



UNITED STATES COMMISSION ON
INTERNATIONAL RELIGIOUS FREEDOM

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VOLUME 1

Message from the Chair: *Few issues have captured the imagination of Americans as has the concept of individual freedom and respect for the equal rights and dignity of every person. Four years ago, the Congress created the U.S. Commission on International Religious Freedom to monitor severe violations of freedom of religion abroad, and to advise the Congress and Administration on how best to use U.S. foreign policy tools to prevent such abuses.*

Promoting compliance with international norms is not easy, but it is advanced through mobilizing policy makers to recognize repression and act to stop it — not to cover it up, nor to turn away from it. The United States has been unique in giving prominence to human rights in its foreign policy; the USCIRF hopes to ensure that, even when faced with threats of global terrorism, the United States continues to remain firm in its commitment and actions to ensure freedom, including religious freedom, globally.

— Felice D. Gaer

“Religious freedom is a fundamental right of every individual, regardless of race, sex, country, creed, or nationality, and should never be arbitrarily abridged by any government.”

— International Religious Freedom Act, 1998 (U.S. Public Law 105-292)

CRISIS IN AFGHANISTAN

Concerned that many human rights abuses practiced by the Taliban continue today, and may be enshrined in the new constitution which is currently being drafted, the USCIRF held a major international forum on law and human rights in Afghanistan, entitled “Reconstructing Afghanistan: Freedom in Crisis,” in Washington on January 29, 2003. The forum was held at and co-sponsored by The George Washington University Law School. Approximately 150 U.S. and Afghan government officials, representatives of religious groups and other NGOs, interested members of the international policy community, and media representatives attended. (continued on page 2)



In June 2002, the USCIRF issued a report on Afghanistan, in which it made a number of recommendations for U.S. policy, including:

- appointment of a high-ranking official to the American Embassy in Kabul to promote, coordinate, monitor, and report on human rights in Afghanistan;
- support for expansion of the International Security Assistance Force (ISAF) beyond Kabul;
- vigorous, public support for efforts to strengthen the rule of law and the

protection of religious freedom and other human rights; and

- promotion of a culture of tolerance and democracy through support of programs for public education, broadcasting, and educational and cultural exchanges.

In February 2003, the USCIRF also sent a letter to President George W. Bush prior to his meeting with Afghan President Hamid Karzai, underscoring the Commission’s concern regarding human rights, including religious freedom, in Afghanistan.

“COUNTRIES OF PARTICULAR CONCERN”

One of the most significant responsibilities conferred under the International Religious Freedom Act (IRFA) on the USCIRF is to recommend to the President or his designee, the Secretary of State, which countries should be designated “countries of particular concern” (CPCs). A CPC is defined under the law as a government that is engaged in or tolerates particularly severe violations of religious freedom, as outlined in the IRFA. “Particularly severe violations” are those that are egregious, ongoing, and systematic.

On March 5, the USCIRF welcomed Secretary of State Colin Powell’s announcement that he would redesignate Burma, China, Iran, Iraq, North Korea, and Sudan as “countries of particular concern”. However, the Commission expressed deep disappointment that Secretary Powell did not designate India, Laos, Pakistan, Saudi Arabia, Turkmenistan, and Vietnam as CPCs, all of which the Commission recommended for designation. The final State Department list is unchanged from last year, even though egregious abuses persist or have increased in these other countries.

The USCIRF believes there is ample evidence, even within the State Department’s own religious freedom reports, that India, Laos,

Pakistan, Saudi Arabia, Turkmenistan, and Vietnam also meet the legislative criteria to be named CPCs. For the past three years, the Commission has recommended Saudi Arabia, Turkmenistan, and Laos for CPC status because of their deplorable religious freedom violations. Even the State Department’s own report states that religious freedom “does not exist” in Saudi Arabia. The USCIRF has urged the Department to continue to assess the religious freedom violations in these countries and make CPC designations throughout the year.

The Commissioners discuss their CPC recommendations throughout the year. On September 25, 2002, the Commission met with Deputy Secretary of State Richard Armitage to discuss its recommendations. On September 30, 2002, the Commission sent a letter with its recommendations to Secretary Powell. The Commission’s letter to Secretary Powell and its press release may be found on the Commission’s Web site www.uscirtf.gov.

Under the IRFA, once a country is designated a CPC, the President must choose from a list of actions, ranging from a private diplomatic protest to the cancellation of a cultural exchange to economic sanctions; or he can decide to take no action. To date – this process is now in its fourth year – no new action or sanction has been taken by either Administration in regard to a country of particular concern. The USCIRF believes this is indefensible as a matter of policy and would like to see this changed.

UPCOMING:
*Annual Report
Press Conference at
the National Press Club
May 13, 2003*

Commissioners

FELICE D. GAER, CHAIR

Director, Jacob Blaustein Institute for the Advancement of Human Rights; The American Jewish Committee

MICHAEL K. YOUNG, VICE CHAIR

Dean, The George Washington University Law School

FIRUZ KAZEMZADEH, COMMISSIONER

Senior Advisor, National Spiritual Assembly of the Baha'is of the United States

RICHARD D. LAND, COMMISSIONER

President and the Chief Executive Officer of the Ethics and Religious Liberty Commission of the Southern Baptist Convention

BISHOP WILLIAM FRANCIS MURPHY, COMMISSIONER

Bishop of the Diocese of Rockville Centre, New York

LEILA NADYA SADAT, COMMISSIONER

Professor of Law, Washington University School of Law

NINA SHEA, COMMISSIONER

Director of the Center for Religious Freedom, Freedom House

AMBASSADOR CHARLES R. STITH, COMMISSIONER

Director, African Presidential Archives and Research Center at Boston University

AMBASSADOR SHIRIN TAHIR-KHELI, COMMISSIONER

Resigned to become Special Assistant to the President and Senior Director for Democracy, Human Rights and International Operations on the National Security Council (effective March 24, 2003).

JOHN V. HANFORD III, EX-OFFICIO COMMISSIONER

Ambassador-at-Large, U.S. Department of State

JOSEPH R. CRAPA, EXECUTIVE DIRECTOR

RUSSIA AND BELARUS: RELIGIOUS FREEDOM WORSENING

On their January 2003 trip to Russia and Belarus, USCIRF Commissioners Felice Gaer, Firuz Kamzadzadeh, and Bishop William Murphy concluded that religious freedom in Russia and Belarus has decreased in the past year. Meetings in both countries with government officials, religious leaders, representatives of non-governmental organizations, journalists, and U.S. Embassy officials underscored the depth of the problem.

Since the demise of the Soviet Union, Russia has made significant progress with regard to the overall protection of human rights, and notably, religious freedom. However, there are indications that an attempt is underway to rein in religious freedom and bring the religious practice of Russian citizens under the closer control and tutelage of the state and the Russian Orthodox Church.

Because democracy is still relatively new to the practice of the Russian government and people, religious freedom there is fragile, and the absence of a deep-rooted experience of democracy and human rights protections leaves the country open to the risk that it could increasingly come under the control of undemocratic forces. Specific concerns include: a recent increase in the number of clergy and other religious workers denied visas or residency permits; indications that one particular denomination, the Russian Orthodox Church, is gaining increasing power as the country's favored church resulting in various discriminatory practices against other religious groups; evidence of government meddling in the internal affairs of certain religious communities; the continued prevalence of anti-Semitic attacks; the recent increase in attacks against Muslims; the persistent uncertainty of the legal situation, due in part to the vague process of amending the 1997 religious law and other laws related to religious practice; and the leaking of a troubling draft report, known as the "Zorin report", attributed to Minister of Nationalities Vladimir Zorin and Ahmad Kadyrov, the government-appointed administrator of Chechnya, which lists four religions or religious groupings — Roman Catholicism, Protestantism, new "foreign" sects, and extremist Islam — as threats to Russia's national security.

In Belarus the situation is even more precarious. There, the Russian Orthodox Church is even more overtly favored than in Russia, and other religions face ongoing legal and practical harassment. Many religious groups have repeatedly been refused registration, despite repeated application attempts, leaving them unable to function normally or openly, and non-Orthodox religious groups are subject to attacks in the government-run media. In addition, in October 2002, President Alexander Lukashenko signed a highly restrictive new law on religion, deemed the most restrictive such law in Europe, that outlaws all unregistered religious activity, requires government censorship of religious literature, and restricts religious education to only a handful of religious communities.



Afghanistan (continued from page 1)

Participants, including an 11-member, high-level delegation from Afghanistan, discussed how the protection of human rights, including religious freedom, can be incorporated into Afghanistan's new constitution, judicial system, and laws; how tolerance can be instilled in a society that has known enmity and war for the past 30 years; and what the United States can do to assist Afghanistan in this potentially historic transformation. USCIRF Chair Felice Gaer noted that there has been inadequate attention paid to human rights in Afghanistan and inadequate support for freedom. She said that the forum was designed to clarify these problems and discuss how to remedy them.

Afghan Minister of Justice Abdul Rahim Karimi, who led the Afghan group, predicted that Afghanistan will have a democratic society with laws which reflect all the international standards and norms, as well as the main principles of Islam, but cautioned that full implementation might take some time. Other Afghan participants included: Minister of State for Women's Affairs Mahbuba Hoquqmal, the chairman of the Judicial Reform Committee Bahauddin Baha, and members of the National Human Rights Commission and Constitutional Drafting Committee.

Dr. Zalmay Khalilzad, Special Presidential Envoy to Afghanistan and Special Assistant to the

President and Senior Director of the National Security Council for Southwest Asia and Islamic Strategy Initiatives, spoke for the Administration and assured the forum that the United States would not reduce its commitment to the future of Afghanistan, even as the United States moves forward on Iraq. He said the United States would, with others, provide the necessary resources "for the time that it takes" to build the economic, political, and security institutions that Afghanistan needs. U.S. Agency for International Development Administrator Andrew Natsios said U.S. assistance to Afghanistan to date is \$700 million.

The Forum sought to encourage Afghans and the international donor community to ensure that Afghanistan's new institutions, laws, and practices reflect internationally-guaranteed human rights standards, including religious freedom and the rights of women. A consensus emerged from the Forum that there is an urgent need for greater focus on human rights in U.S. policy toward Afghanistan and that Afghan reformers look to the United States for support

in building a society in closer accord with universal values of justice and respect for human dignity. Participants also supported the Commission's call for the appointment of a high-ranking official to the U.S. Embassy in Kabul to advance the human rights agenda with the Afghan government.

A transcript of the forum, the letter to President Bush, and the June 2002 report on Afghanistan can be found on the Commission's Web site at www.uscirf.gov.



LETTERS FROM CONGRESSIONAL MEMBERS

VIETNAM HUMAN RIGHTS ACT SPOTLIGHTS RELIGIOUS PERSECUTION

By Congressman Christopher Smith

The human rights situation in Vietnam — which has been deplorable for years — has actually deteriorated since the United States signed the Bilateral Trade Agreement with Vietnam in 2001.

In response to this new wave of systematic human rights abuses, I, along with a group of 30 bipartisan Members of the House of Representatives, introduced HR 1587, *“The Vietnam Human Rights Act.”* This important legislation will put limits on non-humanitarian aid to the brutal regime in Hanoi. It also seeks to direct funds to those efforts that promote democracy and religious freedom in Vietnam and will work to overcome the jamming of Radio Free Asia in Vietnam. HR 1587 also calls upon the State Department to give detailed reports about the status of human rights in Vietnam that include victim lists, and it requires the President to issue a certification each year on the progress of the regime towards respecting human rights.

In the last few years, imprisonment and other forms of detention have been used with increased frequency against those who peacefully express dissent from the Vietnamese government’s extreme policies toward religion and freedom. At its Seventh Plenum earlier this year, the Communist Party’s Central Committee deepened its persecution of religious groups by issuing a new resolution calling for the establishment of “spy” cells of Communist Party members to infiltrate each of Vietnam’s six “approved” religions. These cells are designed to help the regime as they try to dictate the leadership structure of Buddhists, Catholics, Protestants, and indigenous Vietnamese religions; try to control each religion’s activities; and try to undermine various faith groups from within.

Vietnam’s continued policy of harassment, discrimination, intimidation and persecution of religious activists is shameful. The Vietnam Human Rights Act sends a strong message that these acts of persecution, as well as the forced closing of Churches and the imprisonment of religious leaders, will not be tolerated.

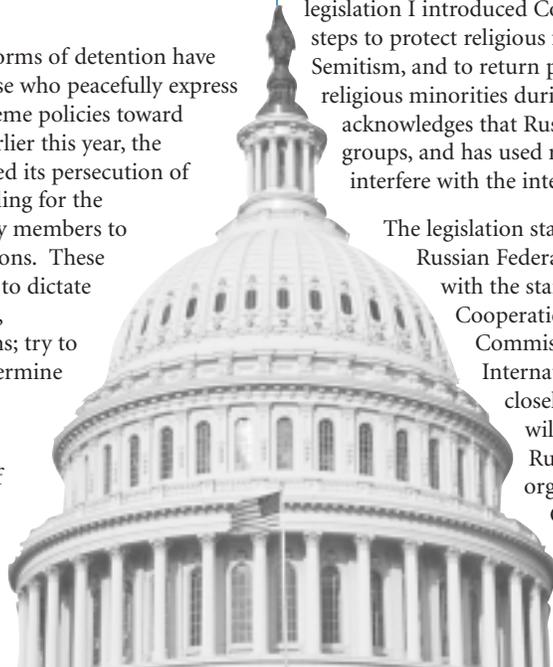
“GRADUATE” RUSSIA FROM JACKSON-VANIK, BUT CONTINUE AMERICAN OVERSIGHT OF RELIGIOUS FREEDOM ISSUES

By Congressman Benjamin L. Cardin

In March 2003, I introduced legislation (H.R. 1224) - with my Helsinki Commission colleague Joseph Pitts (R-PA), and my Ways and Means colleagues Charles Rangel (D-NY) and Sander Levin (D-MI) - that would grant permanent normal trade relations (PNTR) to Russia and “graduate” Russia from the application of the Jackson-Vanik amendment. The Jackson-Vanik amendment has been an effective tool for raising freedom of emigration and human rights concerns in the former Soviet Union. The legislation would provide an historic update in U.S.-Russia trade relations, and would strengthen U.S.-Russian relations and reinforce progress Russia has made in many areas.

While Russia has made enormous strides in protecting religious freedom since the collapse of the Soviet Union, the United States must not now abandon its oversight role over these essential freedoms. Indeed, in the legislation I introduced Congress acknowledges that Russia has taken steps to protect religious freedom, combat hate crimes and anti-Semitism, and to return property confiscated from national and religious minorities during the Soviet era. However, Congress also acknowledges that Russia still has some problems with religious groups, and has used registration and immigration requirements to interfere with the internal affairs of minority religious communities.

The legislation states that it is the policy of Congress that the Russian Federation must insure its laws and practices comply with the standards of the Organization for Security and Cooperation in Europe (OSCE). The Helsinki Commission and the U.S. Commission on International Religious Freedom will continue to closely monitor Russia, and the U.S. Government will encourage ongoing dialogue between the Russian government and non-governmental organizations that promote religious freedom. Congress and the Helsinki Commission look forward to working with Russia as it continues to strive to become a vibrant democracy that respects the rule of law, freedom of religion, and a free press.



COMMISSION IN THE NEWS

MEDIA COVERAGE OF THE COMMISSION’S WORK INCLUDES THE FOLLOWING:

- Washington Post op-ed “Remember Afghanistan” by Commissioners Felice Gaer and Michael Young, February 27, 2003.
- Newsweek article “Saudis: No ‘Particular Concern,’” Commissioners Gaer and Richard Land interviewed on CPCs, March 10, 2003.
- ABC World News Tonight, Commissioner Gaer interviewed on Yemen, December 30, 2002.
- BBC World Service, Commissioner Gaer interviewed on CPCs, March 2, 2003.
- PBS Nightly Business Report, Commissioner Nina Shea interviewed on Afghanistan, February 27, 2003.
- CNN, Commissioner Shea interviewed on Afghanistan, February 25, 2003.
- USARadio Networks, Commissioner Leila Sadat interviewed on CPCs, March 6, 2003.

COMMISSION WORK IMPACTING THE 108TH CONGRESS

- H.Con.Res. 32 and S.J.Res. 3, sponsored by Congresswoman Ileana Ros-Lehtinen (R-FL) and Senator John McCain (R-AZ) on human rights in Central Asia, cite USCIRF findings and recommendations from the Commission’s 2002 reports on Turkmenistan and Uzbekistan.
- Congressman Christopher Smith (R-NJ) sponsored a resolution on North Korea, (H.Res. 109) agreed to by the House of Representatives that cites USCIRF findings and includes a Commission recommendation urging the Secretary of State to sponsor a resolution on human rights abuses in North Korea at the U.N. Commission on Human Rights. At the 59th Session in Geneva, the United States sponsored such a resolution.
- Senator Max Baucus (R-MT) and Congressman Charles Rangel (D-NY) have introduced legislation (S.624 and H.R. 1224, respectively) authorizing nondiscriminatory trade relations with Russia that cites concern over religious freedom violations and would charge the USCIRF to annually report on whether or not Russia is meeting standards on religious freedom and other human rights.
- The Vietnam Human Rights Act, (H.R. 1587) introduced by Congressman Christopher Smith (R-NJ), includes USCIRF findings and requires the Secretary of State to consult with the USCIRF before annually reporting to Congress on human rights in Vietnam.
- In March, Chair Felice Gaer and Commissioner Nina Shea briefed the House International Relations Committee staff on human rights concerns in Afghanistan in the context of ongoing reconstruction efforts there.

CAPITOL HILL ROUNDTABLE ON CHINA

On March 14, in the Longworth House Office Building, the USCIRF initiated the first in a series of off-the-record roundtable discussions on religious freedom in China. The USCIRF created this series to foster dialogue on religious freedom and human rights in China among senior Administration officials, members of Congress, human rights experts, non-governmental organizations (NGOs), and representatives of religious groups.

Commissioners were joined by Senator Sam Brownback (R-KS), Representative Mike Pence (R-IN), and Representative Chris Smith (R-NJ), who offered a Capitol Hill perspective. Likewise, key State Department officials shaping U.S. policy on China contributed to the conversation, including: John Hanford, Ambassador-at-Large for International Religious Freedom, who is a non-voting member of the USCIRF; Lorne Craner, Assistant Secretary of State for Democracy, Human Rights and Labor; and Randall Schriver, Deputy Assistant Secretary of State for East Asian and Pacific Affairs.

The roundtable was timely for the USCIRF as it prepares for its first official trip to China. Commissioners plan to meet with high-level Chinese authorities, including: the Religious Affairs Bureau, the Ministry of Public Security, the State Ethnic Affairs Committee, the Ministry of Justice, and provincial and local government officials, as well as religious leaders.

The Commission has made previous attempts to visit China, but has been unable to receive official authorization from Chinese officials. Since Lorne Craner's announcement that the USCIRF has received an official invitation from Chinese authorities, the opportunity has opened up for a direct examination and discussion of religious freedom and related human rights issues with China.

The USCIRF has produced reports on the status of religious freedom in China and has recommended that China be listed by the State Department as a "country of particular concern." You can view the Commission's report on China at www.uscirf.gov.



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