



**Message from the Chair:** *Freedom of thought, conscience and religion protects everyone's choice in what many believe to be the most important and deeply-held aspect of human identity. It requires governments to respect manifestations of that choice, and to protect each individual from harassment or violence on account of that choice. It is one of the first freedoms restricted by authoritarian and repressive governments who would replace individual conscience with unquestioned loyalty to the state. Advancing respect for the internationally-guaranteed right to freedom of religion serves U.S. interests to promote stable, democratic governments around the world. – Michael K. Young*

**ARTICLE 18:** *“Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”* - Article 18, Universal Declaration of Human Rights

## PRESIDENT BUSH MEETS WITH COMMISSIONERS

President George W. Bush met with Commissioners at the White House on October 10. Commissioners presented to him the Commission's 2003 Annual Report on International Religious Freedom and discussed the Commission's concerns.

Current Commissioners attending the meeting were Preeta D. Bansal, Archbishop Charles J. Chaput, Felice D. Gaer, Richard D. Land, Bishop Ricardo Ramirez, Nina Shea, Michael K. Young, and Ambassador John V. Hanford. Former Commissioners attending were Firuz Kazemzadeh, Bishop William F. Murphy, Leila Nadya Sadat, and Ambassador Charles R. Stith.



Photo by White House photographer Tina Hager.

## AFGHANISTAN: FREEDOM IN CRISIS

During this crucial period when Afghan experts are preparing a draft constitution, a USCIRF delegation led by Vice Chair Felice D. Gaer and Commissioner Preeta D. Bansal visited Kabul in August. The Commission has repeatedly voiced its concern that serious abuses of human rights, including freedom of religion

and belief, were continuing under the U.S.-supported Transitional Administration in Afghanistan. Moreover, there have been troubling signs that Afghanistan's reconstructed

legal system and the new Afghan constitution might be used by extremists in the Transitional Administration to deny universal human rights, including freedom of religion and belief, to all Afghans, women and men. There is a danger that Afghanistan could return to Taliban-like religious coercion of the behavior of individual Muslims.

Commissioner meetings with senior Afghans included Vice President Niamatullah Shahrani, who also serves as Chairman of the Constitutional Commission; Vice President Abdul

Karim Khalili; the Ministers of Justice, Interior, and Hajj and Islamic Endowments; Chief Justice Shinwari, and former President Burhanuddin Rabbani. In Washington, Commissioners also met with then-Ambassador designate to Afghanistan, Zalmay Khalilzad, and State Department officials including Under Secretary Paula Dobriansky and then-Afghanistan Coordinator David Johnson. Based on the findings of the trip and meetings with U.S. Government officials, the Commission makes the following recommendations:

- The U.S. government should insist that individual rights to freedom of thought, conscience, religion and belief be explicitly set forth in the Afghan constitution. The constitution should also exclude the use of blasphemy, “offending Islam,” apostasy or similar offenses to stifle debate or restrict religious freedom.
- The U.S. government, in all its activities in Afghanistan, should act to bolster the position of those reformers who respect human rights. The U.S. government must make clear that it and the American people expect post-Taliban Afghanistan to respect and implement the freedoms included in the universal human rights instruments that Afghanistan has signed, ratified, and supported.
- The United States should assist Islamic legal experts to visit Afghanistan to engage their Afghan counterparts and to provide information to the Afghan public on the compatibility of Islam and human rights. Public diplomacy and education efforts must be expanded.
- Freedom of expression is in danger. Afghan reformers must be protected from accusations of blasphemy or similar charges and not face prosecution for discussing peacefully the appropriate role of Islam in Afghanistan's political and legal systems or for criticizing specific political figures or political parties, or dissenting from prevailing views and beliefs.

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Commissioners Bansal (left) and Gaer met with Vice President Niamatullah Shahrani, who is also Chair of the Constitutional Commission.



## Commissioners

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Dean, The George Washington University Law School

**FELICE D. GAER, VICE CHAIR**  
Director, Jacob Blaustein Institute for the Advancement of Human Rights, The American Jewish Committee

**NINA SHEA, VICE CHAIR**  
Director of the Center for Religious Freedom, Freedom House

**PREETA D. BANSAL, COMMISSIONER**  
Visiting Fellow, Harvard University  
John F. Kennedy School of Government and former Solicitor General of the State of New York

**PATTI CHANG, COMMISSIONER**  
President and CEO, Women's Foundation of California

**ARCHBISHOP CHARLES J. CHAPUT, COMMISSIONER**  
Archbishop of Denver

**KHALED ABOU EL FADL, COMMISSIONER**  
Visiting Professor at Yale Law School and Professor of Law at UCLA

**RICHARD D. LAND, COMMISSIONER**  
President and CEO of the Ethics and Religious Liberty Commission of the Southern Baptist Convention

**BISHOP RICARDO RAMIREZ, COMMISSIONER**  
Bishop of the Diocese of Las Cruces, New Mexico

**JOHN V. HANFORD III, EX-OFFICIO, NON-VOTING COMMISSIONER**  
Ambassador-at-Large for International Religious Freedom, U.S. Department of State

**JOSEPH R. CRAPA, EXECUTIVE DIRECTOR**

## 2003 APPOINTMENTS TO USCIRF; CHAIR AND VICE CHAIRS ELECTED

Four Commissioners were reappointed and five new Commissioners were named to the USCIRF to make up the current Commission. Three commissioners are selected by the President, two by the leaders of the President's party in Congress, and four by the congressional leaders of the political party that is not in the White House. Commissioners serve for one- or two-year terms and are eligible for reappointment.

President George W. Bush appointed to the Commission the Most Reverend Charles J. Chaput of Denver, CO, Professor Khaled M. Abou El Fadl of Los Angeles, CA, and reappointed Dr. Richard D. Land of Nashville, TN.

Senate Majority leader William Frist reappointed Michael K. Young of Washington, DC.

Senate Minority leader Thomas Daschle appointed Preeta D. Bansal of New York, NY

and Cambridge, MA, and The Most Reverend Ricardo Ramirez of Las Cruces, NM.

House Majority leader Dennis Hastert reappointed Nina Shea of Washington, DC.

House Minority Leader Nancy Pelosi appointed Patti Chang of San Francisco, CA, and reappointed Felice D. Gaer of Paramus, NJ.

Ambassador-at-Large for International Religious Freedom, John V. Hanford, III, continues to serve as a non-voting, *ex officio* member of the Commission.

The Commissioners elected Michael Young as Chair, and Felice Gaer and Nina Shea as Vice Chairs. The election follows the Commission's practice of alternating the post of Chair yearly between Democratic and Republican appointees.

### Commissioners part of U.S. delegation to OSCE

Commissioners participated with the U.S. delegations to several human rights meetings of the Organization for Security and Cooperation in Europe (OSCE): the OSCE's first-ever meeting devoted solely to anti-Semitism in June; a special meeting on Freedom of Religion or Belief in July; and the OSCE's annual human rights conference, the 2003 Human Dimension Implementation Meeting (HDIM) in Warsaw, Poland. At these meetings, Commissioners led or participated in bilateral meetings with official delegations from Russia, Uzbekistan, Belarus, Turkmenistan, France, Austria, and the Netherlands, as well as meetings with OSCE officials and representatives of religious groups and human rights NGOs from throughout the region.

## COMMISSION ISSUES ANNUAL POLICY RECOMMENDATIONS

The Commission reviews violations of religious freedom abroad throughout the year. In May of each year, the USCIRF is required to submit to the President, Secretary of State, and Congress an annual report containing its recommendations. The USCIRF is the only government commission in the world with a mandate to review and report on violations of the internationally-guaranteed right to freedom of religion and belief worldwide. The recommendations below are a sampling of recommendations for U.S. policy included in this year's report. The full set of recommendations may be found in the country reports on the USCIRF Web site [www.uscirf.gov](http://www.uscirf.gov).

### SAUDI ARABIA:

- Investigate Saudi government funding of the global propagation of a religious ideology that promotes hate, intolerance, and in some cases violence. Congress should authorize and fund such a study and the U.S. government should urge the Saudis to cease any funding efforts.
- Use leverage to encourage implementation of reforms in Saudi Arabia, including naming Saudi Arabia a "country of particular concern" and expanding human rights assistance, public diplomacy and other programs.
- Urge the Saudi government to entrust enforcement of the law to regular professionals in law enforcement agencies subject to judicial review and appropriate human rights norms, and dissolve the Committee for the Propagation of Virtue and the Prevention of Vice (*mutawaa*).



### AFGHANISTAN:

- Appoint a high-ranking official to the U.S. Embassy in Kabul to advance human rights.
- Expand the international security presence beyond Kabul and end U.S. support for warlords.
- Ensure the protection of religion and belief in the new Afghan constitution so Afghanistan does not return to Taliban-like religious coercion.

### VIETNAM:

- Make clear to the government of Vietnam that cessation of religious freedom violations is essential to continued expansion of bilateral relations.
- Designate Vietnam as a "country of particular concern."
- Pass the Vietnam Human Rights Act of 2003 in Congress.
- As part of the annual Congressional review

of the Jackson-Vanik waiver for Vietnam, the Congress, in conjunction with the Commission, should review Vietnam's human rights practices, including particularly severe violations of religious freedom.

### RUSSIA:

- Raise concerns about the growing influence of undemocratic forces on Russian government policies.
- Remain vigilant on the progress of Democratic reform and protections for human rights in Russia, reinstate the Smith Amendment, and ensure that a monitoring mechanism be in place should Congress graduate Russia from Jackson-Vanik.

### LAOS:

- Designate Laos a "country of particular concern" to make clear U.S. concerns over particularly severe violations of religious freedom.
- Establish a bilateral human rights dialogue with measurable goals to eliminate violations.

### BELARUS:

- Use every measure of diplomacy to advance the protection of human rights and religious freedom, including enhanced monitoring and public reporting, especially in light of the weakened monitoring mandate of the Organization for Security and Cooperation in Europe (OSCE).
- Adopt the Belarus Democracy Act of 2003 in Congress.

## LETTERS FROM CONGRESSIONAL MEMBERS

### THE UNITED STATES AND AFGHANISTAN: A SHARED VISION By Senator Chuck Hagel

Afghanistan is a better place today than it was on September 11, 2001. The United States and its allies have done a great service to the people of Afghanistan, the region, and the world, by eliminating the Taliban regime and supporting the transitional government of President Hamid Karzai. We've come a long way, but we still have a long way to go to assure a transition to a democratic and pluralistic society in Afghanistan.

Helping to rebuild Afghanistan's infrastructure, institutions, and civil society is critical, not only to Afghans, but to American and regional security interests. Since October 1, 2001, the U.S. has committed \$840 million in humanitarian and reconstruction aid to Afghanistan. On-going USAID and other U.S.-sponsored reconstruction projects in Afghanistan have led to improvements in the lives of many Afghan people. What we do in Afghanistan is directly linked to fighting the global war on terrorism; to combating illegal narcotics trafficking; and to promoting regional stability in Central and South Asia.

Last year, in order to support the transition to stability and democracy in Afghanistan, I introduced the Afghanistan Freedom Support Act, which President Bush signed into law (PL 107-327) in December. This bill authorizes \$3.3 billion in economic, political, humanitarian and security assistance for Afghanistan over the next four years. It provides a strategic framework for U.S. policy toward Afghanistan to help build a stable democratic society that respects human rights, the rule of law and religious freedom.

As I said at the Commission's forum on Afghanistan earlier in the year, respect for human rights, including religious freedom, is essential to keeping Afghanistan on the path to a stable and democratic society. Afghanistan has started down this path of progress. The U.S. must continue to support the Afghans in their journey toward democracy so that they might enjoy the freedoms we have cherished for so long.

*Nebraska Senator Chuck Hagel is on the Senate Foreign Relations Committee and sponsored the Afghanistan Freedom Support Act of 2002.*

*California Congressman Tom Lantos is the senior Democrat on the House International Relations Committee and co-chairs the Congressional Human Rights Caucus.*

### THE FACTS ARE CLEAR: DESIGNATE SAUDI ARABIA A "COUNTRY OF PARTICULAR CONCERN"

By Congressman Tom Lantos (D-CA)

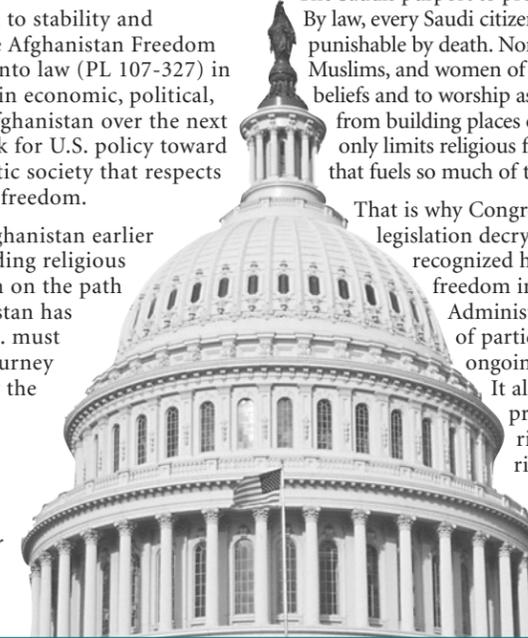
While many aspects of U.S. policy toward the Kingdom of Saudi Arabia are subject to debate, the facts about religious freedom are indisputable. They are summed up pithily in the State Department's 2003 human rights report: "Religious freedom does not exist in Saudi Arabia."

Despite that, and against the recommendations of the United States Commission on International Religious Freedom, the State Department has consistently refused to designate Saudi Arabia a "country of particular concern" under the International Religious Freedom Act (IRFA) of 1998. Under IRFA, such a designation would make Saudi Arabia subject to a range of Presidential actions, from a private diplomatic protest to economic sanctions; the legislation even allows the President not to take action, if he chooses. Whatever the President would do, designating Saudi Arabia a "country of particular concern" would make Administration policy consistent with reality and with its own human rights report.

The Saudis purport to protect religious freedom, but this claim is absurd. By law, every Saudi citizen must be Muslim, and conversion from Islam is punishable by death. Non-Muslims, Shiite Muslims, non-Wahhabi Sunni Muslims, and women of all religions are denied the right to express their beliefs and to worship as they see fit. Non-Muslims are even proscribed from building places of worship. Saudi Arabia's religious intolerance not only limits religious freedom, it also promotes the hatred of other faiths that fuels so much of today's terrorism.

That is why Congressman Dana Rohrabacher and I have introduced legislation decrying "Saudi Arabia's lack of internationally recognized human rights and the absence of religious freedom in Saudi Arabia." Our resolution calls on the Bush Administration to designate Saudi Arabia a "country of particular concern" in response to its systematic, ongoing, and egregious violations of religious freedom. It also calls on the Administration to develop programs in Saudi Arabia to advance all human rights, including religious freedom, women's rights, and the rule of law.

Passage of H.Con.Res. 244 would be a powerful message to the Saudis that we are fed up with their religious bigotry. And it would be a clear call to the Administration to stop looking the other way.



## COMMISSION WORK IMPACTING THE 108TH CONGRESS

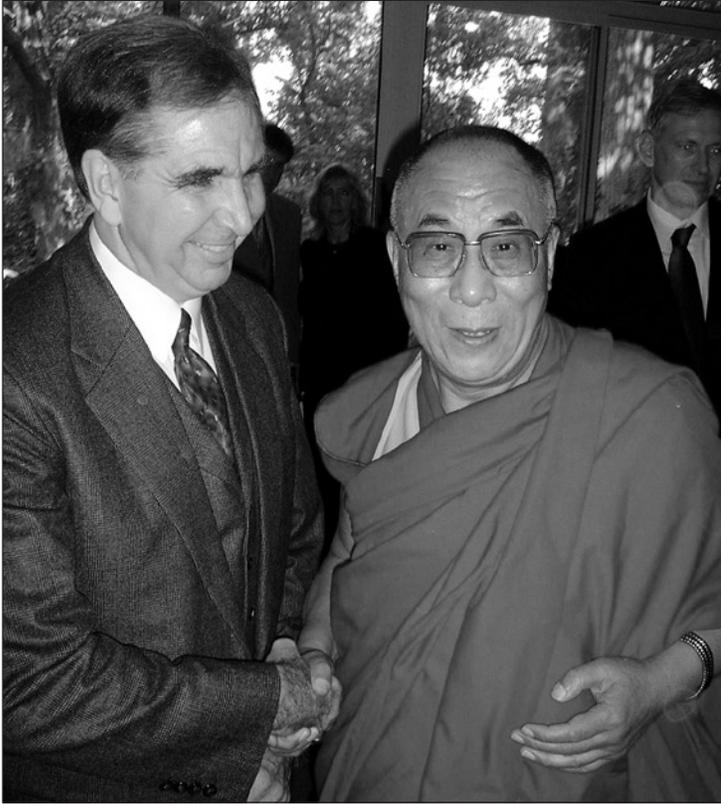
- The Commission held a jointly sponsored press conference with Representatives Christopher Smith (R-NJ), Loretta Sanchez (D-CA), and Zoe Lofgren (D-CA) to discuss the imprisonment of Father Thaddeus Nguyen Van Ly, the sentencing of his niece and nephews, and other recent human rights violations that highlight the overall lack of basic fundamental freedoms in Vietnam. The Commission raised its concerns with Assistant Secretary of State James Kelly and called for the immediate release of Fr. Ly and his family members.
- The Senate passed a resolution, introduced by Senator Sam Brownback (R-KS), that commemorated the 5<sup>th</sup> anniversary of the signing of the International Religious Freedom Act and proclaimed October 27, 2003 "International Religious Freedom Day". Congressman Wolf (R-VA) introduced a similar resolution in the House of Representatives.
- Congressmen Dana Rohrabacher (R-CA) and Tom Lantos (D-CA) have co-sponsored House Concurrent Resolution 244, regarding the Government of Saudi Arabia's lack of protection of internationally recognized human rights and the absence of religious freedom in Saudi Arabia. The resolution references Commission findings and recommendations. Congressmen Jim Davis (R-FL) and Doug Bereuter (R-NE) have co-sponsored House Concurrent Resolution 242, regarding the education curriculum in the Kingdom of Saudi Arabia and referencing Commission findings and recommendations.
- Vice Chair Felice D. Gaer testified at the Congressional-Executive Commission on China hearing, "Will Religion Flourish Under China's New Leadership." The purpose of the hearing was to investigate the current condition and treatment of religious groups in China, look ahead to

the potential for change under China's new leadership, and explore the options open to the United States to prompt the development of new attitudes and policies toward religion in China.



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# CHINA ROUNDTABLE: THE PLIGHT OF UIGHUR MUSLIMS



On September 9, Commissioners Bansal, Gaer, Land, Ramirez, Shea, and Young (left) attended a luncheon for the Dalai Lama at the Indian Embassy in Washington, DC.

By all accounts, since September 11, 2001, the Chinese government, under the guise of counter-terrorism, has intensified its crackdown against ethnic minorities, particularly Uighur Muslims in China's Xinjiang Uighur Autonomous Region. The USCIRF held the second session of the China Religious Freedom Roundtable on Capitol Hill to highlight the deplorable conditions of human rights in Xinjiang, and to solicit policy recommendations to advance the protection of human rights, including religious freedom, of the Uighur Muslims. Commissioners Felice D. Gaer, Nina Shea, and Michael K. Young were joined by State Department officials John Hanford, Ambassador-at-Large for International Religious Freedom, and Lorne Craner, Assistant Secretary of State for Democracy, Human Rights and Labor, as well as Congressional staff and experts from academia, federal commissions, and religious and human rights organizations.

In the off-the-record session, participants discussed the extent to which the Chinese government has permitted or restricted religious freedom among the Uighur Muslims in Xinjiang, in the context of the government's Uighur and religious freedom policies. In addition, participants received updates on the Chinese government's ongoing activities to restrict the rights of Falun Gong practitioners, Tibetans, and unregistered house church members, as well as on the status of the Hong Kong government's implementation of Article 23.

This session of the roundtable was held in part to prepare the USCIRF for its first official visit to China, which was scheduled to take place in August 2003. However, the visit was postponed a few days prior to the scheduled departure date due to unacceptable last-minute conditions imposed upon the USCIRF visit by the Chinese government. The Commission anticipates and hopes that the Chinese government will allow the trip to proceed with full access to relevant areas and people as originally promised.

## VIETNAM: A PEOPLE SILENCED

Commission Vice Chair Nina Shea testified at the Congressional Caucus on Vietnam and the Congressional Human Rights Caucus Joint Members' Briefing: "Vietnam: A People Silenced – The Vietnamese Government's Assault on the Media and Access to Information." Because of rapidly deteriorating human rights conditions in Vietnam, Commissioner Shea told members of Congress that it is time for the U.S. government to consider a new approach to Vietnam, one that vigorously emphasizes human rights and utilizes all the tools of U.S. diplomacy, including:

- Secretary of State Colin Powell should designate Vietnam a "country of particular concern" for "systematic, egregious, and ongoing abuses" of religious freedom, as

defined by the International Religious Freedom Act of 1998 (IRFA).

- The USCIRF supports language on Vietnam found in the State Department Authorization Act (HR 1950). If the Senate does not take up the legislation this year, it is our hope that members will attach the various provisions to other appropriations bills or introduce them as free-standing pieces of legislation.
- The U.S. government should increase its support of public diplomacy programs, including increased Vietnamese language programming on Radio Free Asia and Voice of America and educational exchange programs that support individuals in Vietnam who advocate human rights, free speech, religious freedom, and legal reform.



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- U.S. assistance should work to ensure that all judges and prosecutors are trained in civil law and international human rights standards, women are recruited into the judiciary at all levels, and all Afghans have equal access to the courts.
- Security must be improved outside Kabul in order for Afghanistan's political reconstruction to succeed. Security is critical not just during the meeting of the Constitutional Loya Jirga, but also during

the process of selecting delegates to that Loya Jirga. Delegates must be confident that they will be able to travel to Kabul and return in safety, without fear of extrajudicial reprisals for any acts taken at the Loya Jirga to uphold international human rights guarantees, including freedom of thought, conscience and religion.

**SEE INSERT FOR USCIRF OP-ED ON AFGHANISTAN IN THE NEW YORK TIMES**

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