recruit[ing] other people to pray."

Four classmates, who had studied together at a Saudi university and were accused of propagating Salafism in discussion groups, were convicted between May and July 2017 for "inciting hatred" on the basis of secret police recordings. Three of the men were sentenced to between four and a half and five years in prison, while the fourth received a five-year term of restricted freedom. According to a Radio Azattyq report, police accused them of "emphasis[ing] certain forms of jihad" and criticizing other strains of Islam, even though they "did not openly call for any action."

Another Salafist, ethnic Uzbek Imam Abdukhalil Abduzhabbarov, was sentenced to eight years in prison in August 2017 after being deported in Febru-

ary 2017 from Saudi Arabia at the request of Kazakhstan. Although Abduzhabbarov was arrested and charged with inciting terrorism, a Russian human rights group, Memorial, has stated that his arrest was connected to his earlier disputes with state-backed imams. Reflecting the coordination that takes place between authoritarian governments of the former Soviet Union on religious matters, Radio Azattyq reported that Abduzhabbarov claimed his Kazakh interrogators threatened to hand him over to their Uzbek colleagues and that he might "come back in a bag." Abduzhabbarov also defended his beliefs in court, arguing that he had been educated by Gulf state Salafist scholars whom the Kazakh government officially had invited to teach in the 1990s.

These convictions are connected to a wider campaign against manifestations of Islamic fundamentalism in Kazakhstan. In April 2017, the independent Fergana news agency recorded President Nazarbayev suggesting that legislation should be considered banning beards,

*Muslims still constituted the vast majority of those sentenced to multiyear prison terms[.]*

short trousers, hijabs, and other conservative Islamic sumptuary practices. In November 2017, Radio Azattyq reported that a group of Salafists living in a village in southern Kazakhstan filed a lawsuit to try to stop arbitrary police harassment. They complained that the group had been placed on a blacklist and that members were forced to appear regularly at the local police station and be fingerprinted, although they had committed no crime. In 2017, authorities continued to fine mosque-goers around the country for saying “amen” out loud during prayers; the practice reportedly has been banned since November 2016 because of its associations with Salafist religious practice. In February 2017, Radio Azattyq reported on an anti-extremism seminar at a high school in the capital city of Astana in which a police lieutenant urged students to report people who engaged in Islamic worship at home so that the police could check if they “adhere to the correct affiliation.”

No substantive connection to religious extremism, however, is necessary to incur a long prison term. In November 2017, Shukhrat Kibirov was sentenced to six years and eight months in prison for having listened to Islamic songs in Chechen and Arabic on social media. Radio Azattyq reported that no evidence was presented that the songs were terroristic in nature; furthermore, the correspondent covering the case informed USCIRF that it appeared Kibirov spoke neither Chechen nor Arabic.

Disturbingly, evidence emerged in 2017 that the Kazakh authorities may be adding supplementary prison terms for minor infractions to the sentences of religious prisoners to keep them indefinitely imprisoned, a practice long used in Uzbekistan. Berik Abdrakhmanov, who has been imprisoned since 2010 on charges of belonging to Hizb ut-Tahrir and is due for release in May 2018, was charged in May 2017 with using profanity and failing to properly state his name and prisoner number.

According to Radio Azattyq, one of Kazakhstan’s leading human rights defenders has described this case as an example of “‘Uzbek technologies’” being employed in Kazakhstan.

Prison conditions in Kazakhstan are not accommodating for believers. Both the abovementioned Abduzhabbarov and a man serving a prison term for

bank robbery described being cited or placed in punishment cells for attempting to observe Ramadan—which mandates eating before dawn—since all activity in cells is forbidden between the hours of 10:00 at night and 6:00 in the morning. Once convicted of a religious offense, suspected Islamic fundamentalists effectively are ostracized by the state.

In 2017, Ablai Khan Chalimbayev reportedly filed a lawsuit related to his five-year imprisonment for possession of an Islamic book that authorities deemed extremist. Since completing his sentence in 2016, he has been unable to find a job, rent an apartment, or use a bank account. Like many of those arrested or convicted for religious offenses, he has been placed on the Finance Ministry’s Financial Monitoring Committee List of individuals “connected to the financing of terrorism or extremism,” blocking his access to the financial system. According to human rights groups, there may be “hundreds” of cases like his.

### Restrictions on Religious Materials

Kazakhstan has banned at least 713 items—including Muslim, Ahmadi, Christian, Hare Krishna, and Jehovah’s Witness literature—for alleged “extremism.” The government also censors all religious texts, bans religious materials in prison, and restricts where religious materials may be sold. Under the religion law, only Hanafi Sunni Muslim materials can be sold in officially licensed bookshops. Administrative fines are the most frequent penalties for infractions and are often levied against Christians. In addition to the incidents involving Christians mentioned above, Forum 18 reported several incidents of Muslims being fined or having

literature seized in 2017.

In July 2017, the gift shop at the Astana airport was fined and ordered partially closed for several months for having books for sale on Islam. Like-

wise, in May and March 2017, booksellers in different regions of Kazakhstan were fined for selling Muslim literature at market stalls. In May 2017, two men were fined in Karaganda for sending Islamic literature via the messaging app Telegram.

*No substantive connection to religious extremism, however, is necessary to incur a long prison term.*

## U.S. POLICY

After the collapse of the former Soviet Union, the United States was the first country to recognize Kazakhstan's independence, and is now the largest direct foreign investor in Kazakhstan. Key bilateral issues are regional security—including efforts to stabilize Afghanistan—and nuclear nonproliferation. Kazakhstan and the United States have entered into a five-year plan to strengthen military cooperation via capacity-building programs. In February 2015, the two states signed a Mutual Legal Assistance Treaty. United States Agency for International Development (USAID) programs in Kazakhstan help support civil society, increase access to information, strengthen citizen initiative groups, promote an independent judiciary, and encourage human rights protection. USAID also assists in civil society partnerships with the Kazakh government. As of January 2017, Kazakhstan holds a two-year nonpermanent seat (allocated to the Asia-Pacific group) on the UN Security Council.

In September 2017, the State Department hosted the third meeting of the C5+1 Ministerial, which brings together the foreign ministers of the five Central Asian states and the United States for discussions on various multilateral issues, including respect for basic freedoms.

Additionally, the United States and Kazakhstan discuss a wide range of bilateral issues through the U.S.-Kazakh Strategic Partnership Dialogue, which was set up in 2012. In November 2017, Acting Assistant Secretary of State for South and Central Asian Affairs Alice Wells traveled to Kazakhstan within the framework of the Dialogue in anticipation of President Nazarbayev's official visit to the United States in January 2018. After the reporting period, in January 2018, Vice President Mike Pence met with President Nazarbayev and stressed the importance of respecting civil liberties, including religious freedom.

### KEY FINDINGS

Restrictions on freedom of religion or belief in Laos are among the many human rights abuses occurring in the country, including government-directed or tolerated enforced disappearances and constraints on freedom of opinion and expression, freedom of assembly and association, and freedom of the press. Throughout 2017, some religious groups were able to practice their faith freely, while others continued to experience abuses from local-level state and nonstate actors. For example, in some parts of Laos, state and nonstate actors continued to threaten, harass, attack, or arrest Christians because of their faith. The

Lao government manages religion through Decree 315, but in 2017—a year after the decree was first introduced—little information was available about its effect on religious groups, such as their ability to register, conduct activities, and recruit and train clergy. In 2018, USCIRF again places Laos on its Tier 2, where it has been since 2009, for engaging in or tolerating religious freedom violations that meet at least one of the elements of the “systematic, ongoing, egregious” standard for designation as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Raise concerns about violations of freedom of religion or belief with the Lao government during the annual Comprehensive Bilateral Dialogue, including issues of discrimination, harassment, and violence against religious and ethnic minorities; torture and other forms of ill treatment in prisons; unlawful arrests and detentions; and the lack of due process and an independent judiciary;
- Work with the Lao government to ensure the implementation of Decree 315 is consistent with international human rights standards, and encourage accountability for central, provincial, and local government officials and law enforcement acting in contravention to Laos’ laws, the Lao constitution, and international standards;
- Engage the Lao government on specific cases of religious freedom violations, including but not limited to forced evictions and/or forced renunciations of faith, and emphasize the importance of consistent implementation, enforcement, and interpretation of the rule of law by officials at all levels of government and law enforcement authorities;
- Support technical assistance programs that reinforce the goals of protecting religious freedom, human rights defenders, and ethnic minorities, including: rule of law programs and legal exchanges that focus on implementing Decree 315 consistent with international human rights standards; training for Lao police and security forces, provincial and local officials, and lawyers and judges in human rights, the rule of law, and religious freedom and tolerance; and capacity building for Lao civil society groups carrying out charitable, medical, and developmental activities;
- Ensure that Lao police and security officials participating in training or technical assistance programs are thoroughly vetted pursuant to the Leahy Amendment to confirm that they are not implicated in human rights abuses, and deny U.S. visas, assistance, or training to any unit or personnel found to have engaged in a consistent pattern of violations of human rights, including religious freedom;
- Continue to inquire consistently into the whereabouts of Sombath Somphone, especially given that the Lao government’s inability to provide any information from its investigation into his disappearance is emblematic of its overall approach to human rights, civil society, and individual rights; and
- Apply the Global Magnitsky Human Rights Accountability Act, [Executive Order 13818](#), or other relevant targeted tools, to deny U.S. visas to and block the U.S. assets of specific officials and agencies identified as responsible for violations of the right to freedom of religion or belief.

## COUNTRY FACTS

### FULL NAME

Lao People's Democratic Republic

### GOVERNMENT

Communist State

### POPULATION

7,127,000

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Buddhism, Christianity, Islam, the Baha'i faith

### RELIGIOUS DEMOGRAPHY\*

64.7% Buddhist

1.7% Christian

31.4% No religion

2.1% Other/not stated

\*Estimates compiled from the CIA World Factbook

## BACKGROUND

In some parts of the country, religious freedom conditions are generally good, especially for the majority Buddhist community. Even some unregistered religious groups operate freely in certain areas if local officials tolerate their activities and choose not to impose restrictions on the practice of their faith. However, in some parts of the country, local officials inconsistently interpret and implement religious regulations to the detriment of religious and ethnic minorities. Some local officials also tend to be highly suspicious of Christians.

Violations of freedom of religion or belief in Laos occur in the context of overall constraints on human rights.

The Lao government tightly manages religious groups much in the same way it controls any individual or group it perceives could deviate from the state's agenda or who expresses dissent or criticism. For example, in April 2017, a court sentenced three Lao individuals to lengthy prison terms for criticizing the government, in particular its human rights abuses. The three individuals—Lodkham Thammavong, Soukane Chaithad, and Somphone Phimmasone—were

*Violations of freedom of religion or belief in Laos occur in the context of overall constraints on human rights.*

working in Thailand when they posted the criticism online and were arrested in March 2016 upon returning to Laos to obtain travel documents and permits. They were sentenced to 12, 18, and 20 years in prison, respectively. In August 2017, the United Nations Working Group on Arbitrary Detention [identified](#) their detention as arbitrary, calling for their immediate release and an investigation.

December 2017 marked five years since the disappearance of Lao civil society leader Sombath Somphone. Although Sombath's wife, Ng Shui Meng, continues to seek information from officials about his disappearance, by the end of the reporting period the government had not provided updated reports

of its investigation.

In recent years, civil society organizations in Laos—known as non-profit associations—have reported increased government restrictions, including more frequent harassment and arrests.

In November 2017, the Lao government put into effect a new Decree on Associations that further limits organizations' rights and grants the government even greater latitude to interfere in their operations and activities.



## RELIGIOUS FREEDOM CONDITIONS 2017

### Legal Framework and Restrictions on Religious Practice and Activities

The Lao government manages religious affairs through two main bodies: the Ministry of Home Affairs, which has authority to grant permission for activities or to establish new houses of worship, and the Lao Front for National Construction (LFNC), a mass organization of political and social entities, which disseminates and explains the government's policies on religion among local-level officials and works with religious organizations. The ambiguous relationship and roles of the ministry and LFNC, particularly at the local level, create confusion and sometimes bureaucratic obstacles that limit religious groups' ability to practice their faith.

Religion is regulated and managed through the constitution and decrees, most recently Decree 315, which was issued by the prime minister in August 2016. Like its predecessor—Decree 92—Decree 315 provides local officials and the LFNC wide latitude to interpret the relative freedom and restrictions within which individuals and religious organizations can practice their faith, which in part explains why the treatment of religious followers varies widely across and within provinces. The decree outlines the multilayered approvals required for any construction-related work at houses of worship; for operating or conducting religious activities in more than one village, district, or province; and for religious clergy. Also, Decree 315 requires government approval in advance to publish or import religious materials.

#### Abuses against Minorities

In 2017, it remained challenging to obtain and verify information about violations of religious freedom in Laos, in part because the government owns and controls nearly all media outlets. As in previous years, religious followers and ethnic minorities at times modified their words and actions to avoid detection; self-censorship similarly applies to domestic civil society organizations. Notwithstanding limited reports, in 2017, government and societal actors continued to

discriminate against and abuse religious and ethnic minorities. In general, the government is particularly suspicious of some ethnicities, like the Hmong, and targets Christian individuals and groups, although ill treatment is worse in some provinces—like Savannakhet, where local authorities restrict religious practice—than others.

In addition to the four recognized religious groups, the government recognizes three Christian groups—the

Lao Evangelical Church, the Catholic Church, and the Seventh-day Adventist Church—and pressures religious organizations and other denominations not part of these three groups to join a recognized church. Christians

*Christians opting not to join one of the recognized groups or who experience difficulties obtaining government permissions sometimes operate house churches, which are illegal.*

opting not to join one of the recognized groups or who experience difficulties obtaining government permissions sometimes operate house churches, which are illegal. Local authorities in some areas allow unregistered house churches to operate quietly, whereas others harass and detain or arrest Christians who practice in house churches.

During 2017, USCIRF received reports that Christians in some parts of Laos were threatened, harassed, attacked, or arrested because of their faith. In the past, Christians have been expelled from their homes and villages under pressure from both authorities and neighbors. Authorities reportedly monitor churches, and Christians continue to report being pressured to renounce their faith. In December 2017, Christians reported that some local authorities enforced restrictive policies—for example, prohibiting certain movements to attend religious and cultural activities outside one's own village—that interfered with their ability to celebrate Christmas. Also, the government continued to promote Buddhism through the state apparatus, for example in public schools. In the past, LFNC or government officials in some areas have directed the content of sermons and confiscated religious materials.

Religious freedom violations do not occur in all parts of the country. Religious communities tend to have more space to practice in areas where local

officials are open to having good relations. In these instances, some religious groups are allowed to conduct charitable work, and they coordinate to attend each other's religious ceremonies and celebrations.

### Relations with the Vatican

In May 2017, Pope Francis named Bishop Louis-Marie Ling Mangkhanekhoun as Laos' first cardinal. Ling, an ethnic Khmu, served as apostolic vicar of Pakse, the capital of Champasak Province, before his elevation to the cardinalate in June 2017. During the 1980s, the Lao government accused then Father Ling of "making propaganda for Jesus" and imprisoned him for three years for spreading the Gospel.

*During the 1980s, the Lao government accused then Father Ling of "making propaganda for Jesus" and imprisoned him for three years for spreading the Gospel.*

### U.S. POLICY

The relationship between the United States and Laos is currently at the level of a Comprehensive Partnership, with the two governments working jointly to advance economic development and global health security, strengthen people-to-people ties, and clear unexploded ordnance.

In January 2017, Deputy Assistant Secretary of State for Southeast Asia W. Patrick Murphy visited Laos and spoke to government officials about these areas of cooperation. In May 2017, Lao Foreign Minister Saleumxay Kommasith visited Washington, DC, to meet with then Secretary of State Rex Tillerson and fellow foreign ministers from the countries of the Association of Southeast Asian Nations (ASEAN). (For more information about the United States' relationship with ASEAN relative to freedom of religion or belief in the region, refer to USCIRF's September 2017 report, [A Right for All: Freedom of Religion or Belief in ASEAN](#).)

When the U.S. State Department released its [2017 Trafficking in Persons Report](#) in June, it maintained Laos' ranking at the Tier 2 Watch List level, although it had to grant a waiver to prevent Laos from being downgraded to Tier 3, a worse ranking. The report noted the Lao government's efforts to eliminate trafficking and recommended collaboration with civil society, a challenging endeavor given the generally constricted environment for nonprofit associations in the country.

In July 2017, the U.S. government hosted Lao officials in Washington, DC, for the eighth annual Comprehensive Bilateral Dialogue. According to a State Department [media note](#), the two governments "reviewed wide-ranging development cooperation in health, nutrition, and education and discussed freedom of expression, religious freedom, and labor rights, emphasizing the important

role of civil society and rule of law to good governance, shared prosperity, and stability in the region."

#### [In proclaiming](#)

September 15, 2017, as National Prisoner of War/Missing in Action (POW/MIA) Recognition Day,

President Donald Trump acknowledged the Lao government's assistance with the United States' investigation and recovery operations to locate missing service personnel in Southeast Asia.

### KEY FINDINGS

During 2017, in the lead-up to general elections expected in 2018, Malaysia's government and certain nonstate actors restricted expression, cracked down on critics, and used religion as a political tool. State and nonstate actors employed censorship, threats, and criminal penalties to silence dissent, and coordinated with religious authorities to influence social norms of what it means to be a good Muslim (such as dictating appropriateness in attire, food, and interactions with non-Muslims). The Malaysian government's tightening grasp—bolstered by some religious authorities who are driving a more conservative interpretation of Islam—threatened the religious freedom and related human rights of non-Muslims, non-Sunni Muslims, and atheists and other nonreligious persons, as well as Sunni Muslims who wished to practice Islam in their own way. In 2017, Malaysian lawyers, nongovernmental organizations (NGOs), and others fought back against these restrictive and

discriminatory trends to protect the country's multireligious heritage, but they faced legal ambiguity between the country's civil and Shari'ah courts and other structural roadblocks at the state and federal levels that diminish legal protections for ethnic and religious minorities, including indigenous persons. During the year, these obstacles manifested in threats against atheists, ongoing legal battles regarding the conversion of minors and the right of non-Muslims to use the word "Allah," and additional attempts to strengthen punishments under the Islamic penal code. Based on these concerns, in 2018 USCIRF again places Malaysia on its Tier 2, where it has been since 2014, for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Ensure that human rights and freedom of religion or belief are pursued consistently and publicly at every level of the U.S.-Malaysia relationship, including in the Comprehensive Partnership and other discussions related to military, trade, or economic and security assistance, and in programs that address freedom of speech and expression and civil society development, among others;
- Press the Malaysian government to bring all laws and policies into conformity with international human rights standards, especially with respect to freedom of religion or belief, freedom of assembly, and freedom of religious expression, including the rights to use the word "Allah" and to possess religious materials;
- Encourage the Malaysian government to become party to the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination (without reservations), and the 1951 Refugee Convention and its 1967 Protocol;
- Urge the Malaysian government to substantively amend or repeal the Sedition Act and cease the arrest, detention, and prosecution of individuals under the act, and to review other laws that limit freedom of religion or belief, opinion and expression, association and peaceful assembly, and the press;
- Urge the Malaysian government to cease the arrest, detention, or forced "rehabilitation" of individuals involved in peaceful religious activity, such as members of Shi'a Muslim, Ahmadiyya, Baha'i, and Al-Arqam groups, among others, and to release unconditionally those detained or imprisoned for related charges;
- Encourage the Malaysian government to establish or support independent institutions, such as the judiciary, Office of the Attorney General, and law enforcement, and to address the human rights shortcomings of the parallel civil-Shari'ah justice systems, in order to guarantee that everyone residing in Malaysia, regardless of ethnicity or religion, enjoys freedom of religion or belief; and
- Apply the Global Magnitsky Human Rights Accountability Act, [Executive Order 13818](#), or other relevant targeted tools to deny U.S. visas to and block the U.S. assets of specific officials and agencies identified as responsible for violations of the right to freedom of religion or belief.

## COUNTRY FACTS

### FULL NAME

Malaysia

### GOVERNMENT

Federal Constitutional Monarchy

### POPULATION

31,382,000

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam (official state religion); other religious groups may be granted registration, excluding those deemed “deviant”

### RELIGIOUS DEMOGRAPHY\*

61.3% Muslim

19.8% Buddhist

9.2% Christian

6.3% Hindu

1.3% Confucian, Taoist, and other traditional Chinese religions

0.4% Other

0.8% None

\*Estimates compiled from the CIA World Factbook

## BACKGROUND

Malaysia is ethnically, religiously, culturally, and linguistically diverse, but that diversity has not always translated into tolerance across, or even within, groups. For example, some Malay Sunni Muslims (the majority ethnicity and faith) have previously shared with USCIRF that they feel like a minority within the majority after being pressured to practice their faith or express their devotion contrary to their own conscience. According to SUARAM, an independent Malaysian organization that advances civil and political rights, intolerance toward and harassment of religious minorities by state and nonstate actors increased in 2017. Religious groups deemed “deviant,” such as the Shi’a Muslim, Ahmadiyya, Baha’i, and Al-Arqam groups, are banned. The government- or state-level Shari’ah courts can force individuals considered to have strayed from Sunni Islam—including those from “deviant” sects or converts from Islam—into detention-like camps known as “rehabilitation” centers and/or prosecute them for apostasy, which is punishable by prison terms or fines.

Malaysia’s next general elections must be held by August 2018. Elections around the world commonly create a natural breeding ground for some stakeholders to manipulate religion for political gain, and

Malaysia in 2017 was no different. In 2017, Prime Minister Najib Razak’s United Malays National Organization (UMNO), the leading party in the Barisan Nasional (BN) ruling coalition, continued to court the Pan Malaysian Islamic Party (PAS), an Islamist party formerly aligned with the opposition. Legislative measures to strengthen punishments under the Islamic penal code, *hudood*, were the main vehicle of their courtship as PAS continued its pursuit of state- and federal-level changes (see the section on *hudood* below).

The United Nations Special Rapporteur on cultural rights assessed conditions during her September 2017 visit to Malaysia. With respect to freedom of religion or belief, her [press release](#) and [end of mission statement](#) noted concerns about reports of spreading Islamization, Shi’a Muslims’ diminished religious rights, support for stricter punishments under Shari’ah law, and official and societal forms of discrimination against atheists and nonbelievers. She also expressed concern about the influence of “a hegemonic version of Islam imported from the Arabian Peninsula,” in part referring to the close ties between Malaysia and Saudi Arabia.

The Malaysian government also has targeted human rights advocates. In one example, in February 2017, a

Malaysian court convicted human rights activist Lena Hendry for screening a documentary film about human rights abuses in Sri Lanka, imposing a fine equivalent to approximately \$2,500. She was convicted under the Film Censorship Act 2002, but supporters believe the government targeted her because of her human rights advocacy work and connection to a local human rights organization.

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*The public displays of intolerance prompted all nine of Malaysia's sultans . . . to issue a rare joint statement that both criticized divisive acts in the name of Islam and encouraged unity and harmony.*

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to investigate. The laundromat reversed its ban, as did another laundromat in Perlis State with a similar ban

that changed its policy after a meeting with local officials, including the state's mufti. The public displays of intolerance prompted all nine of Malaysia's sultans—the titular heads of their respective states—to

issue a rare joint statement that both criticized divisive acts in the name of Islam and encouraged unity and harmony.

Throughout 2017, authorities made little progress investigating several mysterious disappearances. The most prominent case was of evangelical Pastor Raymond Koh, whom masked assailants abducted in February 2017. Religious authorities previously had harassed Pastor Koh after suspecting him of converting Muslims to Christianity. In June 2017, Malaysia's government-appointed Human Rights Commission—known by its acronym, SUHAKAM—announced it would investigate Pastor Koh's disappearance, as well as the November 2016 disappearances of Amri Che Mat, a Muslim and social activist whom some accused of spreading Shi'a Islam, and Pastor Joshua Hilmy, an ethnic Malay who reportedly converted from Islam, and his wife, Ruth Hilmy. However, SUHAKAM ceased its inquiry about Pastor Koh in early 2018, shortly after the reporting period, after police charged a suspect in his disappearance. No other information about his case was available at year's end, and his whereabouts and wellbeing—along with that of the other missing individuals—are still unknown. Also, during 2017, authorities questioned and investigated three members affiliated with an NGO coalition called Citizen Action Group on Enforced Disappearance (CAGED) after they made statements about the disappearances of Pastor Koh, Amri, and Pastor Hilmy and his wife.

## RELIGIOUS FREEDOM CONDITIONS 2017

### Discrimination against Non-Muslims and Non-Sunni Muslims

Malaysians generally are free to worship, but minorities often experience discrimination related to their faith, and some have difficulties accessing religious materials, such as Bibles, and obtaining government permission to build houses of worship. In previous years, vandals have attacked houses of worship, such as Hindu temples and Christian churches, and some individuals have objected to religious iconography displayed outside Hindu and Buddhist temples. The constitution defines ethnic Malays—the majority ethnic group—as Muslim. Over time, the government has implemented policies and practices that prefer or otherwise distinguish ethnic Malay Muslims—specifically Sunni Muslims—for special treatment. Through the federal Department of Islamic Development Malaysia (JAKIM), the government funds most Sunni mosques and imams and provides talking points for sermons. The dual system of civil and Shari'ah courts and the layers of federal and state laws, sultan-issued decrees, and *fatwas* (religious edicts) often disadvantage non-Muslims and non-Sunni Muslims. There are reports that proselytization of Islam widely occurs in public schools, even Catholic schools. Muslims are allowed to proselytize to non-Muslims, but not vice versa.

A laundromat in Malaysia's southern state of Johor stirred strong reactions in September 2017 after posting a sign banning non-Muslim customers. Johor's Sultan Ibrahim Sultan Iskandar called on the business to cease the discriminatory practice and reportedly urged state- and local-level religious bodies

### Harassment of Atheists

In August 2017, high-level Malaysian officials made alarming statements about atheism after members of a local chapter of an international atheist organization, Atheist Republic, posted online a photo of one of its gatherings.

Online commenters harassed and issued death threats to members of the group. Dr. Asyraf Wajdi Dusuki, a deputy minister in the prime minister's department in charge of Islamic affairs, called for an investigation to ensure no Muslims took part in the group. Shahidan Kassim, a cabinet minister, suggested that atheists be hunted down and recommended forced "reeducation." In November 2017, Dr. Asyraf stated that apostasy is unconstitutional and also that freedom of religion does not mean freedom from religion, but Malaysian lawyers disputed his interpretation of the constitution. Apostasy is not mentioned in Malaysia's constitution, nor is it a federal crime, but several states have criminalized conversions from Islam and Shari'ah courts have sentenced individuals to prison or imposed fines.

*Apostasy is not mentioned in Malaysia's constitution, nor is it a federal crime, but several states have criminalized conversions from Islam and Shari'ah courts have sentenced individuals to prison or imposed fines.*

### Restrictions on Belief and Expression

In 2017, authorities restricted several individuals' rights, including religious expression. For example, in June 2017, Deputy Prime Minister Ahmad Zahid Hamidi authorized a ban on a book published by the G25, a group of 25 prominent Malaysian figures—including many former public officials—who have regularly spoken up for tolerance, freedom of expression, and freedom of religion. The government deemed the collection of essays, called *Breaking the Silence: Voices of Moderation—Islam in a Constitutional Democracy*, "prejudicial to public order" and "likely to alarm public opinion." In October 2017, the G25 sought a judicial review of the ban, which the High Court granted in January 2018, shortly after the reporting period.

In September 2017, Malaysian immigration officials detained Turkish writer Mustafa Akyol at the Kuala Lumpur airport for allegedly teaching Islam without a license by speaking about Islam and apostasy at a lecture series in Malaysia, something he had done on previous visits to the country. After one of the lectures, Malaysia's religious police issued Mr. Akyol a summons, but not reading Malay, he failed to appear, resulting in his detention at the airport. He was transferred to federal police custody and later questioned in Shari'ah

court. According to Mr. Akyol, authorities released him after former Turkish President Abdullah Gul intervened on his behalf with Malaysian royalty.

### Ban on the Use of the Word "Allah"

In October 2017, lawyers for Jill Ireland Lawrence Bill, a Christian, returned to Malaysia's High Court to pursue the right of non-Muslims to use the word "Allah." In 2008, customs authorities seized eight Christian CDs belonging to Ms. Ireland with song titles containing the word "Allah." Although the CDs were eventually returned in 2015 following a years-

long legal battle, the courts did not address Ms. Ireland's question about her constitutional right to use the word "Allah" and to import and possess materials containing the word. The court case centers around a 1986 directive from the Ministry of Home Affairs that prohibited non-Muslim publications from using four words, among them "Allah." The government cited the directive as justification when it confiscated Ms. Ireland's CDs, and also when it made the case before the courts that ultimately banned a Malay-language edition of a Catholic newspaper's right to use "Allah." The Kuala Lumpur High Court is expected to issue a decision in March 2018, after the reporting period.

### Hudood Punishments

Crimes punishable under *hudood* (commonly spelled *hudud* in Malaysia) include apostasy, slander, adultery, and alcohol consumption; the punishments include amputation, stoning, and flogging or caning. In July, in its pursuit of strict Shari'ah, the Kelantan State Assembly—controlled by PAS—amended its state-level Criminal Code to allow public caning for individuals found violating Shari'ah. Critics noted that Malaysia's constitution calls for equality before the law and that it would therefore be unconstitutional to single out Muslims for a specific punishment. The state assembly adopted *hudood* punishments in 2015; full implementation of the measure is tied to existing constitutional limitations on the power of Shari'ah courts. PAS also seeks to enact *hudood*



at the national level; after several delays, the Malaysian parliament had not acted on the measure by the end of the reporting period. Malaysian academics have posited that Prime Minister Najib and UMNO have developed a mutually beneficial relationship with PAS: even though Prime Minister Najib and UMNO's support for *hudood* has vacillated, it was enough to siphon away PAS from the opposition coalition, which could influence not only the 2018 general elections, but also the prospects for *hudood* legislation in the long term.

### The Unilateral Conversion of Minors

Malaysia's Federal Court ruled in January 2018, after the reporting period, that both parents' consent is required to convert a minor's religion. Before that ruling, advocates seeking to resolve interfaith custody battles were disappointed when the government in 2017 withdrew a measure that would have prohibited unilateral conversion of children. The government first proposed a bill in 2016 to amend Malaysia's Law Reform (Marriage and Divorce) Act 1976 to clarify that civil courts would handle matters of civil marriage; the bill included a clause—article 88 (A)—that would have banned unilateral child conversions regardless of whether one or both parents convert after marriage. However, under pressure from conservative Muslims, the government in August 2017 removed article 88 (A) before parliament passed the bill on August 10. In cases such as that of M. Indira Gandhi, a Hindu whose ex-husband converted their three children to Islam without her knowledge or consent, non-Muslim parents have few rights in Shari'ah courts, which hear family law cases when at least one party is Muslim. While the Federal Court's 2018 decision was a win for M. Indira Gandhi, authorities must still locate and arrest her ex-husband who, at the time of the court's ruling, was at large and had physical custody of their youngest child.

*... non-Muslim parents have few rights in Shari'ah courts, which hear family law cases when at least one party is Muslim.*

### Rohingya Muslim and Other Refugees

In 2017, after Burmese military- and civilian-led attacks killed and displaced thousands of Rohingya Muslims and forced nearly 700,000 to flee to Bangladesh, Malaysia's government publicly condemned

Burma's atrocities against Rohingya Muslims and coordinated a meeting with the Organization of Islamic Cooperation to discuss the crisis. During 2017, Malaysia sent humanitarian supplies to Rakhine State for Rohingya Muslims, and contributed funds and resources to refugees in Bangladesh throughout the year. In September 2017, Malaysia disassociated itself from a statement issued by the Association of Southeast Asian Nations (ASEAN) about Rakhine State because it failed to fully capture Rohingya Muslims' plight and, at Burma's request, did not mention the Rohingya by name. However, critics accused the Malaysian government of merely currying favor with its Muslim base ahead of the 2018 general elections, especially given the treatment of the approximately 150,000 Rohingya Muslim refugees currently living in Malaysia. In 2017, after reports by SUHAKAM revealed the deaths of more than 100 individuals—many of them Rohingya—at Malaysian immigration detention centers in 2015 and 2016, Southeast Asian parliamentarians and human rights advocates noted serious concerns about Malaysia's treatment of asylum-seekers and refugees. (For further information about refugees in Southeast Asia and how religious freedom and related human rights concerns transcend borders, refer to USCIRF's September 2017 report, [A Right for All: Freedom of Religion or Belief in ASEAN](#).)

### U.S. POLICY

The year 2017 marked the 60th anniversary of U.S.-Malaysia diplomatic ties. In March 2017, then Secretary of State Rex Tillerson met with Foreign Minister Dato' Sri Anifah Aman in Washington, DC. In his first visit to Southeast Asia as secretary of state, then Secretary Tillerson traveled to Malaysia in

August 2017. The secretary met with Deputy Prime Minister Ahmad Zahid Hamidi and reportedly discussed human trafficking, counterterrorism, and other issues. In remarks to the U.S. Embassy staff and their families in Kuala Lumpur, then Secretary Tillerson spoke of the importance of the bilateral relationship in terms of security, the military, and the economy.

When the U.S. State Department released its [2017 Trafficking in Persons Report](#) in June, it improved Malaysia's ranking by upgrading it to Tier 2, acknowledging the government's efforts to eliminate trafficking through investigations, prosecutions, and convictions. At a September 2017 hearing of the House Foreign Affairs Committee about North Korea, Acting Assistant Secretary for the Bureau of East Asian and Pacific Affairs Susan Thornton's [written testimony](#) mentioned Malaysia among the United States' global partners who are increasing pressure on the Kim Jong-un regime, noting that "Malaysia deported hundreds of [North Korean] workers and suspended issuing further work permits."

In September 2017, President Donald Trump met with Prime Minister Najib at the White House. The [joint statement](#) released after their meeting indicated that the two leaders "discussed the importance of protecting human rights, including freedom of expression and freedom of religion" and also that they "reaffirmed the importance of promoting community resilience and mutual respect across religious and ethnic boundaries." It also indicated that they spoke about the humanitarian crisis faced by Rohingya Muslims in Burma. In remarks at a Washington, DC, think tank following his White House visit, Prime Minister Najib spoke of U.S.-Malaysia cooperation to counter violent extremism and terrorism. He acknowledged that some Malaysians have traveled to Syria and Iraq "to fight for a false cause" under the auspices of the Islamic State of Iraq and Syria (ISIS). He also said, "By claiming their terrorism is Islamic in nature, these individuals blaspheme against our religion—something for which we simply cannot forgive them."

In 2017, the U.S. Department of Justice continued its case against Malaysia Development Berhad (1MDB, a Malaysian investment fund) regarding money believed to have been laundered through the United States. In June 2017, the Justice Department filed a civil forfeiture complaint to seize assets that, when combined with its previous complaint, are worth nearly \$1.7 billion. In total, the United States accuses those involved with 1MDB of diverting more than \$4.5 billion from the fund. At a [speech](#) in December, Attorney General Jeff Sessions referred to Malaysian officials' alleged money laundering as "kleptocracy at its worst." The previous

filing referred to "Malaysian Official 1," believed to be Prime Minister Najib, who created 1MDB and whose bank accounts allegedly contained \$700 million from the fund.

## KEY FINDINGS

In 2017, the state of religious freedom in Turkey worsened. Proposed changes in the educational curriculum, an increase in government funding solely for Sunni mosques, and a lack of movement with respect to legal status and registration for non-Muslim communities have led Turkey on a downward trend. Turkey's longstanding strict secularization prevents religious communities—including Sunni Muslims—from obtaining full legal status; that being said, members of different faith groups do have their own private schools, places of worship, foundations, and media organizations. The majority of the other longstanding religious freedom concerns remain unresolved, including the return of expropriated minority properties, the delay in providing dual citizenship to Greek Orthodox Metropolitans so they can participate in the church's Holy Synod, and equal funding for religious minority community buildings from the public budget. Moreover, the continued unjust detention of Protestant Pastor Andrew Brunson since October 2016 has had a chilling effect on Christians living in the country. In recent years the government

has taken steps to return some expropriated properties to religious minority communities. The government also funded efforts to restore two historic religious minority properties, the Greek Orthodox Sumela Monastery and the Bulgarian Orthodox Church, both of which are expected to open in 2018. Additionally, in 2017 the government removed the longstanding legal ban on wearing Islamic headscarves in the Turkish military and police, a move welcomed by Muslims in the country. In October 2017, a USCIRF delegation visited Istanbul, Ankara, and Izmir, and met with Turkish government officials and religious minority community leaders. The delegation also met with detained Pastor Brunson in Kırkları Prison, the first non-consular, non-family delegation to visit him. Based on these conditions, in 2018 USCIRF again places the government of Turkey on Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA).

## RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Press the Turkish government, at the highest levels, to free Pastor Brunson from detention immediately and unconditionally;
- Apply the [Global Magnitsky Human Rights Accountability Act](#), [Executive Order 13818](#), or other relevant targeted tools, to deny U.S. visas to and block the U.S. assets of specific officials and agencies identified as responsible for violations of the right to freedom of religion or belief;
- Urge the Turkish government to ensure the education curriculum remains inclusive of all of Turkey's religious groups, and does not only include lessons and principles that are applicable to Turkey's Sunni Muslim majority;
- Urge the Turkish government to allow students to be exempted from religious courses without disclosing their religious and philosophical convictions, as mandated by the European Court of Human Rights (ECtHR);
- Press the Turkish government to streamline measures that would permit non-Sunni Muslim faith communities to apply for government funding to support the construction, maintenance, and upkeep of their houses of worship;
- Urge the Turkish government to fully comply with ECtHR rulings on freedom of religion or belief, including by removing the field for religious affiliation on national ID cards' microchips and recognizing Alevi *cemevis* as legal places of worship and Alevi *dedes* as religious leaders;
- Press the Turkish government to publicly rebuke government officials who make anti-Semitic statements or other derogatory statements about religious communities in Turkey;
- Press the Turkish government to fulfill private and public promises that the Greek Orthodox Halki Seminary would be reopened, and to permit other religious communities to open and operate their seminaries; and
- Urge the Turkish government to provide increased security to religious communities to prevent attacks on religious houses of worship.

## COUNTRY FACTS

## FULL NAME

Republic of Turkey

## GOVERNMENT

Parliamentary Republic

## POPULATION

80,845,215

## GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam, Armenian Orthodox, Greek Orthodox, and Judaism (the latter three being the Lausanne Treaty-recognized minorities)

## RELIGIOUS DEMOGRAPHY\*

99.8% Muslim (mostly Sunni)

0.2% other, including Jewish, Armenian Orthodox, Greek Orthodox, Roman Catholic, Bulgarian Orthodox, Chaldean, Baha'i, Syriac, Protestant, and Jehovah's Witness

\*CIA World Factbook

## BACKGROUND

Since July 2016, Turkey has struggled with its security situation in the aftermath of a failed coup d'etat. The Turkish government alleges the coup attempt was orchestrated by Fethullah Gülen, a U.S.-based cleric and the leader of the Hizmet Movement, which the Turkish government now refers to as the Fethullahist Terror Organization (FETO).

Since the attempted coup, the government has dismissed more than 100,000 public servants from their jobs; shut down more than 1,200 schools, 15 universities, and 195 media outlets; and arrested 73 journalists—the highest number of journalists arrested by any country in 2017, according to the Committee to Protect Journalists. The government also has arrested thousands of suspected followers of the Hizmet Movement and confiscated their property. Human rights activists, including Amnesty International's Turkey Director, Taner Kilic, are among those who have been arrested and charged with membership in a terrorist organization, which has had

*Since the attempted coup, the government has dismissed more than 100,000 public servants from their jobs; shut down more than 1,200 schools, 15 universities, and 195 media outlets; and arrested 73 journalists—the highest number of journalists arrested by any country in 2017, according to the Committee to Protect Journalists.*

a chilling effect on human rights and religious freedom advocates in Turkey. Aykan Erdemir, a former member of the Turkish parliament and well-known advocate for religious freedom and religious minority rights, was also recently charged with FETO membership; the government issued a warrant for his arrest and confiscated his assets in Turkey. In this environment, religious minority groups

have maintained a low profile and have largely ceased pursuing their previous longstanding demands. In addition, the detention of Pastor Brunson, who lived in Izmir for more than 23 years, has left minorities in Turkey with a sense of fear.

According to the government, 99 percent of Turkey's population is Muslim, and 80 percent of that number (64 million)

is Sunni Muslim. Between 20 and 30 million are Alevi, a religion the Turkish government counts as Muslim, although some Alevis self-identify as part of a unique non-Muslim culture. Turkey's non-Muslim religious minorities comprise less than 0.2 percent of the overall

population, and mostly are members of the Jewish, Armenian Orthodox, and Greek Orthodox communities, the three faiths recognized under the 1923 Treaty of Lausanne. Turkey also has small communities of the Roman Catholic, Bulgarian Orthodox, Chaldean, Baha'i, Syriac, Protestant, and Jehovah's Witness faiths.

The 1982 Turkish constitution provides for the freedom of belief and worship and the private dissemination of religious ideas, and prohibits discrimination on religious grounds. Nevertheless, the state interprets secularism to require state control over religious communities, including their practices and houses of worship. No religion enjoys full legal status. The Ministry of Religious Affairs (*Diyanet*) maintains control over the practice of Islam in Turkey; all other religions are under the auspices of the General Directorate for Foundations (*Vakıflar*).

## RELIGIOUS FREEDOM CONDITIONS 2017

### Education

Primary and secondary school students in Turkey are required to complete the "Religious Culture and Moral Knowledge Course," which Turkish officials claim is necessary to raise law-abiding and moral Turkish citizens. Because the course is rooted in Islamic principles, non-Muslim students from the Lausanne Treaty communities—Greek Orthodox, Jewish, and Armenian Orthodox—may be exempted from the course. Members of other faiths, including Alevis, are not permitted exemption, and more often than not even members of the Lausanne-recognized faiths do not opt for exemption so as not to be ostracized by fellow students and teachers. In 2014, the ECtHR held that Turkey

could not mandate students to disclose their religious identity, as it was in violation of the European Convention on Human Rights. It also held that the course should not be compulsory and that the curriculum should be neutral as far as religions are concerned. Unfortunately, religious minority groups, especially Alevi community members, informed USCIRF during an October 2017 visit to Turkey that the government has yet to comply with the ruling.

*While enrollment hovered around 60,000 in 2002, there are currently more than one million students (one-tenth of all public-school students) enrolled in more than 4,000 imam-hatip schools throughout the country.*

The education curriculum in Turkey's public schools is set to change in 2018. According to numerous human rights reports, the Education Ministry has revised over 170 curriculum topics. In an effort to raise what President Recep Tayyip Erdoğan called a "pious generation" of Turks, the ministry will remove evolutionary concepts like natural selection, along with any mention of Charles Darwin. The government claims that evolution will only be taught in high school because it is difficult for younger students to grasp; secular critics claim it is being done to infuse the secular curriculum with religious-based ideas. Other changes include teaching jihad as love of homeland in an effort to refocus on the spiritual meaning of the term rather than the violent connotation extremists have emphasized. Critics of the changes argue that previously Turkey was one of the only Muslim-majority countries to include in its curriculum lessons on environmental protection, human rights, Darwinism, gender equality, compassion toward AIDS patients, and openness toward various lifestyles, and that the proposed changes are indicative of the "Islamization" of the curriculum.

Finally, *imam-hatip* schools—vocational schools initially created to train imams after the collapse of the Ottoman Empire—have grown in popularity. While enrollment hovered around 60,000 in 2002, there are currently more than one million students (one-tenth of all public-school students) enrolled in more than 4,000

*imam-hatip* schools throughout the country. Since 2014, the Justice and Development Party, President Erdoğan's party, has led the passage of several bills in parliament that now allow one imam-hatip school for every 5,000 people rather than one

for every 50,000 as was mandated previously. The age of admission has also been lowered from 14 years to 10 years of age.

### National Identity Cards

In 2010, the ECtHR ruled that a mandatory listing of religious affiliation on Turkish identification cards violated the European Convention. Thereafter, the Turkish

parliament passed a law removing the requirement from the front of the cards. The new identification cards, which went into effect in January 2017, do not show the holder's religious identification, although the information can be found on the card's microchip. Religious communities remain concerned that information on the microchip may lead to discrimination in the workplace and other places where the microchip can be read. Additionally, small religious minorities, such as members of the Baha'i faith, informed USCIRF during its visit that their religion is not listed as an option in the government form for the ID cards, although it was an option in years past.

## Alevis

Alevis are the largest religious minority community in Turkey, numbering between 20 million and 30 million people. While the government considers them Muslim, not all Alevis identify themselves as such. In 2015, the ECtHR held that Alevi students should be excused from attending the compulsory religious class. The ECtHR also ruled that only Alevi leaders could determine the faith (Islam or not) to which their community belonged. These rulings have not yet been implemented by the government.

Alevis have struggled to obtain legal authorization for their "gathering places" (*cemevis*), which number between 5,000 and 7,000. They consistently have been denied access to public funds to support the maintenance of the *cemevis*, unlike mosques, which do receive Diyanet funding. In April 2015, the ECtHR held that the Turkish government was violating the European Convention by not recognizing Alevi places of worship and religious leaders. As a result, in 2016 the Turkish government designated 126 Alevi *dedes* (faith leaders), located in several European countries, as "field experts." However, Alevi community leaders informed USCIRF during its visit that experts only are permitted in the field for 10 to 12 days during the holy month of Muharram, and that usually those chosen enjoy close relations with the government and are not necessarily identified for their religious credentials. Moreover,

no Alevis currently serve in critical government positions, including as governors or police chiefs. Finally, the community has been consulted on the depiction of Alevis in textbooks by the Ministry of Education, and, according to Alevi group leaders, some of their suggested revisions have been implemented.

## Anti-Semitism

Anti-Semitism remains problematic for Turkey's Jewish community, but it has not worsened from previous years, according to community leaders with whom the USCIRF delegation met in October 2017. Print and social media still produce anti-Semitic material, the 2017 Hrant Dink Foundation reports confirmed. In 2017, the television program "The Last Sultan" that aired on public Turkish television reinforced stereotypes of Jews. In July 2017, events at the Temple Mount, in which two Israeli policemen were killed and metal detectors were placed at the Al-Aqsa Mosque, drew large protests across the Muslim world, including in Turkey. Alperen Hearths, a far-right ultranationalist and Islamist youth group, staged a protest in front of central Istanbul's Neve Salom synagogue. Protesters kicked the doors of the synagogue, threw stones, and were heard saying, "If you prevent our freedom of worship there then we will prevent your freedom of worship here." After this incident, the Turkish government increased security for the synagogue.

Since 2008, Turkey has been the only majority-Muslim country that actively contributes to the International Holocaust Remembrance Alliance. For the third year in a row, on January 27, 2017, the Turkish government

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*In December 2017, also for the third time, Chanuka was celebrated publicly at Neve Salom, Istanbul's largest synagogue, with government officials in attendance.*

*During Chanuka, President Erdoğan also released a message to Turkey's Jewish citizens.*

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held a Holocaust Remembrance Day ceremony, in which the deputy prime minister participated. In December 2017, also for the third time, Chanuka was celebrated publicly at Neve Salom, Istanbul's largest synagogue, with government officials in attendance. During Chanuka, President Erdoğan

also released a message to Turkey's Jewish citizens. Finally, for the last three years, the government has held commemoration services with high-level official



representation in memory of the Jewish refugees who lost their lives on the vessel *Struma*, which was sunk in the Black Sea on February 24, 1942.

### Greek Orthodox

The Turkish government continued to dictate that only Turkish citizens can be members of the Ecumenical Patriarchate's Holy Synod, which elects the community's Patriarch. Since 2010, however, only 30 foreign Metropolitans have been approved for dual citizenship, which the community contends is unreasonable interference with the internal election process of the Patriarchate. Additionally, the Greek Orthodox Theological School of Halki remains closed, as it has been since 1971, due to a constitutional decision to shut down all religious and theological schools at the time. However, the Ecumenical Patriarchate

contends that since then, thousands of *imam-hatip* schools have been opened, and therefore Halki Seminary should also be allowed to reopen for the sake of the community's survival. The Turkish government continues to cite the Greek government's restrictions on Muslims in Western Thrace as the primary reason for Halki Seminary's continued closure, based on the principle of reciprocity in the 1923 Treaty of Lausanne. Lack of legal status for the Patriarchate, like all religious groups, continues to prohibit the community from registering property in its name. Instead, the Patriarch has been required to register property in his own personal name. Petitions from the Patriarchate for the return of historical properties from the state also remain outstanding.

In mid-2016, the Patriarch requested a meeting with President Erdoğan to discuss his community's concerns; by the end of the reporting period, there had been no response. Nevertheless, President Erdoğan invited the Patriarch to National Day celebrations as well as other state events during 2017. The Patriarch remains an active convener of interfaith dialogue among Turkey's religious minorities.

### Protestants

The Protestant population in Turkey is estimated to be between 6,000 and 7,000 people. There continued to be reports of Protestant churches being vandalized and pas-

tors being targeted with hate speech via text messages, Facebook, and e-mails in 2017. The community informed the USCIRF delegation during its visit that the government had not addressed their concerns or provided sufficient protection to targeted churches or pastors.

In October 2016, Turkish authorities detained Pastor Andrew Brunson, a U.S. citizen who has lived in Izmir, Turkey, for 23 years and led a small congregation of approximately 60 people. In October 2017, the USCIRF delegation visited Pastor Brunson in Kiriklar Prison, the first non-family, non-consular delegation to meet with him. As of the end of the reporting period,

Pastor Brunson and his lawyers had yet to see the indictment or the secret evidence and witness the government claims can link the pastor to FETO. He has been told that the evidence claims that he

attempted to "overthrow the Turkish government" and "undermine the constitution." According to Turkey's Association of Protestant Churches, over the past several years, at least 100 pastors have been forced to leave Turkey due to government refusal to renew visas or other permits.

### Sunni Muslims

The Sunni Muslim majority population, other than those alleged to have ties to Fethullah Gülen, has seen improvements in religious freedom conditions since the AK Party government came to power in 2002. Generally, Sunni Muslim students have felt more comfortable asking for time off to make Friday prayers, an act that was not tolerated in past years. In February 2017, the ban on wearing Islamic headscarves in the Turkish police and military was removed. The Turkish military, the most secular institution in the Turkish state, had banned the veil since the 1980s.

Thousands of followers of Fethullah Gülen have been purged from government service; others have been arrested, of whom some have been tortured while in detention, according to an October 2017 Human Rights Watch report. After the 2016 coup d'état attempt, Turkish government officials have referred to Gülen members as belonging to a "parallel state." The

*In October 2017, the USCIRF delegation visited Pastor Brunson in Kiriklar Prison, the first non-family, non-consular delegation to meet with him.*

Ministry of Religious Affairs has declared that Gülen followers are “perverted in faith,” and it publishes weekly Friday sermons, read in every mosque on Fridays, that include verbal harassment of them.

### Religious Minority Properties

Unlike Muslim mosques, which register with the Diyanet, religious minority organizations register with the Vakıflar. Funding for non-Muslim houses of worship comes out of the budget of the Vakıflar, which is too limited to meet the needs of the many church and synagogues that are eligible and in need of funding. Turkish government officials told USCIRF that in order to facilitate increased funding for non-Muslim houses of worship, the government is considering creating a Vakıflar within the Diyanet, a move that would allow funding to come out of the growing budget of the Diyanet.

Historically, the Turkish government has expropriated religious minority properties. In 2011, the government issued a decree allowing a one-year period for religious minority foundations to apply for the return of, or compensation for, properties seized by the government in previous decades. Between 1936 and 2011, the government seized thousands of properties belonging to Christian and Jewish religious foundations. The 2011 decree allowed only for the Lausanne Treaty minority faiths—the Armenian Orthodox Church, Greek Orthodox Church, and Jewish community—to apply for the return of

property that had been registered in 1936. Since this decree, the government returned a total of 333 properties and provided compensation for 21 properties. Various minority foundations have applied for the return of more than 1500 properties, totaling a value of more than 2.5 billion Turkish lira. In addition to returning or providing compensation for properties, in 2017 the Turkish government paid for the utility costs of 419 minority places of worship, including 379 churches, 24 chapels, and 39 synagogues.

The government has funded the reconstruction of select historical churches. The Greek Orthodox Sumela

Monastery, which has been undergoing a restoration partly funded by the government since September 2015, is scheduled to reopen in August 2018. Additionally, the construction of the Bulgarian Orthodox Church in Istanbul has been underway since 2013, when the property in central Istanbul was returned to the foundation affiliated with the church. President Erdoğan and Bulgarian Prime Minister Boyko Borisov attended the ceremony for the church, which opened in January 2018. The government also has undertaken the renovation of four churches that were destroyed between 2015 and 2016 in clashes between the Turkish military and the terrorist-designated Kurdistan Workers’ Party (PKK) in southeastern Turkey. Other properties have been renovated, and future projects, according to the Turkish authorities, include the Istanbul Turisina Monastery, Kili Central Synagogue, Hatay Yayladağı Greek Orthodox Church, and Iskenderun Arsuz Maryo Hanna Church.

### Hagia Sophia

For several years, the Christian community in Turkey and beyond has raised concerns about a potential change in the status of the historic Hagia Sophia in Istanbul. Despite the Hagia Sophia’s legal status as a museum since 1935, some Muslims—including Turkish parliamentarians—have called for it to be opened as a mosque. During USCIRF’s October 2017 visit, Turkish officials stated that the government had no intention to change the Hagia Sophia’s legal status.

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### Women and Religious Freedom

In November 2017, the Turkish parliament passed a bill, signed into law by President Erdoğan, to recognize marriages by Sunni Muslim muftis, giving government-approved clerics the same powers to perform marriages as civil authorities. Critics of this law claim that it may open the door for marriages under the age of 18, the legal age to marry, because some muftis, especially

in rural areas, may turn a blind eye to younger brides. The organization Girls Not Brides reported that Turkey has a high rate of child marriages, with 15 percent of girls married under the age of 18. The government argues that this law was intended to reduce the number of unregistered marriages by encouraging religious families to come forward and be married by a state-approved mufti. Even if this is correct, the law is discriminatory in another way: only Sunni Muslim muftis can perform marriages; priests, rabbis, and leaders of other faiths cannot.

## U.S. POLICY

Although Turkey is a strategic partner of the United States and member of the North Atlantic Treaty Organization (NATO), the U.S.-Turkey relationship became severely strained and significantly deteriorated in 2017, as the Turkish government exercised increasingly authoritarian measures. While the United States and the Global Coalition to Defeat the Islamic State of Iraq and Syria (ISIS) utilized Incirlik Air Base in Turkey

to launch their air operations, the Turkish government disapproved of the United States' support for the Syrian Democratic Forces (SDF)—and specifically the People's Protection Units (YPG), which are Kurdish-dominated—to combat ISIS inside of Syria. The Turkish government repeatedly claimed that the YPG included elements of the Kurdistan Workers' Party (PKK), a Kurdish nationalist organization that both Turkey and the United States have designated as a terrorist organization. YPG claims it is independent from the PKK.

In addition, the Turkish government continued to put pressure on the United States to extradite Gülen, who currently resides in the United States, so that he can be prosecuted for the coup d'état attempt. Meanwhile, since October 2016 the United States government, as well as members of the U.S. Congress, have pressed for the release of detained Pastor Brunson, a U.S. citizen. President Donald Trump, in a meeting with President Erdoğan in May, as well as Vice President Mike Pence, in a meeting with Prime Minister Binali Yıldırım in November, urged Pastor Brunson's release. In March, then Secretary of State Rex Tillerson met with Norine

Brunson, wife of Pastor Brunson, in Ankara. Other issues affecting the relationship included a series of legal cases against both Turks and Americans, such as the charges against President Erdoğan's bodyguards for beating protestors in Washington, DC; the prosecution in New York of a Turkish gold trader, Reza Zarrab, for evading sanctions on Iran; and the Turkish government charging Turkish nationals working in the American consulate with alleged FETO affiliations. Since 2011, the United States has provided nearly \$572 million in funding for refugees in Turkey through the United Nations and other international organizations. Turkey is hosting at least 3.4 million registered Syrian refugees from various religious faiths who fled to Turkey to escape persecution by the Bashar al-Assad regime and

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*Turkey is hosting at least 3.4 million registered Syrian refugees from various religious faiths who fled to Turkey to escape persecution by the Bashar al-Assad regime and ISIS.*

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ISIS. U.S. funding has supported psychosocial programs, health and livelihood programs, and prevention and response to gender-based violence, as well as tents, blankets, schools, and teacher stipends.

The United States has continued to urge Turkish officials to prioritize religious freedom when possible, including discouraging hateful and discriminatory language against Armenians, Jews, and other religious minority groups. U.S. officials have highlighted the need to keep the Hagia Sophia as a museum, emphasizing its importance as a symbol of coexistence between religions. Reopening Halki Seminary and returning properties to religious minority groups are issues that remain of keen interest to the United States.

# ACRONYMS

<b>ASEAN</b>	Association of Southeast Asian Nations
<b>BICI</b>	Bahrain Independent Commission of Inquiry
<b>BJP</b>	Bharatiya Janata Party
<b>CISADA</b>	Comprehensive Iran Sanctions, Accountability, and Divestment Act
<b>COI</b>	Commission of Inquiry
<b>CPC</b>	Country of Particular Concern
<b>CPVPV</b>	Commission for the Promotion of Virtue and Prevention of Vice
<b>ECtHR</b>	European Court of Human Rights
<b>EPC</b>	Entity of Particular Concern
<b>FTO</b>	Foreign Terrorist Organization
<b>FY</b>	Fiscal Year
<b>ICC</b>	International Criminal Court
<b>IDPs</b>	Internally Displaced Persons
<b>IEEPA</b>	International Emergency Economic Powers Act
<b>IMN</b>	Islamic Movement of Nigeria
<b>IRFA</b>	International Religious Freedom Act
<b>IRPT</b>	Islamic Renaissance Party of Tajikistan
<b>ISIS</b>	Islamic State of Iraq and Syria
<b>ITRSHRA</b>	Iran Threat Reduction and Syria Human Rights Act
<b>JCPOA</b>	Joint Comprehensive Plan of Action
<b>KRG</b>	Kurdistan Regional Government
<b>MINUSCA</b>	United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic
<b>NATO</b>	North Atlantic Treaty Organization
<b>NGOs</b>	Nongovernmental Organizations
<b>NLD</b>	National League for Democracy
<b>NSC</b>	National Security Council
<b>OCHA</b>	United Nations Office for the Coordination of Humanitarian Affairs
<b>OHCHR</b>	Office of the United Nations High Commissioner for Human Rights
<b>ORA</b>	Office of Religious Affairs
<b>OSCE</b>	Organization for Security and Cooperation in Europe
<b>PMF</b>	Popular Mobilization Forces
<b>RFE/RL</b>	Radio Free Europe/Radio Liberty
<b>SDGT</b>	Specially Designated Global Terrorists
<b>UN</b>	United Nations

<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UPR</b>	Universal Periodic Review
<b>USAID</b>	U.S. Agency for International Development
<b>USCIRF</b>	U.S. Commission on International Religious Freedom
<b>USRAP</b>	U.S. Refugee Admissions Program
<b>VOA</b>	Voice of America

# APPENDIX 1

## USCIRF COMMISSIONERS

The International Religious Freedom Act of 1998 (IRFA) establishing USCIRF determined that its leadership be composed of nine voting Commissioners appointed in a bipartisan manner. Three are appointed by the president, three by the president pro tempore of the Senate with one from the president's political party and two from the other party, and three by the Speaker of the House of Representatives chosen in the same way. The State Department's Ambassador-at-Large for International Religious Freedom, appointed by the president and confirmed by the Senate, also serves as a non-voting ex officio Commissioner.

Commissioners are limited to two terms, with each term lasting two years.



**DR. DANIEL MARK, CHAIRMAN**

### Appointed

May 9, 2014 by then Speaker of the House John Boehner (R-OH)

### Reappointed

May 16, 2016 by Speaker of the House Paul Ryan (R-WI)

Daniel Mark is an assistant professor of political science at Villanova University. He teaches political theory, philosophy of law, American government, and politics and religion. At Villanova, he is a faculty associate of the Matthew J. Ryan Center for the Study of Free Institutions and the Public Good, and he holds the rank of battalion professor in Villanova's Navy Reserve Officers' Training Corps unit. He is also on the steering committee for the Villanova Political Theology Project and on the graduate committee of the Department of Political Science. He has served as the faculty adviser to the mock trial team and to the men's club lacrosse team and as a mentor in the university's Faith and Learning Scholars Program.

For the 2017-18 academic year, Dr. Mark was on leave from Villanova as a visiting fellow in the Department of Political Science at the University of Notre Dame



under the sponsorship of the Tocqueville Program for Inquiry Into Religion and Public Life as well as the Notre Dame Institute for Advanced Study; the Program on Church, State, and Society; and the Center for Ethics and Culture. For the 2015–16 academic year, Dr. Mark was on sabbatical from Villanova as a visiting fellow in the Department of Politics at Princeton University under the sponsorship of the department’s James Madison Program in American Ideals and Institutions.

Dr. Mark is a fellow of the Witherspoon Institute in Princeton, NJ, and an affiliated scholar of the James Wilson Institute on Natural Rights and the American Founding in Washington, DC. He works with the Tikvah Fund, and he has taught at the Straus Center for Torah and Western Thought at Yeshiva University. Dr. Mark is also a member of the advisory council of CanaVox. He is a contributor to the Arc of the Universe blog and has served as an assistant editor of the journal *Interpretation*.

### Publications and Appearances

Dr. Mark speaks frequently for a wide variety of groups, including the Acton Institute, the U.S. Military Academy (West Point), the American Enterprise Institute, Becket Law, the Centennial Institute, the Love and Fidelity Network, the Ethics and Religious Liberty Commission of the Southern Baptist Convention, Opus Dei, the Agora Institute, the Wheatley Institution, and Chabad. In September 2015, Dr. Mark spoke at the World Meeting of Families, a triennial event organized by the Catholic Church, which drew 20,000 participants to Philadelphia. Other appearances have included speeches at Ave Maria University, Arizona State University, Baylor University, Brigham Young University, Colorado Christian University, Dartmouth College, Eastern University, Harvard Law School, the University of Notre Dame, and the Mount Academy (the Bruderhof high school in upstate New York).

In addition to his academic writing, Dr. Mark has published on topics related to international religious freedom in *US News & World Report*, *Investor’s Business Daily*, *Foreign Affairs*, *The Hill*, the *Philadelphia Inquirer*, and *First Things*, and he has appeared on CNN, Al Jazeera America, CBS radio in Philadelphia, KNUS radio in Denver, and Relevant Radio, among other outlets.

### Education

Dr. Mark holds a BA (magna cum laude), MA, and PhD from the Department of Politics at Princeton University. He wrote his dissertation under the direction of Professor Robert P. George on the subject of “Authority and Legal Obligation.” There, he participated in the Program in Law and Public Affairs and the Penn-Princeton Bioethics Forum. He was also affiliated with the James Madison Program in American Ideals and Institutions and served as coordinator of its Undergraduate Fellows Forum.

Before graduate school, Dr. Mark spent four years as a high school teacher in New York City, and he received the New Jersey Department of Education Commissioner’s Distinguished Teacher Candidate Award while earning his teaching certification.



### SANDRA JOLLEY, VICE CHAIRWOMAN Appointed

**April 27, 2016 by then Senate Minority Leader Harry Reid (D-NV)**

A leader in the Church of Jesus Christ of Latter-day Saints, Sandra Jolley has spent decades in Nevada advocating for women and families. Ms. Jolley served as co-chairman of the Las Vegas Area Public Communications Committee of the Church of Jesus Christ of Latter-day Saints and facilitated interfaith and community outreach for the church.

In addition, she served five years as president of the Las Vegas South Stake Relief Society and two years as assistant director of Life Line, a women’s resource center serving southern Nevada. She also has worked with numerous campaigns and local charities.

She and her husband Mark live in Las Vegas, Nevada, and have six children and 12 grandchildren.

## Education

Jolley is a University of Nevada, Las Vegas (UNLV) graduate with a degree in Women’s Studies with special emphasis on women’s religious history.



### KRISTINA ARRIAGA DE BUCHOLZ, VICE CHAIRWOMAN

#### Appointed

May 13, 2016 by Speaker of the House Paul Ryan (R-WI)

Kristina Arriaga de Bucholz was the executive director of Becket Law, a firm that defends the free expression of all religious traditions in the United States and abroad. During her tenure, the Associated Press called Becket a “powerhouse law firm” after it won several landmark Supreme Court religious freedom cases including *Hosanna Tabor*, *Holt*, and *Hobby Lobby*. Becket also secured the rights of Native Americans to use eagle feathers in their powwows, persuaded the U.S. Army to let a Sikh Bronze Star Medalist serve with his articles of

faith, and protected the rights of a small order of Catholic nuns who take care of the dying elderly poor. Becket also took on cases in Azerbaijan, Romania, and Spain and filed briefs before the European Court of Human Rights among many others.

After starting her career in DC working for U.S. Ambassador José Sorzano at the Cuban American National Foundation, she became Advisor to the U.S. delegation to the UN Commission on Human Rights (UNCHR). Splitting her time between the seat of the UNCHR in Geneva and Washington, DC, Kristina worked on raising awareness of the plight of political prisoners with *New York Times* bestselling author, former political prisoner Armando Valladares, who was named Ambassador to the UN Human Rights Commission. After returning permanently to the United States, Kristina continued to work on behalf of defectors and refugees. Her work orchestrating the spectacular airplane rescue of a defector’s family from Cuba earned her recognition in media all over the world including *Reader’s Digest* and *Vanity Fair*. No less adventurous was her time working on domestic affairs as an Intergovernmental Relations Officer at the Department of Housing and Urban Development and then later as a four-year appointee to the U.S. Commission on Civil Rights.

In between swapping hats at Becket, she has had the greatest adventure of all: she is happily married to LtCol Matthew Bucholz, USMC (Retired) and has three kids.

## Honors and Appearances

Kristina is the recipient of the Newseum Institute’s 2017 Free Expression Award. She was featured by *The Federalist* as one of the seven “Most Amazing Women of 2016.” As an expert on religious liberty issues, she has written numerous articles on the topic, spoken at several conferences, and has appeared on multiple television and radio programs including MSNBC, CNN en español, C-Span, Fox, and NPR.

## Education

Kristina has an MA in Liberal Studies from Georgetown University where she graduated *summa cum laude*, and an undergraduate degree from Marquette University.



## **DR. TENZIN DORJEE, COMMISSIONER**

### **Appointed**

**April 27, 2016 by House Minority Leader Nancy Pelosi (D-CA)**

Tenzin Dorjee (PhD, University of California, Santa Barbara, UCSB) is associate professor at the Department of Human Communication Studies, California State University, Fullerton (CSUF). His primary teaching and research interests are intergroup, intercultural, and intergenerational communication; identity issues; peacebuilding; and conflict resolution.

### **Awards**

At CSUF campus, he has received faculty recognition awards for outstanding achievements in teaching (2011), research (2013), and community service (2015). Dr. Dorjee received the 2017 Distinguished Faculty Marshall of the College of Communications and Distinguished Faculty Member of the Department of Human Communication Studies awards. The Tibetan Association of Southern California (TASC) honored him in 2018 with an Appreciation Award for his USCIRF service on behalf of all Tibetans.

### **Translations**

Dr. Dorjee is a prominent translator who studied at Sera Jey Monastic University, South India, and the Institute of Buddhist Dialectics, and worked in the Translation and

Research Bureau of the Library of Tibetan Works and Archives (LTWA), Dharamsala, India, for over 13 years.

For over 20 years, he has been a volunteer translator for Gaden Shartse Thubten Dhargye Ling Tibetan Buddhist Center in Long Beach, CA, founded by late His Eminence Geshe Tsultim Gyeltsen. He is also a published author of articles and translated works of Tibetan Buddhism and culture into English. He had the honor to translate for many preeminent Tibetan Buddhist professors, including His Holiness the Dalai Lama in India and North America.

### **Appointments**

He served as a former Member-at-Large in the Executive Council of the Western States of Communication Association (WSCA), Chair of WSCA's Distinguished Teaching Award Committee, Basic Course Director of the Department of Human Communication Studies, CSUF, and vice president and president of the Tibetan Association of Southern California.

### **Community Service**

Dr. Dorjee has served on many community-based committees, including the Dalai Lama Trust Graduate Scholarship Selection Committee and Restorative Schools Vision Project, Sacramento. At the invitations of the Office of His Holiness the Dalai Lama, the College of Higher Tibetan Studies, Institute of Buddhist Dialectics, the Dalai Lama Institute for Higher Education, the Library of Tibetan Works and Archives, the Tibet Policy Institute, and others, he engaged in voluntary teaching, talk, and service. He taught intercultural communication, social science research and methodology, teaching pedagogy, and translation techniques, among other topics.



**CLIFFORD D. MAY, COMMISSIONER**  
**Appointed**

**August 2, 2016 by Senate Majority Leader Mitch McConnell (R-KY)**

Clifford D. May is the founder and president of the Foundation for Defense of Democracies (FDD), a nonpartisan policy institute focusing on national security created immediately following the 9/11 attacks on the United States. Mr. May has had a long and distinguished career in international relations, journalism, communications, and politics.

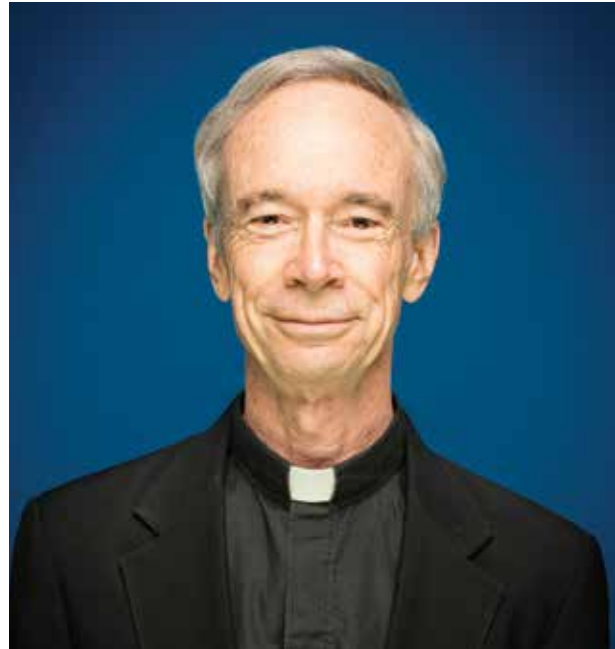
**Publications and Appointments**

A veteran news reporter, foreign correspondent, and editor (at the *New York Times* and other publications), he has covered stories in more than two dozen countries. A former syndicated columnist for *Scripps Howard News Service*, he is currently the weekly “Foreign Desk” columnist for the *Washington Times*. His writing also has appeared in the *Wall Street Journal*, *Commentary*, *National Review*, *USA Today*, the *Atlantic* and many other publications. He was appointed as an advisor to the Iraq Study Group (Baker-Hamilton Commission) of the United States Institute of Peace in 2006, and served on the bipartisan Advisory Committee on Democracy Promotion from 2007 to 2009. From 1997 to 2001, he served as the director of communications for the Republican National Committee.

**Education**

Mr. May holds master’s degrees from both Columbia University’s School of International Affairs and its School of Journalism.

His undergraduate degree is from Sarah Lawrence College, and he holds a certificate in Russian language and literature from Leningrad State University, USSR. He is a member of the Washington Institute of Foreign Affairs.



**REV. THOMAS J. REESE, S.J.,**  
**COMMISSIONER**

**Appointed**

**May 15, 2014 by then President Barack Obama**

**Reappointed**

**May 12, 2016 by then President Barack Obama**

Rev. Thomas J. Reese, S.J., is a senior analyst at Religion News Service and served as USCIRF Chair from June 2016 to May 2017. Previously, he was a columnist at the *National Catholic Reporter* from 2015 to 2017 and a senior fellow at the Woodstock Theological Center from 2006 to 2013 and from 1988 to 1998. He joined the center as a visiting fellow in 1985. He was editor-in-chief of *America* magazine from 1998 to 2005 and an associate editor from 1978 to 1985. As an associate editor, he covered politics, economics, and the Catholic Church. Rev. Reese entered the Jesuits in 1962 and was ordained in 1974.



## Publications

*Inside the Vatican: The Politics and Organization of the Catholic Church.*

## Education

Rev. Thomas J Reese, S.J., received a BA and an MA from St. Louis University, an MDiv from the Jesuit School of Theology at Berkeley, and a PhD in Political Science from the University of California, Berkeley.



## DR. JOHN RUSKAY, COMMISSIONER

### Appointed

May 12, 2016 by then President Obama

Dr. John Ruskay is executive vice president emeritus of UJA-Federation of New York, a member of the United States Commission on International Religious Freedom, and a senior partner of JRB Consulting Services.

Now in his fourth decade of leadership in the North American Jewish Community, Dr. Ruskay was a senior professional at UJA-Federation for 22 years, the last 15 (1999–2014) as executive vice president and CEO. He called for the federation to become a creative resource for the creation of “inspired and caring communities” that can engage Jews on the basis of providing meaning, purpose, and community, and forged bold initiatives to realize that vision.

Prior to UJA-Federation, Dr. Ruskay held senior leadership positions including Vice Chancellor, the Jewish Theological Seminary of America (1985–1993); and educational director, the 92nd Street YM-YWHA (1980–1985).

In 2014, Dr. Ruskay and Robin Bernstein created JRB Consulting Services LLC, which provides strategic consulting and coaching for a range of Not for Profits. Clients have included UJA-Federation of New York, the Educational Alliance, the S. Daniel Abraham Center for Middle East Peace, the Jewish People Policy Planning Institute, Innovation Africa, the Yale Center for Social and Emotional Learning, and Birthright Israel Foundation, among others. Prior to 2014, Dr. Ruskay served as a consultant to several of the major American Jewish foundations, including the Wexner Foundation (1986–1998) and the Andrea and Charles Bronfman Philanthropies (1985–1996).

Dr. Ruskay lives in New York with his wife Robin Bernstein, who served as CEO of the Educational Alliance from 1999 to 2014. They have five children and eight grandchildren.

## Honors

Dr. Ruskay is widely recognized as an outstanding professional leader of the American Jewish Community. He has received numerous honors including honorary doctorate degrees from Spertus College (2011), the Jewish Theological Seminary of America (2011), Hebrew Union College (2013), Yeshiva University (2014), and the Reconstructionist Rabbinical College (2016). He also received the Bernard Riesman Award for Professional Excellence from Brandeis University (1995) and the Mandelkorn Distinguished Service Award from the Jewish Communal Service Association of North America (2003).

## Publications and Appearances

Dr. Ruskay has written extensively and speaks nationally on how the American Jewish community can most effectively respond to the challenges and opportunities of living in an open society, the role of Jewish philanthropy, and the central role of community.

## Community Service

Dr. Ruskay has also served in a range of community volunteer roles, including:

- Board Member, Jewish Media Group (publisher of the *New York Jewish Week*), 2014 to present.

- Treasurer, the National Religious Partnership for the Environment (1993–2010)
- Board Member, Foundation to Sustain Righteous Christians (1988–1998)
- Board Member, American Jewish World Service (1998–1994)
- Founding Board Member, the Coalition on the Environment in Jewish Life (COEJL) (1987–1993)
- Founding Board Member, the Abraham Joshua Heschel School (1978–1984; 1988–1996)
- Founding Board Member, Breira (1972–1977)
- Founding Member of the New York Havurah (1969–1974)

### Education

Ruskay earned his BA *cum laude* from the University of Pittsburgh (1968), and his MA (1972) and PhD (1977) in political science from Columbia University, with a specialization in Middle East politics. His master's essay was a study of bi-nationalism during the British Mandate in Palestine. His dissertation was entitled "Non-Institutional Mass Political Participation: The Role of Voluntary Groups in the Egyptian Revolution of 1919."



### AMBASSADOR JACKIE WOLCOTT, COMMISSIONER

#### Appointed

**March 15, 2016 by Senate Majority Leader Mitch McConnell (R-KY)**

Ambassador Wolcott served as USCIRF's executive director from February 2010 through December 2015.

#### Government Service

Prior to joining USCIRF, Ambassador Wolcott had a long career in government executive positions, serving as Special Envoy for Nuclear Nonproliferation and U.S. Ambassador to the UN Security Council. Ms. Wolcott also was ambassador and United States Permanent Representative to the Conference on Disarmament in Geneva, Switzerland and Special Representative of the President of the United States for the Non-Proliferation of Nuclear Weapons. She served as U.S. governor to the International Atomic Energy Agency Board of Governors, working on issues relating to Iran's and North Korea's nuclear weapons programs.

Ambassador Wolcott served as deputy assistant secretary of state in the Bureau of International Organization Affairs for more than five years with propensity for a range of issues. There, she was responsible for numerous human rights issues in the United Nations system, including international freedom of religion issues. In this capacity, Ambassador Wolcott developed



and implemented U.S. strategy at the UN Human Rights Commission, the Economic and Social Council, the Commission on the Status of Women, and all related issues in the UN General Assembly.

Ambassador Wolcott worked in the Senate and House for nine years, and held several additional positions relating to national security, including associate director for National Security in the Office of Presidential Personnel, the White House; White House liaison for the Department of State; and Special Assistant for Congressional Affairs in the Bureau of Near Eastern and South Asian Affairs, Department of State.

# APPENDIX 2

## RELIGIOUS PRISONERS OF CONSCIENCE

**T**hrough USCIRF's Religious Prisoners of Conscience Project, Commissioners advocate in support of selected prisoners of conscience. With increased education, outreach, and advocacy, USCIRF hopes to raise awareness of these and other individuals being imprisoned for their religion or beliefs, reduce their number, and highlight the country conditions that led to their imprisonment.

## PASTOR ANDREW BRUNSON



### COUNTRY

Turkey

### KEY FACT

American pastor living in Turkey for 20+ years

### DETAINED SINCE

October 7, 2016

### CHARGES

“support of a terrorist organization” and “political or military espionage”

### POSSIBLE SENTENCE

Life in prison

### USCIRF ADVOCATES

Vice Chairwoman Kristina Arriaga  
Vice Chairwoman Sandra Jolley

## BIOGRAPHY

Andrew Brunson, 50, is an American citizen who has lived in Turkey for 23 years. He is a pastor for the Izmir Diriliş (Resurrection) Church, a small evangelical Presbyterian congregation in the city of Izmir.

Pastor Brunson filed an application to renew his residence visa in April 2016. On October 7, 2016, the local police department summoned him for what he assumed to be a routine meeting to discuss his visa renewal. However, he was taken into custody upon his arrival at the station and told he would be deported within 15 days.

A lawyer who asked to visit Pastor Brunson was denied access. When the lawyer returned with an affidavit, officials told him that he signed a statement declaring that he did not want a lawyer; the document he signed waived his right to legal representation. Initially, Turkey also refused to allow a U.S. consulate representative to meet with him, a violation of the Vienna Convention on Consular Relations. During this period, members of the pastor’s church attempted to bring food, water, and clothing to him, but were denied access until October 13. Pastor Brunson was not allowed contact with other prisoners and was held incommunicado in the Harmandali Detention Center.

A court document released at a December 9, 2016, hearing indicated that Pastor Brunson had been charged with “membership in an armed terrorist organization.” The judge reportedly mentioned allegations that Pastor Brunson is linked to the Gülen movement, which the Turkish government accuses of planning the failed July 2016 coup.

Pastor Brunson initially was held in a cell with 21 other inmates that was built to hold only eight prisoners. He was transferred in August 2017 to Kiriklar Prison where he was in a cell with two other men who have been

accused of being members of the Gülen movement. He spends 24 hours a day in his cell, leaving for one-hour weekly visits. Sometimes he is allowed family visits and the U.S. Embassy sees him regularly.

Anadolu, a state-run news agency, reported on August 24, 2017, that the prosecutor submitted new evidence corroborating two charges against Pastor Brunson: support of a terrorist organization and political or military espionage. On March 5, a Turkish court accepted the prosecutor’s indictment.

As of April 10, 2018, Pastor Brunson’s first court hearing is scheduled for April 16, after 18 months in government detention. Vice Chairwomen and USCIRF advocates, Kristina Arriaga and Sandra Jolley, visited Pastor Brunson on October 5, 2017, and confirmed the desperate conditions in which the Turkish authorities continue to hold Pastor Brunson.

The case against Pastor Brunson seems to be based on secret evidence and a secret witness. He has been incarcerated since October 2016 without due process and with inadequate physical and psychological support.



For more information on Turkey, see p. 196. For more information on Vice Chairwoman Kristina Arriaga, see p. 207.; for more information on Vice Chairwoman Sandra Jolley, see p. 206.

## ABDUL SHAKOOR



### COUNTRY

Pakistan

### KEY FACT

80-year-old Ahmadi manager of a bookshop and optician store

### DETAINED SINCE

December 2, 2015

### CHARGES

Propagating the Ahmadiyya faith and stirring up “religious hatred” and “sectarianism”

### SENTENCE

Three years in prison under the penal code for blasphemy and five years under the Anti-Terrorism Act on January 2, 2016

### USCIRF ADVOCATES

Chairman Daniel Mark

## BIOGRAPHY

Abdul Shakoor was born February 2, 1937, in Qadian, India. He is married and the father of five daughters and two sons.

Before his arrest, Mr. Shakoor was the manager of an optician’s store and bookshop in the main bazaar of Rabwah (also known as Chenab Nagar), Punjab Province, Pakistan. The population of the Ahmadiyya community in Rabwah is about 70,000—about 95 percent of the city’s total population. Many view the city as the de facto headquarters of Pakistan’s Ahmadiyya community.

On December 2, 2015, officials from the Counter Terrorism Department of the Punjab Police and Pakistan’s Elite Force raided the bookshop Mr. Shakoor managed. He was arrested along with the shop’s assistant, Mazhar Abbas—a Shia Muslim—and accused of selling an Ahmadiyya commentary on the Qur’an, among other publications. The officials confiscated Ahmadiyya publications during that raid and a later raid that took place on December 9. After their arrest, the two men were held in unknown locations and were not permitted to contact their families.

Mr. Shakoor’s trial was held in the Anti-Terrorism Court in Faisalabad, Punjab Province, with the officers who raided the bookstore as the only witnesses. The prosecution entered into evidence a letter that was ostensibly recovered during the December 9 raid from the Ahmadiyya Director of Public Affairs to Mr. Shakoor notifying him that the Punjab Province government had banned some Ahmadiyya literature and that he should neither display nor sell the banned literature. Ahmadiyya leaders assert that the prosecution fabricated the letter to support their story, noting that

none of the literature cited in the letter was banned until January 20, 2016, after the trial’s conclusion. Mr. Shakoor contended during the trial and maintains the position that he did not distribute any of the literature listed, although he admits to being in possession of some of them. However, possession of Ahmadiyya literature is not a crime in Pakistan.

On January 2, 2016, Mr. Shakoor was given a five-year prison sentence for violating article 11-W of the 1997 Anti-Terrorism Act (ATA) which involves “printing, publishing, or disseminating any material to incite hatred.” He also was given a three-year sentence for violating article 298-C of the Pakistani Penal Code, for a total of eight years. (Section 298 of Pakistan’s penal code criminalizes acts and speech that insult a religion or religious beliefs or defile the Qur’an, the Prophet Muhammad, a place of worship, or religious symbols.) Mazhar Abbas was sentenced to five years’ imprisonment for violating article 11-W of the ATA. Mr. Shakoor filed a writ petition for bail and appeal against the verdict with the Lahore High Court. On multiple occasions the Lahore High Court listed Mr. Shakoor’s appeal on the daily docket, but each time the case was postponed. The last postponed hearing date was believed to be June 22, 2017.

Mr. Shakoor remains in prison and is suffering from a hernia and back pain.



For more information on Pakistan, see p. 64. For more information on Chairman Daniel Mark, see p. 205.

## PATRIARCH ABUNE ANTONIOS



### COUNTRY

Eritrea

### KEY FACT

Patriarch of the Eritrean Orthodox Church

### DETAINED SINCE

May 27, 2007

### USCIRF ADVOCATE

Commissioner Thomas Reese

## BIOGRAPHY

Patriarch Abune Antonios was born on July 12, 1927, in Himberti, a town north of the Eritrean capital, Asmara. He was ordained as the third Patriarch of the Eritrean Orthodox Tawahedo Church in 2004.

At age five, Patriarch Antonios was sent by his father to be educated at the Debre Tsege Abuna Andrewes monastery. Serving as a monk, he was ordained a priest in 1942 and an abbot in 1955. In 1994, Antonios was one of five abbots sent to Egypt to establish a Holy Synod for what would become the autocephalous Eritrean Orthodox Church, one of the largest religious denominations in Eritrea. On June 19, 1994, Antonios was ordained as Bishop Antonios of Hamasien-Asmara in Saint Mark's Cathedral in Cairo by His Holiness Shenouda III, Pope and Patriarch of Alexandria and returned to Eritrea.

Very early in his reign as Patriarch, Abune Antonios confronted state interference within his church. He resisted government demands that he excommunicate 3,000 members and protested the arrest of priests. On January 20, 2006, authorities notified Patriarch Antonios he would be removed as Patriarch and placed him under house arrest.

One year later, on January 20, 2007, authorities confiscated Patriarch Antonios' personal pontifical insignia.

On May 27, 2007, the Eritrean government replaced Patriarch Antonios with Bishop Dioscoros of Mendefera, forcefully removed the Patriarch from his home, and detained him at an undisclosed location. Patriarch Antonios continues to be held incommunicado and is reportedly being denied medical care despite suffering from severe diabetes. On July 16, 2017, authorities allowed Antonios to make a public appearance for the first time in over a decade. While under heavy security, Antonios attended Mass at St. Mary's Cathedral in Asmara, but was prevented from giving a sermon or subsequently speaking with congregants. Three days later, on July 19, the government moved Antonios to a new location, reportedly to provide better living conditions.



For more information on Eritrea, see p. 38. For more information on Commissioner Thomas Reese, see p. 209.

## GEDHUN CHOEKYI NYIMA – THE PANCHEN LAMA



### COUNTRY

China

### KEY FACT

11th Panchen Lama

### DISAPPEARED SINCE

May 17, 1995

### USCIRF ADVOCATE

Commissioner Tenzin Dorjee

### BIOGRAPHY

Gedhun Choekyi Nyima was born on April 25, 1989, in Lhari County, Tibet. After the death of the 10th Panchen Lama, His Holiness the Dalai Lama chose Gedhun on May 15, 1995, to be the 11th Panchen Lama, which is the second-highest position in Tibetan Buddhism.

Three days after his selection as Panchen Lama, Chinese government authorities kidnapped then six-year-old Gedhun Choekyi Nyima and his family. On November 11, 1995, Chinese authorities announced their own pick to serve as the Panchen Lama: Gyancaïn Norbu.

Most Tibetans reject this choice, as well as the government's interference in their religious practices. The Chinese government maintains strict control over Tibetan Buddhists, suppressing their cultural and religious practices. Government-led raids on monasteries continue, and Chinese party officials in Tibet infiltrate monasteries with Communist Party propaganda and officials.

In the more than 20 years since Gedhun's abduction, Chinese authorities have provided little information about his whereabouts, alleging that they need to protect him from being "kidnapped by

separatists." In May 2007, Asma Jahangir, then United Nations Special Rapporteur on freedom of religion or belief, suggested that the Chinese government allow an independent expert to visit and confirm Gedhun's well being. On July 17, 2007, the Chinese authorities said that he is a "perfectly ordinary Tibetan boy" attending school and leading a normal life, and that he "does not wish to be disturbed." Authorities say that the state employs both of his parents and that his brothers and sisters are either working or at university.



For more information on China, see p. 30. For more information on Commissioner Tenzin Dorjee, see p. 208.



## GULMIRA IMIN



### COUNTRY

China

### KEY FACT

Website administrator and Uighur Muslim

### DETAINED SINCE

July 14, 2009

### CHARGES

Splittism, leaking state secrets, and organizing an illegal demonstration

### SENTENCE

Life imprisonment

### USCIRF ADVOCATE

Vice Chairwoman Sandra Jolley

## BIOGRAPHY

Gulmira Imin is a Uighur Muslim and former web administrator for the Uighur-language website Salkin. Ms. Imin was also a government employee in Urumqi, the capital of the Xinjiang Uighur Autonomous Region in northwest China. Xinjiang is home to the majority of the country's Uighur Muslim population.

Ms. Imin was born in Aksu in Xinjiang and graduated in 2000 from the Chinese-Uighur translation department of Xinjiang University. In spring 2009, Ms. Imin became the moderator of Salkin, a Uighur-language culture and news website to which she had previously contributed poetry and short stories. Many of her online writings criticized government policies.

On July 5, 2009, Ms. Imin participated in a major demonstration protesting the deaths of Uighur migrant workers in Guangdong Province. Initially peaceful, the protests turned violent, with about 200 people, including ethnic Han Chinese, killed during the riots and confrontations with police. On July 14, 2009, Ms. Imin was arrested in Aksu after authorities alleged she had organized the protests, posted an announcement for them on Salkin, and leaked state secrets by phone to her husband in Norway. Her family was not notified of the arrest and was unaware of her location until the October

2009 airing of a China Central Television documentary that depicted Imin in prison garb.

On April 1, 2010, the Urumqi Intermediate People's Court sentenced Ms. Imin to life in prison under articles 103, 111, and 296 of China's Criminal Law on charges of "splittism, leaking state secrets, and organizing an illegal demonstration." She alleges she was tortured and forced to sign documents while in detention. She reportedly was not allowed to meet with her lawyer until the trial. Her appeal subsequently was rejected. Ms. Imin is currently detained in the Xinjiang Women's Prison (Xinjiang No. 2 Prison) located in Urumqi, where she is allowed one family visit every three months.



For more information on China, see p. 30. For more information on Vice Chairwoman Sandra Jolley, see p. 206.

## RAIF BADAWI



### COUNTRY

Saudi Arabia

### KEY FACT

Blogger

### DETAINED SINCE

June 27, 2012

### CHARGES

Insulting Islam and breaking the anti-cybercrime law

### SENTENCE

10-year imprisonment, 1,000 lashes, a fine of one million riyals, and 10-year travel and media ban following release

### USCIRF ADVOCATE

Commissioner Clifford D. May

## BIOGRAPHY

Raif Badawi is a blogger and human rights activist who cofounded the website Free Saudi Liberals in 2008. Badawi and his colleagues intended for the website to encourage debate on religious and political issues in Saudi Arabia despite the country's restricted civic space.

Badawi faced harassment and questioning following the creation of Free Saudi Liberals, beginning with charges of insulting Islam in 2008, continuing through a 2009 travel ban and asset freeze, and culminating in his June 2012 arrest and December 2012 trial on charges of insulting Islam. Evidence for this charge reportedly included posts on Free Saudi Liberals that criticized Saudi religious authorities and raised theological questions. The Saudi courts originally also recommended charging Badawi with apostasy, a crime punishable by death, reportedly due to his liking a Saudi Christian Facebook page and saying that "Muslims, Jews, Christians, and atheists are all equal." The judge dropped this charge after Badawi stated that he was a Muslim and recited the Islamic declaration of faith.

In July 2013, a Saudi court sentenced Badawi to 600 lashes and seven years in prison for insulting Islam and breaking the anti-cybercrime law by founding a liberal website. Following an appeal of the sentence, a criminal court resented him in May 2014 to 10 years in prison, 1,000 lashes, a one million riyal fine, and a

10-year travel and media ban following release. Badawi received the first 50 lashes in January 2015 in front of Al Juffali Mosque in Jeddah. Following an international outcry and a medical doctor's finding that Badawi could not physically endure more lashings, no further lashings have yet been carried out. However, in June 2015 and March 2017, Saudi Arabia's Supreme Court upheld the sentence of 10 years in prison and 1,000 lashes.

In December 2015, the European Parliament honored Badawi with the Sakharov Prize for Freedom of Thought, which his wife Ensaf Haidar accepted on his behalf. Haidar, who is now based in Quebec, Canada, with their three children, campaigns tirelessly for Badawi's release and serves as president of the Raif Badawi Foundation for Freedom.



For more information on Saudi Arabia, see p. 82. For more information on Commissioner Clifford D. May, see p. 209.

## THICH QUANG DO



### COUNTRY

Vietnam

### KEY FACT

Patriarch of the Unified Buddhist Church of Vietnam; advocate for religious freedom, democracy, and human rights for Vietnam

### DETAINED SINCE

October 8, 2003

### CHARGES

Never formally charged for his most recent detention; accused of “possessing state secrets”

### SENTENCE

House arrest at Thanh Minh Zen Monastery in Ho Chi Minh City

### USCIRF ADVOCATE

Vice Chairwoman Kristina Arriaga

## BIOGRAPHY

Most Venerable Thich Quang Do was born on November 27, 1928, in Thai Binh Province. Patriarch of the Unified Buddhist Church of Vietnam (UBCV) since 2008, Thich Quang Do has been a lifelong advocate for democracy, religious freedom, and human rights.

Vietnamese authorities have repeatedly targeted, harassed, and detained Thich Quang Do both for practicing his faith and for his tireless advocacy for religious freedom and related human rights. For example, in 2001, he launched a plan called “Appeal for Democracy in Vietnam,” which was supported by more than 300,000 Vietnamese from different faith backgrounds, as well as international stakeholders. As a result, the government placed him under administrative detention without trial at Thanh Minh Zen Monastery and prevented him from receiving medical treatment despite suffering from diabetes.

During a brief reprieve beginning in June 2003, Thich Quang Do attempted to participate in a UBCV Assembly called by then Patriarch Thich Huyen Quang. But in October 2003, authorities accused him of “possessing

state secrets” and again confined him to Thanh Minh Zen Monastery where he has been under constant surveillance and effective house arrest ever since.

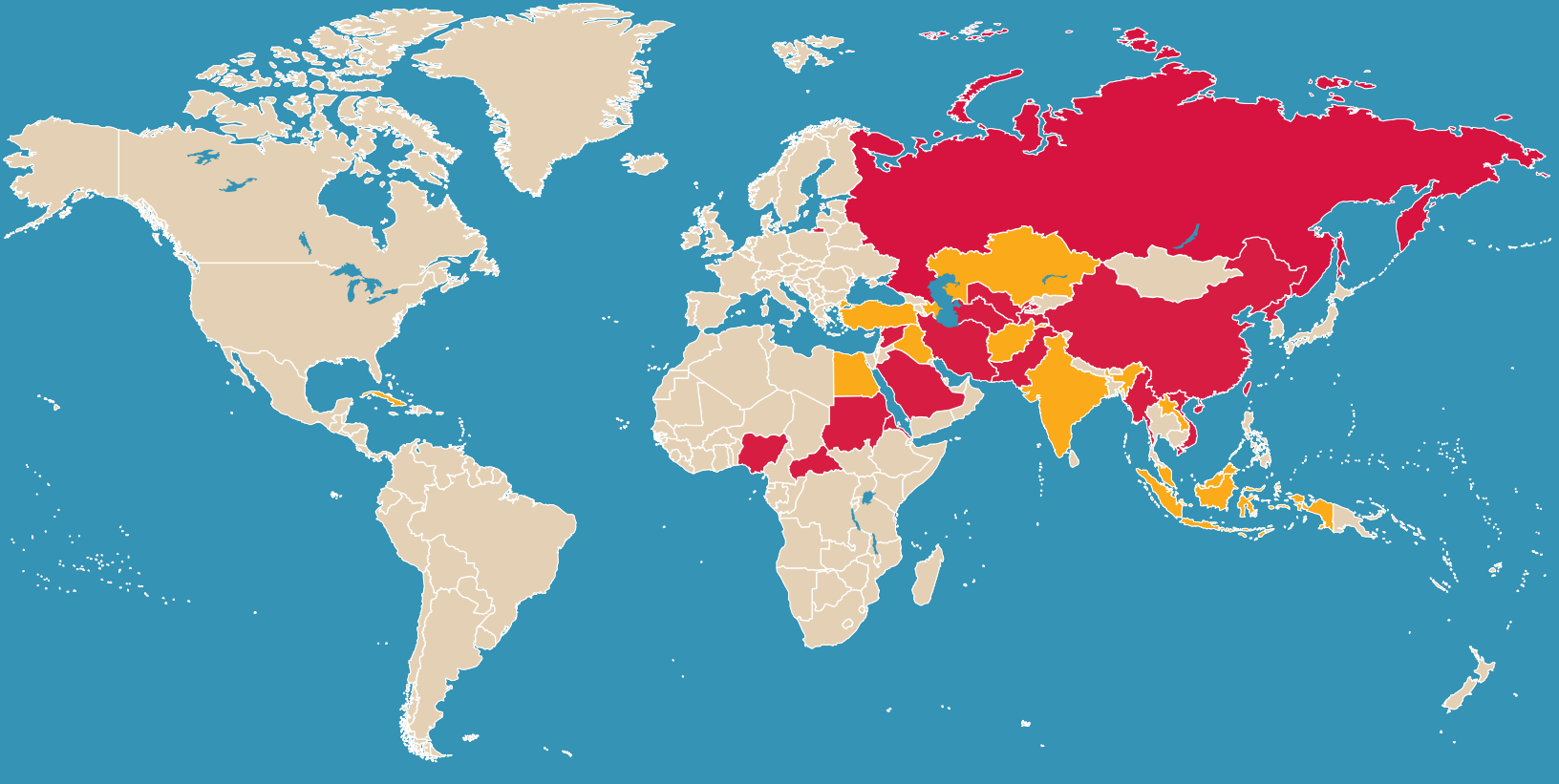
In 2018, Thich Quang Do will turn 90. Despite the Patriarch’s age and declining health, Vietnamese authorities continue to surveil the monastery, enforce his confinement, and consistently deny him access to medical care.

USCIRF most recently met with Thich Quang Do at Thanh Minh Zen Monastery in August 2015.



For more information on Vietnam, see p. 112. For more information on Vice Chairwoman Kristina Arriaga, see p. 207.





## 2 0 1 8 C O U N T R I E S

### ■ TIER 1 COUNTRIES OF PARTICULAR CONCERN

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

### ■ TIER 2 COUNTRIES

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



### UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

732 North Capitol Street, NW, Suite A714  
Washington, DC 20401

Telephone: (202) 523-3240 Fax: (202) 523-5020  
[www.uscirf.gov](http://www.uscirf.gov)