



UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

POLICY UPDATE

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Flawed But Redeemable: ASEAN's Record on Freedom of Religion or Belief

By Tina L. Mufford

Throughout 2017, the Association of Southeast Asian Nations (ASEAN) has promoted its 50th year of existence, marked on August 8. The regional bloc comprising 10 countries has grown and integrated in ways hardly dreamed of five decades ago. But to this day, ASEAN lacks cohesion on human rights issues and, in particular, has a flawed record protecting freedom of religion or belief, both as a collective regional bloc and as individual Member States. The good news is that ASEAN possesses both the raw materials and the incentive to turn its record around.

In ASEAN's 50th year, it is an opportune moment to reflect on how far the group has come and how much progress is yet to be made. A new report by the U.S. Commission on International Religious Freedom (USCIRF)—A Right for All: Freedom of Religion or Belief in ASEAN—demonstrates, not only does ASEAN have a moral responsibility to uphold freedom of religion or belief and related human rights, but it is imperative the Member States do so. Religious freedom and related human rights concerns often transcend borders, creating regional challenges that must be jointly addressed.

Religious and spiritual life across Southeast Asia is rich, robust, and vibrant: the people who live in the region practice Buddhism, Islam, Hinduism, Christianity, the Baha'i faith, animism, Sikhism, Judaism, Taoism, and countless other indigenous faiths, spiritual practices and traditions, or no faith at all. Many are freely able to have, practice, and change their beliefs as protected under international human rights instruments. But as the report reveals, others are forced to practice in fear or secrecy, concealing their faith from a government that, in practice, restricts freedom of religion or belief or from societal actors that exploit religion to stoke tensions and divisions. Some governments and nonstate actors harass,



interrogate, arrest, imprison, torture, or even kill individuals for their beliefs or non-beliefs.

The reality is that throughout ASEAN, freedom of religion or belief is far from guaranteed despite the lip service some of the Member State governments—and their respective constitutions—pay to this universal, fundamental right. What these governments overlook or fail to acknowledge is that religious diversity and the existence of houses of worship and numerous followers do not necessarily equate to religious harmony or to true respect for freedom of religion or belief pursuant to international standards. Examples of this incongruity exist throughout the region: for instance, in Malaysia and Burma, some religious and ethnic minorities experience discrimination and bigotry because they do not belong to majority faith, or in Vietnam, those who opt to practice their faith outside the government's intense and pervasive control are at times subjected

to harassment, discrimination, and violence.

Generally, human rights is not always a welcome subject among the ASEAN Member States, and religious freedom even less so. On the one hand, ASEAN has frameworks to cooperate on economic, political, and socio-cultural matters, taking great strides to regionally integrate on many of these fronts. But on the other, the regional bloc and its individual members have often been reluctant—even skittish—about encouraging positive human rights steps and especially condemning their colleagues for their religious freedom and related human rights violations. Moreover, ASEAN's own Human Rights Declaration is inconsistent with the expansive scope of protections for the right to freedom of religion or belief as recognized in international law and treaties.

In part, ASEAN's principle of non-interference effectively discourages Member States from engaging one another, particularly on human rights

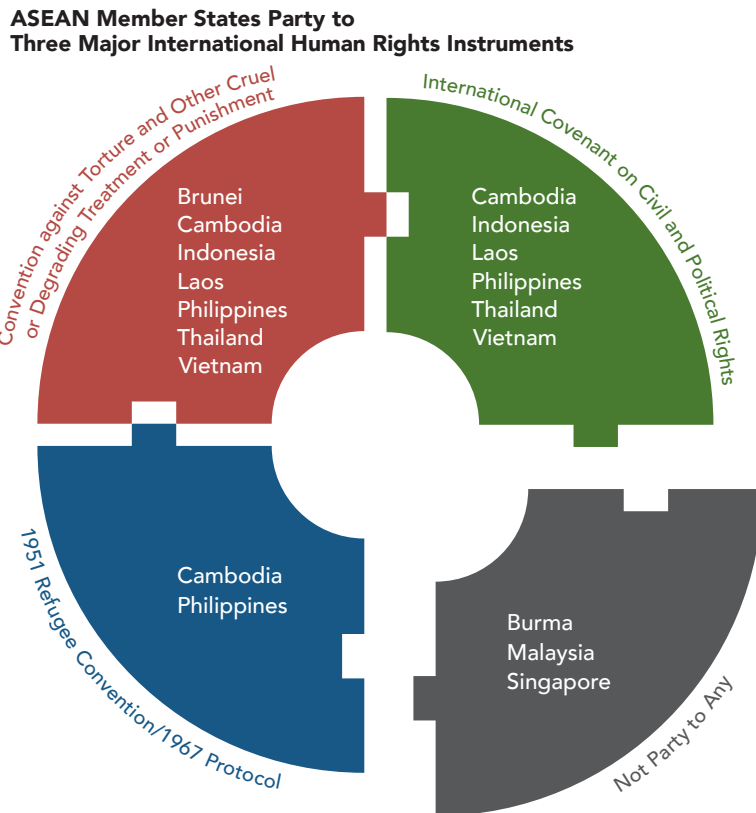
concerns. If everyone agrees to mind their own business with strict, inflexible adherence to the principle, there is little motivation to speak up when a neighbor violates human rights. Or maybe, as in the bystander effect, they decline to voice concerns because they assume someone else will. Either way, the victims of religious freedom and related human rights abuses suffer.

It is this far-too-common abuse that must stimulate ASEAN and the Member States to act. ASEAN's 10 countries are home to more than 630 million people, which, when taken collectively, represents the third largest population in the world. The bloc is a regional and global force; when joined together its people and their governments can be a powerful voice and agent for change.

It is also why, as a strategic partner with ASEAN, the United States must leverage its weight and influence in the region to encourage and insist upon improvements to religious freedom. USCIRF's report

suggests that the United States' engagement needs to be strong and consistent, reminding ASEAN and the Member States that protecting and respecting the right to freedom of religion or belief is a vital component of U.S. foreign policy in the region.

There are no small violations of a person's right to think and believe, or not believe, as guided by their own heart, soul, and conscience. In fact, sometimes these violations are life-threatening, currently exemplified by the overwhelming humanitarian crisis facing Rohingya Muslims and other religious and ethnic communities in Burma's Rakhine State, in part because of religious-based prejudice, hatred, and violence. In this matter of clear regional concern, ASEAN has a distinct role to help alleviate what are already catastrophic outcomes for hundreds of thousands. Working together through ASEAN amplifies the bloc's voice and effectiveness and can bolster efforts to protect freedom of religion or belief.



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This piece draws on USCIRF's report, A Right for All: Freedom of Religion or Belief in ASEAN.



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WHO WE ARE

The U.S. Commission on International Religious Freedom (USCIRF) is an independent, bipartisan U.S. federal government commission created by the 1998 International Religious Freedom Act (IRFA) that monitors the universal right to freedom of religion or belief abroad. USCIRF uses international standards to monitor violations of religious freedom or belief abroad and makes policy recommendations to the President, the Secretary of State, and Congress. USCIRF Commissioners are appointed by the President and Congressional leaders of both political parties. The Commission's work is supported by a professional, nonpartisan staff of regional subject matter experts. USCIRF is separate from the State Department, although the Department's Ambassador-at-Large for International Religious Freedom is a non-voting, ex officio Commissioner.

WHAT IS RELIGIOUS FREEDOM

Inherent in religious freedom is the right to believe or not believe as one's conscience leads, and live out one's beliefs openly, peacefully, and without fear. Freedom of religion or belief is an expansive right that includes the freedoms of thought, conscience, expression, association, and assembly. While religious freedom is America's first freedom, it also is a core human right international law and treaty recognize; a necessary component of U.S. foreign policy and America's commitment to defending democracy and freedom globally; and a vital element of national security, critical to ensuring a more peaceful, prosperous, and stable world.

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