AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

PROTECTING INTERNATIONAL RELIGIOUS FREEDOM

HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL SECURITY

OF THE

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRTEENTH CONGRESS

SECOND SESSION

SEPTEMBER 18, 2014

Serial No. 113–152

Printed for the use of the Committee on Oversight and Government Reform

Available via the World Wide Web: http://www.fdsys.gov
http://www.house.gov/reform

U.S. GOVERNMENT PRINTING OFFICE

91–569 PDF WASHINGTON : 2014

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2104 Mail: Stop IDCC, Washington, DC 20402–0001

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

DARRELL E. ISSA, California, *Chairman*

JOHN L. MICA, Florida
MICHAEL R. TURNER, Ohio
JOHN J. DUNCAN, JR., Tennessee
PATRICK T. MCHENRY, North Carolina
JIM JORDAN, Ohio
JASON CHAFFETZ, Utah
TIM WALBERG, Michigan
JAMES LANKFORD, Oklahoma
JUSTIN AMASH, Michigan
PAUL A. GOSAR, Arizona
PATRICK MEEHAN, Pennsylvania
SCOTT DESJARLAIS, Tennessee
TREY GOWDY, South Carolina
BLAKE FARENTHOLD, Texas
DOC HASTINGS, Washington
CYNTHIA M. LUMMIS, Wyoming
ROB WOODALL, Georgia
THOMAS MASSIE, Kentucky
DOUG COLLINS, Georgia
MARK MEADOWS, North Carolina
KERRY L. BENTIVOLIO, Michigan
RON DESANTIS, Florida

ELIJAH E. CUMMINGS, Maryland, *Ranking Minority Member*
CAROLYN B. MALONEY, New York
ELEANOR HOLMES NORTON, District of Columbia
JOHN F. TIERNEY, Massachusetts
WM. LACY CLAY, Missouri
STEPHEN F. LYNCH, Massachusetts
JIM COOPER, Tennessee
GERALD E. CONNOLLY, Virginia
JACKIE SPEIER, California
MATTHEW A. CARTWRIGHT, Pennsylvania
TAMMY DUCKWORTH, Illinois
ROBIN L. KELLY, Illinois
DANNY K. DAVIS, Illinois
TONY CARDENAS, California
STEVEN A. HORSFORD, Nevada
MICHELLE LUJAN GRISHAM, New Mexico
Vacancy

LAWRENCE J. BRADY, *Staff Director*
JOHN D. CUADERES, *Deputy Staff Director*
STEPHEN CASTOR, *General Counsel*
LINDA A. GOOD, *Chief Clerk*
DAVID RAPALLO, *Minority Staff Director*

SUBCOMMITTEE ON NATIONAL SECURITY

JASON CHAFFETZ, Utah, *Chairman*

JOHN L. MICA, Florida
JOHN J. DUNCAN, JR., Tennessee
JUSTIN AMASH, Michigan
PAUL A. GOSAR, Arizona
TREY GOWDY, South Carolina
CYNTHIA M. LUMMIS, Wyoming
ROB WOODALL, Georgia
KERRY L. BENTIVOLIO, Michigan

JOHN F. TIERNEY, Massachusetts, *Ranking Minority Member*
CAROLYN B. MALONEY, New York
STEPHEN F. LYNCH, Massachusetts
JACKIE SPEIER, California
PETER WELCH, Vermont
MICHELLE LUJAN GRISHAM, New Mexico

CONTENTS

	Page
Hearing held on September 18, 2014	1

WITNESSES

Ms. Katrina Lantos Swett, Ph.D., Chair, U.S. Commission on International Religious Freedom	
Oral Statement	4
Written Statement	7
Mr. Thomas F. Farr, Ph.D., Director, Religious Freedom Project, Berkley Center for Religion, Peace and World Affairs, Georgetown University	
Oral Statement	26
Written Statement	29
Mr. Robert T. Smith, Managing Director and Regional Advisor for the United States, J. Reuben Clark Law School, Brigham Young University	
Oral Statement	36
Written Statement	38
Mr. Emmanuel Ogebe, Special Counsel, Justice for Jos Project, Jubilee Campaign	
Oral Statement	52
Written Statement	54
Mr. Tad Stahnke, Vice President, Research and Analysis, Human Rights First	
Oral Statement	70
Written Statement	73
Ms. Sarah Sewall, Under Secretary for Civilian Security, Democracy, and Human Rights, U.S. Dept of State	
Oral Statement	96
Written Statement	100

PROTECTING INTERNATIONAL RELIGIOUS FREEDOM

Thursday, September 18, 2014

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL SECURITY,
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, D.C.

The subcommittee met, pursuant to call, at 2:20 p.m., in Room 2154, Rayburn House Office Building, Hon. Jason Chaffetz [chairman of the subcommittee] presiding.

Present: Representatives Chaffetz, Mica, Gowdy, Woodall, Bentivolio, Tierney, Maloney, and Kelly.

Staff Present: Brian Beattie, Professional Staff Member; Melissa Beaumont, Assistant Clerk; Molly Boyl, Deputy General Counsel and Parliamentarian; John Cuaderas, Deputy Staff Director; Linda Good, Chief Clerk; Caroline Ingram, Counsel; Jim Lewis, Senior Policy Advisor; Mark D. Marin, Deputy Staff Director for Oversight; Ashok M. Pinto, Chief Counsel, Investigations; Laura L. Rush, Deputy Chief Clerk; Andrew Shult, Deputy Digital Director; Jaron Bourke, Minority Administrative Director; Courtney Cochran, Minority Press Secretary; Valerie Shen, Minority Counsel; Katie Teleky, Minority Staff Assistant; Peter Kenny, Minority Counsel.

Mr. CHAFFETZ. Committee will come to order.

I'd like to begin this hearing by stating the Oversight Committee mission statement.

We exist to secure two fundamental principles, first, Americans have a right to know that the money Washington takes from them is well spent; and, second, Americans deserve efficient, effective government that works for them.

Our duty on the Oversight and Government Reform Committee is to protect these rights. Our solemn responsibility is to hold government accountable to taxpayers because taxpayers have a right to know what they get from their government.

We will work tirelessly in partnership with citizen watchdogs to deliver the facts to the American people and bring genuine reform to the federal bureaucracy. This is the mission of the Oversight and Government Reform Committee.

I want to thank everybody for attending today and particularly our witnesses that we're about to hear from.

The title of the hearing is "Protecting International Religious Freedom." I want to welcome Ranking Member Tierney and members of the subcommittee and those of you that are here in the audience.

Religious freedom, often referred to as the first freedom, is a fundamental human right. It is enshrined in the First Amendment of our Constitution. It is a right essential to our human existence and one that all mankind deserves.

It is also a well-established tenet of international law, including both the UN Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, an international treaty ratified by 156 nations, including the United States of America.

Religious freedom has long been neglected as part of the U.S. human rights agenda. Congress passed the International Religious Freedom Act, creating new bureaucracies and policy tools to ensure religious freedom became a core objective of U.S. foreign policy.

Now, regrettably, nearly 16 years after its passage, Congress's intent in passing the International Religious Freedom Act is being thwarted by mandates within the act that are also being ignored.

A few months after the hearing we held last June on this topic, the Ambassador-at-Large for International Religious Freedom at the State Department resigned. Unfortunately, that position has remained vacant for nearly a year.

But just recently the President nominated Rabbi David Saperstein to serve as the next Ambassador-at-Large for International Religious Freedom. This is a step in the right direction. We hope that the United States Senate will confirm this person sooner rather than later. Once confirmed by the Senate, however, he must be given all the necessary tools and resources to succeed.

A study released earlier this year by the Pew Research Center found that 76 percent of the world's population lives in countries with high or very high levels of restriction on religion. Even more troubling, the number of countries with a high or very high level of social hostilities involving religion reached a 6-year peak in 2012, with hostilities increasing in almost all major regions of the world aside from the Americas.

Just last month in Nigeria, Boko Haram militants overran the church compound and the rectory of the St. Denis Parish. Militants are now using the former church compound as a base.

Shortly before these events, Boko Haram carried out a series of bombings in the home of the predominantly Christian community. Their gunmen used IEDs and petrol bombs to destroy five churches.

Sadly, events such as these have become all too common. Never has the time been clearer for the need to strengthen America's religious freedom policy.

I am hard-pressed to name any countries where the United States engagement on international religious freedom has made a measurable impact to lessen the persecution of religious minorities.

Given U.S. national security interests in combating religious extremism and fostering stable democratic institutions, the importance of promoting religious freedom is clear. The administration's pattern of marginalizing international religious freedom must end. We can certainly do better.

It is my hope that our discussions here today will highlight the areas where improvement is necessary while offering recommenda-

tions as we move forward to ensure that international religious freedom is at the forefront of American foreign policy.

I look forward to hearing from our distinguished witnesses, but we are now going to hear from the ranking member and a friend who is also celebrating his birthday today. So I know we all join in wishing him a happy, happy birthday.

I recognize the ranking member, the gentleman from Massachusetts, Mr. Tierney.

Mr. TIERNEY. Well, thank you very much, Mr. Chairman. Thank you for your best wishes as well. It is the anniversary of my 39th birthday, which I continually have over and over and over again. So—and as a gift to all of you, I am going to waive the oral presentation on my remarks and ask unanimous consent to enter my remarks upon the record.

Mr. CHAFFETZ. Thank the gentleman.

Mr. CHAFFETZ. All members will have 7 days to submit opening statements for the record.

And we will now recognize our panel.

Dr. Katrina Lantos Swett is the chair of the United States Commission on International Religious Freedom and President and CEO of the Lantos Foundation for Human Rights.

Dr. Thomas F. Farr is the director of the Religious Freedom Project and the program on Religion and U.S. Foreign Policy at Georgetown's Berkley Center for Religion, Peace and World Affairs.

Mr. Robert Smith is the managing director and regional advisor for the United States at the International Center for Law and Religious Studies at the J. Reuben Clark Law School at Brigham Young University.

BYU happens to be my alma mater. Glad to have you here, sir.

And Mr. Emmanuel Ogebe—did I pronounce that properly? He said close enough. My apologies—is special counsel to the Justice for Jos Project at the Jubilee Campaign.

Appreciate you being here.

And Mr. Tad Stahnke is the vice president for Research and Analysis at Human Rights First.

We thank you all for being here and appreciate it. And consistent with committee practices and rules, all witnesses will be sworn before they testify.

So if you would please rise and raise your right hands.

Do you solemnly swear or affirm that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

Mr. CHAFFETZ. Thank you. You may be seated.

Let the record reflect that the witnesses all answered in the affirmative.

In order to allow time for discussion, we would appreciate it if you would limit your verbal comments to 5 minutes. A full statement and additional comments, we would be happy to enter those into the record.

But now we will recognize Dr. Lantos Swett for 5 minutes.

WITNESS STATEMENTS

STATEMENT OF KATRINA LANTOS SWETT, PH.D.

Ms. LANTOS SWETT. Thank you, Congressman Chaffetz.

And, of course, it is a pleasure to be with you as well, Congressman Tierney. More from my neck of the woods, New Hampshire, and someone who served with both my father and my husband in this body. So it is lovely to see you.

And I do request that my written statement be submitted for the record.

This hearing is very timely. Events since my June 2013 testimony before this subcommittee starkly make the point. If the U.S. doesn't get religious freedom right, we won't get U.S. foreign policy right.

My written testimony reviews the International Religious Freedom Act, IRFA, over the past 15 years and USCIRF's role in its implementation and offers recommendations. My focus today is on events that underscore the connections between religious freedom, U.S. foreign policy, and U.S. and global security.

ISIL's barbarism in Syria and Iraq is in the forefront of all of our minds. With its growing strength, occupation of broad swaths of land, brutal executions, and threats to bring its war to America and elsewhere, ISIL poses a chilling danger.

But we should remember ISIL is not alone in perpetrating violence in these countries. USCIRF has highlighted the al-Assad regime's killing of tens of thousands and displacing of millions while exacerbating sectarianism, resulting in severe religious freedom violations affecting all Syrians.

And USCIRF long has identified the Iraqi Government's failure to stem non-state actors' egregious and growing violence against civilians, which increased rather than reduced Sunni-Shia tensions.

ISIL's recent extraordinary territorial gains in Northern Iraq poses an existential threat, especially to religious minorities, including Christians, Yazidis, Shabak, Kakai, and Turkmen, and religious and ethnic minorities in Syria, including Christians and Alawites.

Less well known and less well recognized is ISIL's brutality against both country's Shia Muslims and dissenting Sunni Muslims.

So what should the United States do? USCIRF has welcomed U.S. assistance to the displaced in Northern Iraq, and we strongly support additional assistance to meet dire needs.

We also support raising the refugee resettlement ceiling and increasing the share of refugees from the region for Iraqis and Syrians vulnerable to persecution and expanding the existing priority categories that allow certain Iraqis direct access to the U.S. admissions program without UNHCR referral.

While USCIRF cannot speak to the economic, political, and military aspects of any plan to confront ISIL, we encourage our government to weave into these plans the promotion of the freedom of religion and belief and protection of religious minorities.

But the U.S. Government needs to weave religious freedom more broadly into its plans before crises erupt. ISIL isn't the only non-

state actor that persecutes. Just look at Boko Haram in Nigeria and al-Shabab in Somalia.

Governments also play a repressive role in many countries, including Burma, China, Russia, Pakistan, and Vietnam. These violations often lead to instability and violence, thereby underscoring the importance of the U.S. using all the tools at its disposal, including IRFA.

With growing violent religious extremism and continuing authoritarianism, the United States needs to energize and mainstream the promotion of religion or belief.

The executive branch should reinvigorate its commitment to religious freedom by, number one, ensuring that high-level officials speak publicly about the importance of religious freedom and include concerns across U.S. engagements with countries, including in economic, political, and security discussions, to achieve a whole of government effort.

We should mandate increased training for diplomats on the importance of religious freedom and expanding U.S. Government programming on religious freedom work on the ground.

We should work in coalition with other nations to advance religious freedom, such as the contact group of governments focusing on international religious freedom that has recently been initiated by the Canadians.

We need to annually designate countries of particular concern—and that is a term of art within the legislation—for particularly severe violations of religious freedom, and if administrations do not do this, Congress legislatively should require annual designations.

We should ensure that countries of particular concern, or the CPC list, expands and contracts as conditions warrant so glaring omissions like Pakistan and Vietnam can be correctly designated.

Congress has an important role to play in promoting religious freedom by amending IRFA, our authorizing legislation, to expand the CPC classification to allow us to designate countries where particularly severe religious freedom violations are occurring, but a government doesn't exist or control its territory, such as in the Central African Republic, and amending IRFA to allow non-state actors also to be designated, those who perpetrate particularly severe religious freedom violations, such as ISIL, which, in the case of ISIL, they claim to be a state and, yet, under the terms of our statue, we really wouldn't be able to address them directly.

We would like to see Congress sponsor legislation that promotes freedom of religion or belief to give our government the tools and resources it needs and signals to foreign governments the importance of religious freedom in bilateral relations.

We would love to see Congress hold more hearings such as this one in support of religious freedom to reinforce that our government must actively promote this freedom.

Congress is uniquely situated to raise concerns about religious freedom during delegation trips abroad and supporting those advocating for change by meeting with civil society and prisoners.

And, finally, we would like to encourage members of Congress to participate in the Defending Freedom's Project, an effort of the Tom Lantos Human Rights Commission, USCIRF, and Amnesty,

through which members of Congress individually advocate for prisoners of conscience.

We face an enormously challenging landscape abroad for freedom of religion and belief. We can seek constructive change by making religious freedom a central component of U.S. foreign policy, improving our use of existing tools and creating new ones for a rapidly changing environment. Never have the stakes been higher.

Thank you.

Mr. CHAFFETZ. Thank you.

[Prepared statement of Ms. Swett follows:]

I am Dr. Karina Lantos Swett, Chair of the U.S. Commission on International Religious Freedom (USCIRF). Thank you for the opportunity to testify today before the National Security Subcommittee of the House Committee on Oversight and Government Reform on "Protecting International Religious Freedom."

I am honored to appear again before this subcommittee. I appreciate your interest in our government's record on implementing the International Religious Freedom Act, or IRFA. In fact, the focus of USCIRF's 2014 Annual Report released earlier this year was to look back over the past decade and a half of U.S. foreign policy as it relates to religious freedom, examine current policies, and look forward to how our country effectively can promote this fundamental freedom. We subtitled our 15 year retrospective report *Renewing the Commitment,* which was our ultimate recommendation: to effectively advocate for freedom of religion or belief around the globe, both the executive and legislative branches of our government must recommit themselves to this task.

Over the past 15 years, the global landscape for freedom of religion or belief has changed drastically. In addition, the tragic and compelling events that have taken place since my last appearance reinforce the importance of the U.S. government, both the executive and legislative branches, making religious freedom a central component of U.S. foreign policy. Despite the evolving international scene, the tools IRFA created for the executive branch have been neither updated nor better resourced, leaving them underpowered and ill-equipped to address today's challenges.

Religious freedom remains under serious assault across much of the world, including in countries that top the U.S. foreign policy agenda. These countries include Burma, Iraq, Nigeria, and Pakistan, to name just a few, where egregious religious freedom violations threaten stability and progress.

- **Burma**: A USCIRF delegation visited Burma in August. This visit confirmed the Commission's concerns about serious discrimination against members of minority religious faiths, especially Muslims and Christians, in law, regulation and practice, including concerning identity cards, citizenship rights, the construction of religious institutions, and the ability to practice their faith. In addition, the Rohingya Muslim community in Rakhine State has experienced systematic, large scale and egregious abuses of human rights including deaths, injuries, displacement, denial of basic health and other services, denial of freedom of movement, and denial of the right to a nationality.

- **Iraq**: ISIL's egregious and barbarous attacks on religious minorities in Iraq threaten these communities' very existence and Iraq's stability. Sunni Muslims who reject ISIL's ideology also are targeted for violence. Regrettably, the Iraqi government's prior actions provided fertile ground for ISIL's advancement. The Iraqi government had failed to stem egregious and increasing violence by non-state actors against Iraqi civilians, including attacks targeting religious pilgrims and worshippers, religious sites, and leaders, as well as individuals for their actual or assumed religious identity. While the Syrian crisis contributed to sectarian tensions, the Iraqi government's actions increased, rather than reduced, Sunni-Shi'a tensions.

- **Nigeria:** When they visited the country in March 2014, USCIRF Commissioners observed corruption, loss of confidence in the state, and the misuse of religion by political leaders. These widespread governance challenges test religious freedom in Nigeria as they are manifested in increased identification with one's own religion and opposition to other religions. Recurring Muslim-Christian sectarian violence, attacks and threats by Boko Haram against Christians and moderate and traditional Muslims further increase religious tension, radicalism, and extremism. While the federal government does not engage in religious persecution, it tolerates systematic, ongoing, and egregious religious freedom violations through its failure to bring to justice those responsible for or to prevent or contain sectarian violence. Boko Haram benefits from increased religious identities and religious tensions, as well as the state's culture of impunity and lawlessness, as it seeks to exploit these tensions to destabilize Nigeria.

- **Pakistan**: In the past year, chronic sectarian violence targeting mostly Shi'a Muslims but also Christians, Ahmadis, and Hindus continued with impunity. From July 2013 to June 2014, USCIRF recorded 122 incidents of sectarian violence which resulted in more than 1,200 casualties, including 430 deaths. The previous and current governments failed to provide adequate protection or to arrest perpetrators. Also, Pakistan's repressive blasphemy laws and anti-Ahmadi laws are used widely to violate religious freedoms and foster a climate of impunity. Religious-based violence continues to persist, with little to no effective Pakistani government response at federal, provincial, or local levels.

These and other grave situations reinforce the need for the U.S. government to use every tool at its disposal, especially the International Religious Freedom Act (IRFA), in support of this important human right, which is also central to stability and security. Signed into law in 1998, IRFA seeks to make religious freedom a priority in U.S. foreign policy. Its enactment reflected a concern about religious persecution worldwide and the perception that the U.S. government had neglected religious freedom, treating it as an orphaned human right.

IRFA sought to make religious freedom a priority in U.S. foreign policy in several ways. First, it created governmental institutions, both within and outside the executive branch, to focus on international religious freedom. Inside the executive branch, the law created the position of Ambassador-at-Large for International Religious Freedom (a political appointee nominated by the President and confirmed by the Senate), to head an Office of International Religious Freedom at the State Department. It also urged the appointment of a Special Adviser for the issue on the White House National Security Council staff. Outside of the executive branch, IRFA created the U.S. Commission on International Religious Freedom (USCIRF), an independent U.S. government advisory body mandated to review religious freedom conditions globally and make recommendations for U.S. policy to the President, Secretary of State, and Congress.

Second, IRFA mandated the issuance of two reports on international religious freedom – one by USCIRF and one by the State Department – that are interrelated, but with different purposes and scopes. IRFA created a reporting calendar with the USCIRF report coming first, focused primarily on policy recommendations, followed four months later by the State Department report documenting conditions, and the designation of CPCs. It required the State Department to prepare an annual report on religious freedom conditions in each foreign country, in addition to

the Department's annual human rights report. The law also required the State Department to maintain a religious freedom internet site, as well as lists of religious prisoners in foreign countries. And it required the State Department to review USCIRF's preceding report, which set forth its independent recommendations for U.S. policy.

Third, IRFA established consequences for the worst violators. The law requires the President – who has delegated this power to the Secretary of State – to designate annually "countries of particular concern," or CPCs, and to take action designed to encourage improvements in those countries. Under IRFA, 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, ranging from negotiating a bilateral agreement, to imposing sanctions, to taking a "commensurate action," to issuing a waiver. While a CPC designation remains until changed, sanctions tied to a CPC action expire after two years, if not renewed. The law also makes inadmissible foreign government officials who were responsible for, or directly carried out, particularly severe violations of religious freedom from entry to the United States.

Fourth, IRFA included religious freedom as an element of U.S. foreign assistance, cultural exchange, and international broadcasting programs.

Fifth, IRFA sought to address perceived deficiencies in U.S. government officials' knowledge and understanding of the issue. It mandated that State Department Foreign Service officers and U.S. immigration officials receive training on religious freedom and religious persecution. It also required immigration officials to use the State Department's annual international religious freedom report as a resource in adjudicating asylum and refugee claims involving religious persecution.

Finally, IRFA sought assessments of whether recently-enacted immigration law reforms were being implemented consistent with the United States' obligations to protect individuals fleeing persecution, including religious persecution. Concerning USCIRF, the law authorized the Commission to appoint experts to examine whether asylum seekers subject to the process of Expedited Removal were being erroneously returned to countries where they could face persecution or detained under inappropriate conditions. Expedited Removal is a mechanism enacted in 1996 whereby foreign nationals arriving in the United States without proper documentation can be returned to their countries of origin without delay, but also without the safeguard of review by an immigration judge, unless they can establish that they have a "credible fear" of persecution.

Religious Freedom and Its Importance

Freedom of religion or belief is a broad, inclusive right that embraces the full range of thought, belief, and behavior. It means the right of all human beings to think as they please, believe or not believe as their conscience leads, and live out their beliefs openly, peacefully, and without fear. No government, group, or individual has the right to compel others to act against their conscience or restrain them from answering its call. Religious freedom applies to the holders of all religious beliefs and extends to those who reject religious beliefs altogether. It was overwhelmingly adopted in 1948 in Article 18 of the Universal Declaration of Human Rights, as well as in subsequent international agreements.

By any measure religious freedom is under serious and sustained pressure abroad. According to the most recent Pew study, more than three-quarters of the world's population live in countries in which religion is restricted significantly, either by the government or societal actors. And many of these countries top the U.S. foreign policy agenda. For the vast majority of people across the globe, religion matters: fully 84 percent of the world's population identifies with a specific religious group. Religion also can fuel dangerous conflicts with others who hold different beliefs. In both cases, our nation and its diplomats cannot have productive dialogues and satisfactory relations or outcomes, if we ignore, downplay, or dismiss religion's pivotal role.

Such a pivotal role is reinforced by the growing number of studies that have shown that, in countries that honor and protect this right, religious freedom generally is associated with vibrant political democracy, rising economic and social well-being, and diminished tension and violence. In contrast, nations that trample on religious freedom are more likely to be mired in poverty and insecurity, war and terror, and violent, radical extremism. This instability directly bears not only on the well-being of those societies, but the security of the United States and the overall stability of the world. The four countries I noted at the beginning of my testimony – Burma, Iraq, Nigeria, and Pakistan – bear this out.

Religious freedom thus merits a seat at the table with economic and security concerns as the U.S. and other nations conduct their affairs. These concerns are tied together in the real world. Effectively promoting religious freedom thus can help U.S. policy makers achieve crucial goals by fostering respect for human rights while promoting stability and ultimately national security. When used properly, IRFA can help the United States achieve these important goals.

15 Years Later: Opportunities and Challenges

Since IRFA's passage in 1998, world events have transformed U.S. foreign policy in general and the environment for IRFA in particular. The demise of the Soviet empire predated IRFA, but its reverberations still are being felt in Central Asia, the Caucasus, and other areas in which Russia seeks to reassert its influence. Three years after IRFA's passage, the shocking attacks of September 11, 2001, demonstrated that foreign affairs would no longer be dominated solely by major powers, but rather be a multilayered contest with and between states and transnational movements, some of which advocated violent religious ideologies. The ensuing American military engagements in Afghanistan and Iraq placed the United States in the center of sectarian and ethnic conflicts in turbulent regions. Starting in 2011, the Arab Awakening both unleashed democratic forces and opened space for extremist groups to vie for influence, if not outright power, with debates about intertwining issues of religion, society, law, governance, and fundamental rights occurring for the first time. At the same time, the information revolution empowered both human rights activists and extremists to share their information globally, at the click of a mouse.

In this new landscape, IRFA's mechanisms have struggled for relevance in countries in transition or in contexts where weak governments are grappling with non-state actors like terrorist organizations or extremist groups. Syria is a case in point. A tragedy on many levels, Syria also represents one of the worst situations in the world for religious freedom, yet the IRFA tools are almost irrelevant to address the actions of terrorist organizations fighting a brutal, dictatorial

regime or when the longstanding government is no longer seen as the legitimate representative of the Syrian people. In other places like Central African Republic where targeted mass killing along religious lines has garnered international attention and an individual's membership in a particular faith can be a life or death matter, IRFA's tools are ill-suited to address the causes or aftermath of such violence.

To be sure, USCIRF recognizes that not every situation of human rights violations fits the religious-freedom mold. Governments, and the societies they serve or control, are multifaceted and multilayered; religious factors are only one of many. Issues of local politics, access to resources, and ethnic divisions often are the main drivers of conflict. However, we must recognize that religious freedom concerns frequently are ignored or overlooked in U.S. foreign policy. Ensuring space for the free and peaceful practice of religion will not solve every problem, but it will solve some, and in other contexts it will be part of the solution. Those nuances must be better understood by U.S. policy makers; having a greater sensitivity to issues tied to religious freedom will make U.S. foreign policy more effective and more durable.

In today's world, IRFA's statist model will no longer suffice by itself. There is a clear window of opportunity to do something new. The challenges of the 21st century, with growing violent religious extremism and continuing authoritarianism, call for an updated approach that energizes and mainstreams the promotion of freedom of religion or belief. To ensure future successes, IRFA's tools need to be reworked to deal with both state and non-state violations. There are straightforward changes that would better position the United States to engage these difficult issues successfully and reenergize its religious freedom promotion efforts.

USCIRF's Role in IRFA Implementation

USCIRF was created by IRFA as an independent U.S. government advisory body to monitor religious freedom worldwide and make policy recommendations to the President, Secretary of State, and Congress: It thus is separate and distinct from the State Department. USCIRF bases its recommendations on the standards found in the Universal Declaration of Human Rights and other international documents.

USCIRF last was reauthorized in 2011 and sunsets on September 30, 2014. The Commission is aware of legislative proposals in the House and the Senate on re-authorization. We welcome this strong interest in the Commission. While Commissioners have varying perspectives on these legislative initiatives, we are united in our common desire that the re-authorization ensures our capacity to promote religious freedom worldwide. We appreciate the broad bipartisan support for USCIRF that was reflected in the House passage of H.R. 4653, the "United States Commission on International Religious Freedom Reauthorization Act of 2014." Introduced by Representative Frank Wolf, the bill would reauthorize USCIRF for 5 years, until September 30, 2019 and make some minor changes to help the Commission operate more effectively. We look forward to the Senate passage of a strong bipartisan reauthorization bill so that USCIRF can continue to work closely with Members of Congress and the Administration in support of this vitally important freedom.

USCIRF is bipartisan, with leadership provided by its Commissioners who serve in a voluntary capacity without pay, and the engagement of its non-partisan professional staff. The President appoints three Commissioners, and the leadership of both parties in the House and Senate appoint six. Congressional leaders of the party that is not the President's appoints four Commissioners, and the party in the White House appoints five. The Ambassador-at-Large for International Religious Freedom also serves as a non-voting *ex officio* member. We look forward to the speedy confirmation of Rabbi David Saperstein as the new Ambassador-at-Large and to working with him in support of religious freedom. Rabbi Saperstein was USCIRF's first Chair.

In its work with Congress, USCIRF Commissioners and staff serve as a resource to Members of the House and Senate and their offices on a range of countries and issues, including testifying before Congressional committees about USCIRF's independent findings and recommendations. USCIRF has testified at Congressional hearings and held briefings on issues such as: human rights abuses in Egypt; Iran's persecution of American pastor Saeed Abedini; religious minorities in Syria; anti-Semitism; religious freedom in Vietnam; and persecuted Uighur Muslims in China. In collaboration with the Tom Lantos Human Rights Commission, USCIRF helped launch the Defending Freedoms Project, working with Members of Congress to highlight imprisoned human rights defenders worldwide.

USCIRF also engages with the State Department, National Security Council, USAID, and other executive-branch entities; meets with high-ranking officials from foreign governments and international organizations; participates in U.S. delegations to international meetings; and helps provide training to Foreign Service officers and other U.S. officials. The Commission travels internationally to examine conditions firsthand, meeting with high-level officials and others.

USCIRF also engages with religious groups and non-governmental organizations (NGOs), seeking their insights and benefiting from their information. Commissioners and staff meet with representatives of religious communities and institutions, victims of religious persecution and their families, human rights groups, academics, and policy experts.

Reinvigorating IRFA

USCIRF's 2014 Annual Report laid out a number of actions that the executive and legislative branches of government should take to reinvigorate IRFA and empower it for greater effectiveness.

Demonstrating the Importance of International Religious Freedom: First, to mainstream and deepen U.S. efforts, elected leaders and U.S. officials need to communicate clearly and regularly about how religious freedom is a foreign policy priority for the United States. For instance, both President Obama and President Bush gave major speeches about the importance of international religious freedom. As these speeches demonstrate, one of the most direct ways to stress the importance of religious freedom is to do so in high-profile public events. Such presentations by the President, the Secretary of State and other high ranking U.S. government officials, as well as the leaders of Congress, will be noticed by both the U.S. government bureaucracy and foreign governments.

And after communication must come action. Public advocacy should be tied to a country-specific action plan or strategy for advancing religious freedom. This is especially important for countries designated as CPCs, as well as those recommended by USCIRF for designation or on USCIRF's Tier 2 list. Such actions would include scheduling trips for embassy officials, including the U.S. ambassador, to visit oppressed religious communities or sites of violence. The United States should also insist that discussions on religious freedom and religious tolerance be included in various bilateral strategic dialogues and summits, such as the strategic dialogues with Russia, Pakistan, or Indonesia, or the U.S.-Nigeria Binational Commission meetings. Concerns about freedom of religion or belief should also be interwoven into negotiations over trade agreements, like the Trans-Pacific Partnership.

It is also essential to ensure that religious freedom is raised during visits by U.S. officials and elected leaders to key countries of concern. It is important for foreign leaders to hear directly from visiting delegations that restrictions on religious freedom are hindering bilateral cooperation and the overall relationship.

CPC Designations: The centerpiece of IRFA for the executive branch is the CPC designation tool. More than "naming and shaming," this designation creates incentives for improvements and consequences for inaction. Unfortunately, neither Republican nor Democratic Administrations have fully utilized the CPC mechanism as the key foreign policy tool it was intended to be. The Obama Administration has issued CPC designations twice, three years apart: in August 2011 and July 2014. While the Bush Administration initially issued CPC designations annually, after 2006 it allowed the annual designation process to fall off track, with a long gap between November 2006 and January 2009.

Furthermore, Administrations of both parties typically have not taken unique actions as a consequence of CPC designations, which also undermines the effectiveness of this tool. And the State Department issued indefinite waivers on taking any action against Uzbekistan and Saudi Arabia, in both cases to "further the purposes of the [International Religious Freedom] Act." As a result of these waivers, the United States has not implemented any policy response tied to the CPC designation for either of these countries.

In addition to the CPC mechanism being used increasingly infrequently, the list has been stagnant. Eight of the nine countries designated as CPCs in July 2014 have been on the State Department's CPC list for years; Burma, China, Iran, and Sudan for 15 years; North Korea for 13 years; Eritrea and Saudi Arabia for 10 years; and Uzbekistan for eight years. The addition of Turkmenistan in July 2014 was the first addition to the CPC list since November 2006.

Removal from the CPC list has been rare. Since IRFA's inception, only one country has been removed from the State Department's CPC list due to diplomatic activity: Vietnam (a CPC from 2004 to 2006). Three other CPC designees were removed, but only after military intervention led to the fall of those regimes: Iraq (a CPC from 1999 to 2004), the Taliban regime of Afghanistan (a "particularly severe violator" from 1999 to 2003), and the Milosevic regime of the Serbian Republic of Yugoslavia (a "particularly severe violator" from 1999 to 2001).

Over the past 15 years, there also has been a growing disparity between State Department CPC designations and USCIRF CPC recommendations. For instance, when the State Department designated nine countries in July 2014, USCIRF concluded that seven other countries also should be named.

Besides naming violators, IRFA provides the Secretary of State with a unique toolbox to promote religious freedom effectively and with impact. The Act includes a menu of options for countries designated as CPCs and a list of actions to help encourage improvements in countries that violate religious freedom but do not meet the CPC threshold. The specific policy options to address severe violations of religious freedom in CPC countries include sanctions (referred to as Presidential actions in IRFA) that are not automatically imposed. Rather, the Secretary of State is empowered to enter into direct consultations with a government to find ways to bring about improvements in religious freedom. IRFA also permits the development of either a binding agreement with a CPC-designated government on specific actions it will take to end the violations giving rise to the designation or the taking of a "commensurate action." The Secretary may further determine that pre-existing sanctions are adequate or waive the requirement of taking action to advance the purposes of the Act or the national interests of the United States.

However, in practice, the flexibility provided in IRFA has been underutilized. In addition to repeating the same countries for years, administrations generally have decided not to levy new Presidential actions in accordance with CPC designations, with the State Department instead relying on pre-existing sanctions. While the statute permits such reliance, relying on pre-existing sanctions, or "double-hatting," has provided little incentive for CPC-designated governments to reduce or halt egregious violations of religious freedom. For these mechanisms to have any real impact on promoting religious freedom, the designation of an egregious religious freedom violator as a CPC must be followed by implementing a clear, direct, and *unique* Presidential action.

USCIRF recommends that current and future administrations and Congress recommit themselves to the full and robust application of IRFA's mechanisms. To revitalize IRFA's structures, the CPC process must occur annually, with Congress conducting annual oversight hearings. While some have argued that IRFA's language is unclear about an annual designation, reading the statute with an understanding of Congressional intent makes clear that it is an annual process. In fact, annual designations generally were made during the first seven years of State Department implementation. The State Department should ensure an annual designation process, and if it does not happen, Congress should clarify its intent by amending IRFA.

Changes in the CPC Tool: Since IRFA's enactment in 1998, there are a growing number of situations in which the abuses of religious freedom in a country are particularly severe, with systematic, ongoing, and egregious violations, but no government is in control or able to respond. Current examples include Syria, Somalia, and the Central African Republic. The CPC tool should be broadened to allow the naming of countries (and not just governments of countries) where the government either does not exist or cannot control the country.

Tied to this, the State Department should be given the ability, where appropriate, to designate transnational or local organizations which are perpetrating particularly severe violators of

religious freedom. These groups often are the ruling powers on the ground in failed or failing states. Being able to designate the actors perpetrating particularly severe violators of religious freedom would broaden the U.S. government's ability to engage the actual drivers of persecution. Such a step was taken with the Taliban, which was in effect named a CPC from 1999-2003 despite the United States' not recognizing its control of Afghanistan. While the ability of the United States to influence events on the ground may be marginal in these circumstances, naming these countries or groups would reflect reality, which should be the core point of the CPC process.

Addressing the Placement of the Ambassador-at-Large: Religious freedom advocates have expressed concern about the low placement of the Ambassador-at-Large for International Religious Freedom within the State Department hierarchy. According to a 2013 report by the Government Accountability Office, the State Department's Bureau of Democracy, Human Rights and Labor (DRL) dramatically reduced the status of the Ambassador-at-Large. The demotion of the position constitutes a major change in the IRFA structure and frustrates congressional intent. Ensuring the Ambassador-at-Large has direct and regular access to the Secretary of State would fulfill IRFA's intention that the Ambassador be "a principal advisor to the President and Secretary of State" on matters relating to religious freedom.

USCIRF also recommends that the State Department give the Ambassador-at-Large clear oversight of the IRF Office in addition to addressing the placement issue, and if it does not, Congress should clarify its intent. In addition, the Office of International Religious Freedom should be strengthened, including by enlarging its staff, deepening its expertise, and providing dedicated programmatic funds for religious freedom promotion and protection.

As mentioned, the Administration recently announced the nomination of Rabbi David Saperstein as the Ambassador-at-Large for Religious Freedom. USCIRF looks forward to working with Rabbi Saperstein. In addition, we suggest that the Secretary of State create a working group with all the religiously-oriented positions and programs in the Department to ensure consistency in message and strategy.

Position at the NSC: IRFA also authorized the creation of a director-level position at the National Security Council to serve as the Special Adviser on International Religious Freedom. The Special Adviser was envisioned to be a resource for executive branch officials, compiling and maintaining information on the facts and circumstances of violations of religious freedom, and making policy recommendations. The Special Adviser position was briefly filled during the Clinton administration, but the official also dealt with an array of other issues. And the position has been vacant since then. USCIRF urges the Administration to fill this position.

Monitoring Mechanisms – Prisoner Lists: IRFA mandated that the Secretary of State establish monitoring mechanisms "consisting of lists of persons believed to be imprisoned, detained, or placed under house arrest for their religious faith, together with brief evaluations and critiques of the policies of the respective country restricting religious freedom." While the State Department has advocated for individual prisoner cases, USCIRF is unaware of the Department establishing or maintaining a comprehensive prisoner list. However, USCIRF has compiled informal lists of the prisoners of whom it is aware in a number of countries, and the Congressional-Executive

Commission on China maintains a comprehensive, searchable database of prisoners in China. The ability of both commissions to track prisoners, even while operating with substantially fewer resources and less access to international information than the State Department, demonstrates that the State Department can fulfill this statutory mandate.

Addressing Report Timing Issues: IRFA created a system in which the State Department's and USCIRF's annual reports would be issued approximately eight months apart, and USCIRF's report would be based partly on a review of the State Department's reporting. However, by changing the reporting period to harmonize the timing of various human reports, the State Department also changed the release date of the IRF Report. This change had the unintended effect of upending this system, with both reports now being issued in closer proximity. In light of the State Department's change in its timetable for the release of its reports on religious freedom, Congress should give USCIRF flexibility on the timing of the issuance of its annual report.

Increasing the Use of IRFA's Inadmissibility Provision: USCIRF also recommends that the visa ban for individuals involved in particularly severe violations of religious freedom be used more expansively. USCIRF is aware of only one instance in which it was used: in 2005, against then State Minister of the Indian state of Gujarat, Narendra Modi. USCIRF supported and called for this decision, but it is highly likely that over the past 15 years, other violators of religious freedom applied for visas. An initiative of the IRF Office to ensure that people inadmissible under U.S. law due to religious freedom violations are denied entry is a useful first step. The consular sections of all embassies should be trained on this requirement and informed that the application of this provision is mandatory.

Expanding Training: The current optional Religion and Foreign Policy class at the Foreign Service Institute is a positive development, but it is one class among many other electives. The State Department should make training on international religious freedom mandatory, including education on what it is, why it is important for U.S. interests, and how to advance it. To ensure that this message is received at all levels, it should be required at three intervals in each diplomat's career: the "A-100" class for incoming diplomats, Area Studies for midcareer officials, and a class for all ambassadors and deputy chiefs of missions. Relevant members of the military also should receive training on the importance of religious freedom and practical ways on how best to promote it as an aspect of U.S. foreign policy. As U.S. service members and military chaplains must increasingly navigate religion-infused landscapes, advanced training to help rising officers understand the importance of religious freedom would equip them to engage more effectively with religious leaders and government and military officials in countries of concern.

Emphasizing Religious Freedom in Public Diplomacy: Religion is often the lens through which many societies see the United States and the world. The United States should be well-positioned to engage these countries on issues of religious freedom and religion-state relations, considering the role religious freedom has played in American history and the commitment the United States has placed on promoting and protecting this right abroad.

Written at the start of the information revolution, IRFA stated that religious freedom should be an element in U.S. cultural exchanges and international broadcasting programs. These efforts would begin with the Undersecretary for Public Diplomacy and Public Affairs, who oversees the Bureau of Educational and Cultural Affairs, the Bureau of International Information Programs, the Bureau of Public Affairs, and the Center for Strategic Counterterrorism Communications.

In addition, there should be greater efforts to increase strategic communications programs to counter violent extremism (CVE). A few embassies in key countries have established special CVE programs that seed NGO activity for programming on ways to counter violent messages often grounded in a twisted theology. These activities should be expanded globally, while also incorporating messaging on the importance of religious tolerance and religious freedom to oppose rhetoric used to promote and justify violent acts.

As abuses continue to rise and religious communities are increasingly interconnected globally, more can be done to help expand understanding about the importance and value of religious freedom. In this effort, the Broadcasting Board of Governors (BBG) should increase broadcasts and Internet programs with information on religious freedom and related human rights. The BBG and other U.S. government entities can also use appropriated internet freedom funds to develop free, secure internet access for use in closed countries, for example by facilitating the provision of high-speed internet access via satellite. Greater efforts also should be taken to distribute proven and field-tested counter-censorship programs in order to prevent the arrest and harassment of religious freedom and human rights activists and help them maintain their freedom of expression and legitimate expectations of privacy. The U.S. government also can encourage the private sector to take into consideration the impact of their dealings with repressive countries on targeted religious communities.

Work with Like-Minded Nations: The U.S. government should do more to work in concert with like-minded nations and build an international coalition around freedom of religion or belief. The United States is no longer the only player in this field. The United Kingdom's foreign ministry and parliament have increased their focus; the European Union issued guidelines for its diplomats in the field on promoting freedom of religion or belief; and the European Parliament established a working group on the subject. Canada also created an ambassadorial position on religious freedom. The Austrians, Dutch, Italians, Norwegians, and Germans also have focused specifically on religious freedom over the past five years. Recently, USCIRF has taken the lead in fostering increased collaboration between the United States, Canada, and a number of European countries in promoting freedom of religion or belief. USCIRF's unique status, 15-year track record, and engagement around the world has served as a catalyst to better integrate and coordinate efforts between the United States and other governments and parliaments.

Congressional Leadership Is Central

Congress has an important role to play in promoting religious freedom. USCIRF urges Members of Congress to undertake activities that reflect the central role that religious freedom plays in U.S. foreign policy. We hope such actions include reauthorizing USCIRF. We appreciate today's hearing and urge that Congress:

- Support Legislation that Promotes Freedom of Religion or Belief: Introduce and support legislation that focuses on religious freedom violations and remedies for such violations in specific countries. Such remedies should underscore the human rights, foreign policy and national security dimensions of religious freedom and address violations by measures including: implementing targeted visa bans and asset freezes on foreign government officials, their family members, and close associates who are implicated in violations of religious freedom; applying specific sanctions directly related to a country's violation of religious freedom; and support the provision of heightened security for religious minority communities and their places of congregation and worship;

- Hold Hearings in Support of International Religious Freedom: Hold Congressional oversight and other hearings in the relevant House and Senate committees on international religious freedom and related issues that underscore the many dimensions of the issue. Invite USCIRF Commissioners to testify about its Annual Report and topical issues, along with State Department officials who can speak about the Department's annual report on International Religious Freedom.

- Support Civil Society and Prisoners Abroad: During delegation trips abroad, meet with individuals and organizations that promote religious freedom and related human rights, targeted religious communities, and people detained for their religious freedom and human rights work or beliefs. Undertake CODELS to countries of concern specifically to examine conditions of religious freedom for all faiths/beliefs.

- Participate in the Defending Freedoms Project: Another way Members of Congress can help prisoners who are detained for their religious freedom and human rights advocacy or religious observance is to join the Defending Freedoms Project. This is a collaborative effort between the Tom Lantos Human Rights Commission, Amnesty International and USCIRF whereby Members of Congress adopt prisoners of conscience and advocate on their behalf. By participating in the Project, Members of Congress will be standing in solidarity with these prisoners, letting them know they are not alone, shining a light on the laws and policies that have led to their imprisonment, and helping hold governments accountable.

USCIRF's CPC Recommendations

As provided in IRFA, USCIRF recommends to the State Department countries that the Department should designate as "countries of particular concern," or CPCs, for their "systematic, ongoing and egregious" violations of religious freedom. In its 2014 Annual Report, USCIRF recommended that the State Department re-designate eight countries as CPCs: Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, and Uzbekistan. USCIRF also determined that eight other states meet the CPC threshold and should be so designated: Egypt, Iraq, Nigeria, Pakistan, Syria, Tajikistan, Turkmenistan, and Vietnam.

The State Department on July 28, 2014 issued CPC designations along with its 2013 Annual report on international religious freedom. Making yearly CPC designations in conjunction with the issuance of the annual International Religious Freedom report helps offending governments

understand that the United States is deeply concerned about protecting this fundamental human right and that they may face consequences for engaging in religious persecution.

USCIRF welcomed the State Department's re-designation of Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, and Uzbekistan, and its designation of Turkmenistan, a country USCIRF has recommended as a CPC since 2004. However, the Commission was disappointed that other countries deserving of designation, such as Pakistan, were not included.
USCIRF's 2014 Annual Report highlighted the status of the nine CPC-designated countries:

- Political reforms in Burma have not improved legal protections for religious freedom and have done little to curtail anti-Muslim violence, incitement and discrimination, particularly targeting the Rohingya Muslim minority. Police failed to intervene effectively and the government has taken inadequate steps to address the underlying causes of sectarian violence or hold individuals fully accountable. State-sponsored discrimination and state-condoned violence against Rohingya and Kaman ethnic Muslim minorities also continued, and ethnic minority Christians faced serious abuses during recent military incursions in Kachin state. The State Department has designated Burma a CPC since 1999. A USCIRF delegation visited Burma in August. This visit confirmed the Commission's concerns about religious freedom violations in the country.

- In China, the government continues to perpetrate particularly severe violations of religious freedom. For Tibetan Buddhists and Uighur Muslims, conditions are worse now than at any time in the past decade. Independent Catholics and Protestant face arrests, fines, and the shuttering of their places of worship. Practitioners of Falun Gong, as well as other Buddhist, folk religionist, and Protestant groups deemed "superstitious" or "evil cults," face long jail terms, forced renunciations of faith, and torture in detention, and the government has not sufficiently answered accusations of psychiatric experimentation and organ harvesting. The State Department has designated China as a CPC since 1999.

- In Eritrea, systematic, ongoing, and egregious religious freedom violations continue under the regime of President Isaias Afwerki. Violations include torture, arbitrary arrests and detentions without charges, a prolonged ban on public religious activities, and interference in registered religious groups' internal affairs. The situation is particularly grave for Evangelical and Pentecostal Christians and Jehovah's Witnesses. The government dominates the internal affairs of the Orthodox Church of Eritrea, the country's largest Christian denomination, and suppresses Muslim religious activities and those opposed to the government-appointed head of the Muslim community. The State Department has designated Eritrea as a CPC since 2004.

- In Iran, despite the June 2013 election of a new and purportedly moderate president, already-poor religious freedom conditions continued to deteriorate, particularly for religious minorities, especially Baha'is and Christian converts. Sufi and Sunni Muslims and dissenting Shi'a Muslims also faced harassment, arrests, and imprisonment. The Iranian government continues to engage in systematic, ongoing, and egregious violations of religious freedom, including prolonged detention, torture, and executions based primarily or entirely

upon the religion of the accused. The State Department has designated Iran as a CPC since 1999.

- The government of North Korea tightly controls all religious activity and perpetuates an extreme cult of personality venerating the Kim family as a pseudo-religion. Individuals engaged in clandestine religious activity are arrested, tortured, imprisoned, and sometimes executed. Thousands of religious believers and their families are imprisoned in penal labor camps, including refugees repatriated from China. The State Department has designated North Korea a CPC since 2001.

- Despite improvements in religious freedom, Saudi Arabia remains unique in the extent to which it restricts the public expression of any religion other than Islam. Not a single church or other non-Muslim house of worship exists in the country. The government favors its own interpretation of Sunni Islam over all other interpretations. It also has arrested individuals for dissent, apostasy, blasphemy, and sorcery. The State Department has designated Saudi Arabia a CPC since 2004, but an indefinite waiver on taking any action as a consequence of the CPC designation has been in place since 2006.

- The government of Sudan led by President Omar Hassan al-Bashir continues to engage in systematic, ongoing, and egregious violations of freedom of religion or belief. It imposes a restrictive interpretation of Shari'ah (Islamic law) on Muslims and non-Muslims alike, using amputations and floggings for crimes and acts of "indecency" and "immorality" and arresting Christians for proselytizing. President al-Bashir and other National Congress Party (NCP) leaders have stated that Sudan's new constitution, when drafted, will be based on its interpretation of Shari'ah. Governmental and non-governmental attacks on the Christian community also continue. These religious freedom violations, as well as the violence in Southern Kordofan, Blue Nile, and Darfur, are the result of President Bashir's policies of Islamization and Arabization. The State Department has designated Sudan a CPC since 1999.

- Particularly severe religious freedom violations persist in Turkmenistan. Despite a few limited reforms in 2007, the country's laws, policies, and practices continue to violate international human rights norms, including those on freedom of religion or belief. Police raids and harassment of registered and unregistered religious groups continue. The repressive 2003 religion law remains in force, causing major difficulties for all religious groups. Turkmen law does not allow a civilian alternative to military service and nine Jehovah's Witnesses are imprisoned for conscientious objection. USCIRF has recommended CPC designation for Turkmenistan since 2000, and the State Department made this designation in 2014.

- Particularly severe violations of freedom of religion or belief continue in Uzbekistan through a highly restrictive religion law and harsh penalties on all independent religious activity. The government also imprisons individuals who do not conform to officially-prescribed practices or who it claims are extremist, including as many as 12,000 Muslims. The State Department has designated Uzbekistan as a CPC, but it has indefinitely waived taking any punitive action since 2009.

In our 2014 Annual Report, USCIRF also determined that, along with Turkmenistan which the State Department designated for the first time, seven other nations meet the CPC threshold and should be so designated: Egypt, Iraq, Nigeria, Pakistan, Syria, Tajikistan, and Vietnam.

- In Egypt, despite some progress during a turbulent political transition, the Morsi-era government and the interim government failed or were slow to protect religious minorities, particularly Coptic Orthodox Christians, from violence. While the new constitution includes improvements regarding freedom of religion or belief, the interpretation and implementation of relevant provisions remain to be seen. Discriminatory and repressive laws and policies that restrict freedom of thought, conscience and religion or belief remain in place. For example, Egyptian courts continue to prosecute, convict, and imprison Egyptian citizens for blasphemy. USCIRF has recommended CPC designation for Egypt since 2011.

- In the past year in Iraq, the government failed to stem egregious and increasing violence by non-state actors against Iraqi civilians, including attacks targeting religious pilgrims and worshippers, religious sites, and leaders, as well as individuals for their actual or assumed religious identity. While the Syrian crisis contributed to sectarian tensions, the Iraqi government took actions that increased, rather than reduced, Sunni-Shi'a strife, threatening the country's already fragile stability and further exacerbating the poor religious freedom environment. Especially concerning is the draft personal status law that would separately apply to Shi'a Iraqis, which risks further deepening the sectarian divide. USCIRF has recommended CPC status for Iraq since 2008.

- Nigeria's democracy is being tested by recurring sectarian violence, attacks and threats against Christians and Muslims by Boko Haram, and the misuse of religion by politicians, religious leaders, and others. In a country where religion and religious identity are intertwined in ethnic, political, economic, and social controversies, these dynamics strain already tense Christian-Muslim relations. While the Nigerian government does not engage in religious persecution, it tolerates severe violations through its failure to bring to justice those responsible for systematic, ongoing, and egregious religious freedom violations, or to prevent or contain sectarian violence. Boko Haram benefits from this culture of impunity and lawlessness as it exploits religious tensions to destabilize Nigeria. USCIRF has recommended CPC status for Nigeria since 2009.

- Pakistan represents the worst situation in the world for religious freedom for a country not currently designated by the U.S. government as a CPC, with religious freedom conditions reaching an all-time low due to chronic sectarian violence targeting mostly Shi'a Muslims but also Christians, Ahmadis, and Hindus. The previous and current governments failed to provide adequate protection or to arrest perpetrators. Also, Pakistan's repressive blasphemy laws and anti-Ahmadi laws are widely used to violate religious freedoms and foster a climate of impunity. USCIRF has recommended that Pakistan be named a CPC since 2002. In an August 2014 report. *Violence Towards Religious Communities in Pakistan*, USCIRF presented statistics demonstrating that religious-based violence continues to persist, with little to no effective Pakistani government response at federal, provincial, or local levels.

- The crisis in Syria has devolved largely into a sectarian conflict, exacerbated by the actions of the Bashar al-Assad regime, with particularly severe violations of religious freedom affecting all Syrians. The regime's targeting of Sunni Muslims and other individuals or groups that oppose it and its indiscriminate shelling of civilian areas have killed tens of thousands of Syrians and displaced millions. In addition, extremist and U.S.-designated terrorist groups, including al-Qaeda and the Islamic State of Iraq and the Levant (ISIL), target religious minority communities, including Christians and Alawites, because of their faith, and internationally-recognized opposition military groups have committed religious freedom violations when working with other groups to secure strategic areas. The existing humanitarian disaster and egregious human rights and religious freedom violations pose a serious danger to Syria's religious diversity post-conflict. Due to the collective actions of the Bashar al-Assad regime, internationally-recognized opposition groups, and extremist and U.S.-designated terrorist groups, USCIRF recommended in 2014, for the first time, that Syria be designated a CPC.

- Systematic, ongoing, egregious violations of religious freedom continue in Tajikistan. The government suppresses and punishes all religious activity independent of state control, particularly the activities of Muslims, Protestants, and Jehovah's Witnesses. The government also imprisons individuals on unproven criminal allegations linked to Islamic religious activity and affiliation. Jehovah's Witnesses have been banned since 2007. There are no legal provisions on conscientious objection to military service. USCIRF has recommended CPC designation for Tajikistan since 2012.

- Despite some positive changes in Vietnam over the past decade, the government continues to imprison individuals for religious activity or religious freedom advocacy. It uses a specialized religious police force and vague national security laws to suppress independent Buddhist, Protestant, Hoa Hao, and Cao Dai activities, and seeks to stop the growth of ethnic minority Protestantism and Catholicism via discrimination, violence, and forced renunciations of faith. In the past year, arrests and confrontations with the Catholic Church have escalated tensions. USCIRF continues to recommend that Vietnam be designated a CPC in 2014, a recommendation the Commission has made since 2001. The State Department designated Vietnam in 2004 and 2005, but removed the designation in 2006 because of progress toward fulfilling a bilateral agreement to release prisoners, ban forced renunciations of faith, and expand legal protections for religious groups.

USCIRF's Tier 2 and Other Countries Monitored

In addition to the countries it recommends for CPC status (which we call "Tier 1 countries") USCIRF focuses on other countries that violate religious freedom. These "Tier 2" countries are those in which the violations engaged in or tolerated by governments are serious and characterized by at least one of the elements of the "systematic, ongoing, and egregious" CPC standard, but do not fully meet this standard. The Commission placed ten nations on Tier 2 in 2014: Afghanistan, Azerbaijan, Cuba, India, Indonesia, Kazakhstan, Laos, Malaysia, Russia, and Turkey. For USCIRF's analysis and recommendations on these countries, I encourage you to go on USCIRF's website: www.uscirf.gov.

Along with the Tier 1 and Tier 2 countries, USCIRF's Annual Report also spotlights countries and regions in which current religious freedom trends are worth monitoring. In 2014, these were Bahrain, Bangladesh, Belarus, Central African Republic, Ethiopia, Kyrgyzstan, Sri Lanka, and Western Europe.

Key Recommendations:

Below are some of USCIRF's key recommendations on how the United States can more effectively promote international religious freedom.

Showing High-Level Commitment by Developing and Implementing a Religious Freedom Strategy

- There is a need for continuous, high-level interest from the President, the Secretary of State, and Members of Congress about the importance of international religious freedom and for a renewed commitment to see the International Religious Freedom Act fully and consistently implemented;

- U.S. promotion of freedom of religion or belief should be mainstreamed to reflect how religious freedom concerns are interwoven throughout many of the greatest foreign policy challenges facing the United States, and deepened to strengthen the unique mechanism established by law; and

- Each administration should issue a strategy to guide how the U.S. government will protect and promote religious freedom abroad and set up a working group at the National Security Council to oversee its implementation across agencies.

Demonstrating the Importance of International Religious Freedom

- The President, the Secretary of State, Members of Congress, and other U.S. officials should consistently stress the importance of international religious freedom in their public statements as well as in public and private meetings in the United States and abroad;

- The U.S. government should publicly declare the results of its annual review of religious freedom conditions and make annual designations of "countries of particular concern" for particularly severe violations of religious freedom; and if it does not, Congress should take steps to require annual CPC designations through legislative action;

- The U.S. government should ensure that the CPC list expands and contracts as conditions warrant, and take Presidential actions that are unique to each situation

- Congress should hold annual oversight hearings on IRFA and hearings on religious freedom-specific issues, as well as raise concerns in hearings on countries and ambassadorial confirmations, and Members of Congress should introduce and support legislation focusing on religious freedom violations in specific countries and remedies for such violations.

Reinvigorating IRFA's Tools

- All of IRFA's tools should be used in a continuity of action, not limited to "country of particular concern," or CPC, designations but not ignoring them either;

- Concerns about religious freedom should be included across U.S. engagements, including in diplomatic exchanges and strategic dialogues with other countries, and during country visits;

- Vacancies in relevant positions, including the Ambassador-at-Large for International Religious Freedom and USCIRF Commissioners, should be quickly filled;

- Per IRFA's mandate that the Ambassador-at-Large for International Religious Freedom be "a principal adviser" to the President and the Secretary of State, and regardless of the formal reporting relationship that is established, the Ambassador-at-Large should have regular and direct access to the Secretary of State; if no action is taken, Congress should clarify its intent through legislation;

- The Office of International Religious Freedom should be better resourced and staffed similar to other offices with a global mandate;

- Congress should give USCIRF flexibility on the timing of the issuance of its annual report, in light of the State Department's change in its timetable for the release of its reports on religious freedom; and

- The State Department should make greater efforts to ensure individuals are denied entry into the United States due to their inadmissibility under U.S. law for their responsibility for religious freedom violations abroad.

Creating New IRFA Tools

- Congress should expand the CPC classification to allow for the designation of countries where particularly severe violations of religious freedom are occurring but a government does not exist or control its territory; and

- Congress should allow the naming of non-state actors who are perpetrating particularly severe violations of religious freedom.

Expanding Training, Programming, and Public Diplomacy

- The State Department should provide and implement mandatory training at the Foreign Service Institute on religion and foreign affairs and on the importance of international religious freedom;

- Congress should support State Department grants related to religious freedom programming, and call for entities that receive federal funds, including the Middle East Partnership

Initiative, USAID, the National Endowment for Democracy, and U.S. Institute of Peace, to devote resources for religious freedom programming;

- The State Department should ensure that public diplomacy efforts address religious freedom issues and the U.S. commitment to advance this right abroad; efforts to promote Internet freedom for religious actors also should be increased; and

- The State Department should increase strategic communications programs to counter violent extremism by incorporating messaging on the importance of religious tolerance and religious freedom.

Expanding Multilateral Efforts

- The United States should continue vigorous multilateral engagement at the United Nations and the Organization of Security and Cooperation in Europe on religious freedom issues; and

- The U.S. government should work with other governments and parliaments interested in promoting international religious freedom to share information and coordinate activities, working to build a global coalition.

Other Issues

- The U.S. government should address within its Expedited Removal process long-standing flaws that place asylum seekers at risk of being returned to countries where they may face persecution or being detained under inappropriate conditions.

Conclusion

We face an enormously challenging landscape for freedom of religion or belief abroad. We can and will see constructive change by improving our use of existing tools and creating new tools for a rapidly changing environment. By further integrating this fundamental freedom into our nation's foreign policy, we can bring genuine progress to those beyond our shores who yearn for freedom.

Mr. CHAFFETZ. Dr. Farr.

STATEMENT OF THOMAS F. FARR, PH.D.

Mr. FARR. Mr. Chairman, members of the subcommittee, thank you for inviting me to this important hearing.

Let me begin by giving credit where credit is due, in the State Department. There are in the Department officials who care deeply about religious freedom and whohave worked hard to improve U.S. policy. In my prepared testimony I give some examples of their work.

Unfortunately, that work is marginalized within the Department. Their efforts are ad hoc. None is part of an integrated strategy to advance religious freedom. Indeed, such a strategy has not existed for the almost 6 years of this President's tenure, and it does not exist today.

As a consequence, the United States has had virtually no impact on the global rise of religious persecution. We have also missed important opportunities to employ religious freedom policy as a means of undermining the development of violent religious extremism, encouraging economic growth, and helping struggling democracies to stabilize.

The evidence for this stark assessment is compelling. I cannot, like the chairman, identify a single country in the world where the United States, under this administration, has advanced religious freedom or reduced religious persecution.

I believe the President's nominee for the position of Ambassador-at-Large, Rabbi David Saperstein, should be confirmed immediately. But when he steps into the job, the post of Ambassador-at-Large will have been vacant for almost a year, since the departure of the previous incumbent, and vacant for over half the tenure of this President.

Compare the administration's treatment of this position with another similar job, that of Ambassador-at-Large for Global Women's Issues. Someone has been in that position for virtually the entire tenure of this administration. Why? Because women's issues are a priority, as they should be.

It is difficult to conclude that the religious freedom Ambassador or the issue he represents are perceived as important at the State Department. It is no surprise, then, that the Ambassador for Women's Issues reports directly to the Secretary of State, but the Ambassador-at-Large for Religious Freedom reports to a much lower-level official, many levels removed from the Secretary.

You can be sure that this marginalization of the Ambassador and U.S. policy is not lost on America's diplomats, nor is it lost on foreign governments and those who persecute on the basis of religion.

Internationally, the status of religious freedom continues to decline. Increasing numbers of human beings are subjected to violent religious persecution either because of their religious beliefs and practices or, as in the case in the recent barbaric and cruel beheadings of British and American citizens, because of the religious beliefs and practices of their tormentors.

As I see it, Mr. Chairman, there are two powerful reasons for a comprehensive American strategy to advance religious freedom. The first is a moral imperative.

Last year, at a conference in Rome, Iraqi Patriarch Louis Raphael Sako, a man now in the eye of the storm, said something that still haunts me. "If they kill us all," he said, "will you do something then?" I believe we have a responsibility to that man and his flock and to the others of Iraq and Syria and elsewhere who are fending for their lives.

But Patriarch Sako said something else that day. The title of his speech was "What happens to the Middle East if Christians flee?" The answer was two-fold. Terrible suffering for the Christians, but also increased instability and harm to the societies themselves.

Here lies the second reason for a comprehensive U.S. strategy. Religious freedom isn't simply a right not to be tortured or killed or the freedom to worship privately. It is a fundamental human right that has distinct and inevitable public dimensions. It is necessary, necessary not only for individual human flourishing, but for the success of any state, especially highly religious nations like those of the Middle East.

Ample research has shown what common sense suggests. Democracies can't consolidate without religious freedom. Economies can't develop without religious freedom. And religious freedom can be a counter to violent religious extremism.

For all these reasons, I call upon the President of the United States to issue a presidential policy directive on international religious freedom and American national security.

This directive would mandate a coordinated U.S. religious freedom strategy. It would directly involve all U.S. foreign policy agencies under the leadership of the Ambassador-at-Large. It would direct mandatory training for American diplomats and other officials involved in carrying out the new strategy.

I would note one additional rationale for involving religious freedom in our national security: Blood and treasure. The successful surge of 2007 in Iraq created an opportunity to convince the majority Shiite community that, if they failed to integrate Sunnis and other minorities into the political system, the new Iraqi state would fail. In short, they needed to move toward religious freedom if they were to succeed as a state that would be stable and free of religious violence and conflict as it has today.

We didn't do that, and the consequences have been catastrophic. Today ISIS poses a serious threat to the United States. Military action is now necessary to defeat ISIS, but integrating religious freedom into our future strategy can undermine the institutions and habits that give rise to Islamist terrorism and reduce the need for future military action. At a fraction of the cost and without loss of blood on the part of anyone, a diplomatic counterterrorism offensive could increase American national security.

Let me end by quoting from Rabbi Saperstein's testimony before the Senate Foreign Relations Committee. He said, "I will seek to engage every segment of the State Department and the rest of the U.S. Government to integrate religious freedom into our Nation's stagecraft, counter terrorism, conflict stability efforts, economic development and human rights."

Precisely so, the Senate should confirm him immediately. Saperstein is a talented man, but he will not succeed if the Presi-

dent, the Secretary of State, and the Congress don't give him the tools to succeed.

I end my testimony, Mr. Chairman, with five suggestions for this committee and the Congress to amend the International Religious Freedom Act which will help our religious freedom policy to succeed.

Mr. CHAFFETZ. Thank you.

[Prepared statement of Mr. Farr follows:]

Empowering U.S. International Religious Freedom Policy to Contribute to American National Security

Testimony before the National Security Sub-Committee of the House Government Reform and Oversight Committee, September 18, 2014

Thomas F. Farr*

Mr. Chairman and Members of the Sub-Committee, thank you for inviting me to testify at this important hearing.

Let me begin by commending you for holding your second annual hearing on the operation of the 1998 International Religious Freedom Act (IRFA). In the sixteen years since the passage of IRFA, this is – to my knowledge -- the only Committee of Congress that has held hearings solely on the question of how the Department of State has implemented that law. I heartily endorse the recommendation of the US Commission on International Religious Freedom, made in its 2014 Annual Report, that Congress hold *annual* oversight hearings on IRFA.

I hope this Committee's action is a sign of increased Congressional interest in how the State Department is doing its job, or not doing it, as the case may be. Events in the Middle East and elsewhere certainly warrant Congressional oversight of US religious freedom policy, especially its potential role in the increasingly urgent question of defending American national security.

I will address three questions today. First, given the status of religious freedom in the world, how has the current administration implemented IRFA during its approximately six years in office?

Second, how can US IRF policy be employed to advance American national security?

Third, the President has nominated Rabbi David Saperstein as the Ambassador at Large for International Religious Freedom. How can Rabbi Saperstein be empowered to succeed in a field where others have had precious little success? In particular, what can the Congress do?

Implementation of IRFA by the Obama Administration (2008-14)

Let me begin by giving credit where credit is due. There are in the State Department officials who care deeply about U.S. International Religious Freedom policy, and who have worked assiduously to support and improve it. Their efforts have not been unavailing.

They have succeeded in creating a course on religion and foreign policy at the Foreign Service Institute (FSI) and it includes religious freedom. They have made funding available in the Human Rights and Democracy Fund for grants to religious freedom civil society advocates. The Department of State has established a civil society Working Group on Religion and Foreign Policy, including a sub-group on International Religious Freedom, Stability, and Democracy. I

---

* Thomas Farr is Director of the Religious Freedom Project at Georgetown University's Berkley Center, and Visiting Associate Professor of International Affairs at Georgetown's Edmund A. Walsh School of Foreign Service. He was the first Director of the State Department's Office of International Religious Freedom (1999-2003).

have been invited to be a member of that sub-group, joining other civil society representatives in providing counsel to the State Department.

Perhaps most importantly, the State Department's Office of International Religious Freedom – the office created by IRFA to carry out US policy in this area, headed by the Ambassador – contains highly intelligent, dedicated Foreign Service Officers and civil servants who work behind the scenes within the Department to raise the profile of the issue, and urge the regional bureaus to integrate religious freedom into their respective strategies and programs.

I cannot overstate my admiration for these men and women. Their work is exceedingly important because of the dramatic rise in religious persecution worldwide and the impact of that phenomenon on America's national interests, including its national security.

Unfortunately, their work is compartmentalized, marginalized, and isolated within the State Department. The course at FSI is voluntary and, in any case, does not train diplomats in how to promote religious freedom. Funding levels are tiny and are not controlled by the person responsible for U.S. policy – the IRF Ambassador. State's working group on religion and foreign policy is made up of civil society representatives; we need a working group on international religious freedom made up of senior U.S. foreign policy officials.

The key point, however, is that each of these efforts is ad hoc. None is part of an integrated strategy to advance international religious freedom. Such a strategy has not existed for the five years and nine months of this President's tenure and it does not exist today.

As a consequence, the United States has had virtually no impact on the global rise of religious persecution. While American diplomats have helped in individual cases, we have had no comprehensive policy in place to help the millions who suffer because of their faith.

Equally important, we have missed opportunities to employ IRF policy as a means of undermining the development of violent religious extremism, encouraging economic growth, and helping struggling democracies to stabilize.

The evidence for this stark assessment is compelling. When testifying before this committee in June of last year, I could not identify a single country in the world where the United States under this administration has advanced religious freedom or reduced religious persecution. That remains true today. Meanwhile, we have seen an explosion of violent Islamist extremism, and the continuing decline of struggling democracies in highly religious societies such as Iraq, Pakistan, and Egypt.

Not long after that hearing the Ambassador at Large for International Religious Freedom -- the position established by IRFA to develop and implement U.S. IRF policy – resigned. The President's nominee, Rabbi Saperstein, should be confirmed immediately. But when he steps into the job, the post of Ambassador at Large will have been vacant for almost a full year since the departure of the previous incumbent, and vacant for *over half the tenure* of this President.

Compare the administration's treatment of this position with another similar job -- that of Ambassador at Large for Global Women's Issues. Someone has been in that position for virtually the entire tenure of this administration. Why? Because women's issues are a priority, as they should be. On the other hand, it is difficult to conclude that the office of the IRF Ambassador at Large, or the issue it represents, are perceived as important at State.

To cite but one example: if you peruse the Department's listing of "Assistant Secretaries and Other Senior Officials" on its website you will find Coordinators, Special Advisors, and Special Envoys for a host of issues, including Global Food Security, Global AIDs, Global Youth Issues, the Arctic, Muslim Communities, the Organization of Islamic States, and many others.

But you will not find listed the Ambassador at Large for International Religious Freedom.

The reason for that omission is clear. If religious freedom is not a priority for the administration, there is little reason to label that Ambassador a "senior" official with an important portfolio. The sad fact is that he is *not* considered senior, nor his job of any real significance, by this State Department or this President.

I would note that the IRFA established this Ambassador as a "principal advisor to the President and Secretary of State" on religious freedom abroad. Whatever Congress intended that phrase to mean, under this administration it has meant very little.

You can be sure that the Department of State's marginalization of the Ambassador and U.S. international religious policy is not lost on America's diplomats, who fully understand the low priority that policy has been given. Nor is it lost on foreign governments and those who persecute on the basis of religion.

When I testified last summer I explored some of the reasons for this bizarre sidelining of international religious freedom policy. In my view, the most important reason is the loss of a sense that religious freedom is "the first freedom" -- necessary for the success of individuals and societies everywhere. That proposition, central to the American founding, is today highly contested among our political elites, including many within this administration.

But out there in the world the status of religious freedom continues to decline. According to the Pew Research Center, *seventy six percent of the world's population* lives in nations where religious freedom is highly or very highly restricted. Millions are subject to violent religious persecution either because of their religious beliefs and practices or – as in the case of the recent barbaric beheadings of American and British citizens – because of the religious beliefs and practices of their tormentors.

The causes are many, but the key sources of the decline of religious freedom outside the West are violent Islamist extremism, the totalitarian remnants of Communism (which we still see in China, North Korea, Vietnam, and Cuba), and religious nationalism (which emerges in places like India, Burma, and Russia).

Inside the West, religious freedom is under assault in different ways from an aggressive secularism that has, it should be noted, contributed to the failures of U.S. IRF diplomacy.

Employing IRF to Enhance National Security

Mr. Chairman, I believe there are two powerful reasons for a coordinated, comprehensive American strategy to advance religious freedom. The first is a moral imperative.

Last year in Rome, Georgetown's Religious Freedom Project, in partnership with Baylor University, sponsored an international conference on Christian contributions to freedom. Our keynote address was given by the Iraqi Patriarch of the Chaldeans, Archbishop Louis Raphael Sako – a good and holy man who is now in the eye of the storm.

As the Patriarch looked out at our audience, he said something that still haunts me: "If they kill us all, will you do something then?"

We have a responsibility to that man, and to the others of Iraq and Syria – Christian, Yazidi, and Muslim – who are fending for, or fleeing for, their lives.

But Patriarch Sako said something else that day. The title of his speech was: "What Happens to the Middle East if Christians Flee?" The answer was twofold: terrible suffering for the Christians, but also increased instability and harm to the societies themselves.

Here lies the second reason for a coordinated, comprehensive U.S. strategy on religious freedom. Religious freedom is not simply a "nice to have" human right, consisting mainly of the right not to be tortured or killed, or a right to private worship. It is a fundamental human right that has distinct and inevitable public dimensions. As such it is utterly *necessary*, not only for individual human flourishing but for the success of any state -- especially highly religious nations like Iraq, Pakistan, or Egypt.

Indeed, ample research has shown what common sense suggests: democracies cannot consolidate without religious freedom. Economies cannot develop without religious freedom. And – perhaps most important for American national security – religious freedom is a counter to religion-based terrorism.

For all these reasons I believe the President should issue a *Presidential Policy Directive on International Religious Freedom and U.S. National Security*. This Directive would be preceded by a *Presidential Study Directive* coordinated by the National Security Council with guidance from the Ambassador at Large for International Religious Freedom. The Study Directive would have significant input from the Department of State (including representatives from the Under Secretaries for Political Affairs, Public Diplomacy, Economic Growth, and Civilian Security, Human Rights, and Democracy); the Department of Defense; all foreign policy intelligence branches; the Department of Commerce; the U.S. Trade Representative; and the U.S. Agency for International Development.

The purpose of the *Study Directive*, drawing on history, modern research, and common sense, would be to lay out what religious freedom means, why its advancement is in the interests of the United States, and how an integrated policy would be implemented in U.S. foreign policy. Based on these findings, the *Presidential Policy Directive* would mandate a coordinated U.S. initiative to advance international religious freedom, and direct the involvement of all U.S. foreign policy agencies under the leadership of the Ambassador at Large. It would direct mandatory training for American diplomats and all other officials involved in carrying out the new initiative.

I would note one additional rationale for such an approach. Since the events of September 11, 2001, our military forces have been required to spend the precious blood of America's young men and women to defeat the scourge of Islamist terrorism. It has also spent huge sums of money, contributing to fiscal deficits that both harm our national security and place our children's future at risk. Awareness of these realities has quite naturally fueled among the American people a weariness with war, and an intense desire not to send our young into harm's way. Until recently, it has also provided a rationale for the administration's withdrawal of American troops from Iraq and Afghanistan.

In my view, those withdrawals were ill-considered. A continued American troop presence in Iraq could well have forestalled the devastating growth of ISIS and its movement into Iraq. It might also have provided an opportunity to advance religious freedom. After the success of the surge in 2007, we had the chance to convince the majority Shiite community that a failure to integrate Sunnis and other minorities into the political system would ensure the failure of Iraqi democracy. In short, they needed to move toward religious toleration (and, ultimately, religious freedom) if they were to succeed as a state that would be stable, free of religious violence and conflict, and economically dynamic.

We did not do that and the consequences have been catastrophic. It is no accident that ISIS announced itself to the world by its efforts to eradicate Yazidis and Christians – this vicious group defines itself by its religious intolerance. And now we see that ISIS poses a serious and direct security threat to the United States. Surely we can learn from our past neglect and failure that religious freedom can contribute to the long-term solution. Military action is now necessary to defeat ISIS. But integrating religious freedom into our overall strategy can reduce the need for future military action. At a fraction of the cost, and without loss of blood, a diplomatic counter-terrorism offensive can increase American national security.

Empowering Saperstein to Succeed

I urge the Senate to confirm David Saperstein this month before it adjourns. His presence is sorely needed now, and he will be critical to integrating U.S. International Religious Freedom policy into our national security strategies.

Let me quote from his excellent testimony last week before the Senate Foreign Relations Committee:

"I will seek to engage every segment of the State Department and the rest of the U.S. Government, to integrate religious freedom into our nation's statecraft: counter-terrorism,

conflict stability efforts, economic development, human rights – all these foreign policy goals need the stability, the security, the contributions of members of religious majorities and religious minorities, in every country, to further our nation's values, interests and agenda."

Precisely so. I believe that a *Presidential Study Directive*, followed by a *Presidential Policy Directive*, would facilitate the achievement of Rabbi Saperstein's goals, and – as he puts it so well – "to further our nation's values, interests, and agenda."

But mark my words. David Saperstein is a very talented man. But if he is not given the tools to succeed, tools that were denied his predecessor, he will fail.

To increase the chances of success and decrease the chances of failure, I urge the Congress to amend the International Religious Freedom Act. In testimony last week before the House Foreign Affairs Committee – the authorizing committee for the International Religious Freedom Act – I asked the Committee to amend the law in five areas. I urge members from both parties in this Sub-Committee on National Security, and in the full Committee on Oversight and Government Reform, to work with their colleagues to ensure that these amendments move forward.

1. Require the State Department to treat the IRF Ambassador as it does the Ambassador at Large for Global Women's Issues, i.e., to report directly to the Secretary of State, rather than the Assistant Secretary for Democracy, Human Rights, and Labor. This will increase the status and authority of the IRF ambassador and help overcome the perception – among American diplomats and foreign governments alike – that this issue is not a priority.

2. Give the Ambassador the resources he needs to develop strategies, and to implement them, in key countries around the globe. This need not involve the appropriation of new monies, but the reallocation of portions of appropriations for existing programs such as democracy promotion and counter terrorism.

3. Make training of American diplomats mandatory at three stages: when they enter the Foreign Service, when they receive "area studies" training prior to departing for post, and when they become Deputy Chiefs of Mission and Ambassadors. This training should tell them what religious freedom is, why it is important for individuals and societies, why advancing it is important for America's national interests, its status in the country and region to which they have been assigned, and how to advance it.

4. Amend the IRFA to *require* that the list of particularly severe violators (the "countries of particular concern") be issued annually with the Report. In addition to describing any economic sanctions that might be levied against these countries, *require* the State Department to provide a comprehensive analysis of other policy tools being applied in each country, including programs that target democratic stability, economic growth and counter terrorism.

5. Require the State Department to respond in writing to recommendations by the US Commission on International Religious Freedom. At the same time, require the Commission to pay greater attention to the question of why the United States is not succeeding in advancing

religious freedom, as gauged by objective reports such as those of the Pew Research Center. The Commission should recommend concrete steps for the State Department that will result in increasing the status and authority of the ambassador at large, increasing the resources allocated to religious freedom policy, achieving permanent, effective training for all diplomats, and integrating religious freedom into US strategies for democracy promotion, economic growth, and counter terrorism.

Such changes will not work overnight. But without steps like this, and without the commitment of the President, the Secretary of State, and the Congress to support the Ambassador at Large for International Religious Freedom and the policy he leads, the remaining Christians and other minorities of the Middle East will face violent persecution into the indefinite future. And the United States will face a permanent threat from the ever spreading phenomenon of violent Islamist extremism. For all these reasons, I urge you to act.

Thank you for having me here today.

Mr. CHAFFETZ. Mr. Smith.

STATEMENT OF ROBERT T. SMITH

Mr. SMITH. Thank you, Mr. Chairman and members of the subcommittee. It is wonderful to be with you today.

I am grateful for the opportunity to discuss international religious freedom, and my aim is to discuss the ways that the U.S. can improve its religious freedom policy to make a meaningful difference in improving international religious freedom. I ask that my written testimony be submitted to the record.

At the outset, let me indicate that I am conscious that this year's hearing builds on testimony received by this subcommittee at a similar hearing last year. That testimony established that religious freedom throughout the world is getting worse, not better.

And, unfortunately, initiatives under the International Religious Freedom Act, or IRFA, are not doing as much as could be done to reverse that trend.

Dr. Farr and the chairman have both indicated today that they could not identify a single country whose religious freedom has improved as a result of U.S. religious freedom policy. That must change.

My written testimony endorses nine concrete recommendations that were made last year, some of which have been repeated today. I've noted in my written testimony that, in each case, the act currently permits the suggested changes.

My first recommendation is to urge this subcommittee to act on those recommendations from last year. My major additional recommendations focus on urging much greater emphasis on those aspects of IRFA that contemplate identifying and incentivizing better religious compliance through the use of positive measures authorized by the act.

The first policy goal of the act is condemnation. The act specifically says that it shall be the policy goal of the United States to condemn violations of religious freedom. This policy goal undergirds the annual reporting requirements and the sanction regime that the act establishes.

While it is no doubt important to retain those aspects of IRFA that hold egregious violators to account, this purpose has inevitably caused tension and concern in shaping U.S. foreign policy. The practical result has been that, under both Republican and Democratic administrations, the State Department has failed to designate countries of particular concern, or CBCs, annually and then to impose sanctions as required by the act. In fact, they have—the State Department has designated CPCs in only 3 of the last 7 years, with 2014 still pending.

In fact, the subcommittee has also heard that discrete sanctions under the act have only been imposed on a single country in its entire 16-year history. All other sanctions have simply been double-counted or waived.

But with limited CPC designations and almost no actual motivating sanctions, it is—is it any wonder that U.S. policy has had sufficient—insufficient impact on the worldwide international religious freedom?

What I suggest is that the problem may not be entirely with State, but with the overemphasis on the condemnation goal in IRFA and the sanction regime it implements. In my view, IRFA should place much greater emphasis on identifying opportunities for making a meaningful difference.

This can be done by first identifying the countries most open to religious freedom improvements and, second, by encouraging incentives and assistance to improve religious freedom.

While sanctions are an important backstop for the worst offenders of religious freedom, this isn't where many of the real opportunities lie.

In addition to focus on countries of particular concern, we need to focus on countries of particular opportunity, as my colleague Cole Durham has called them. We need to do a much better job of identifying the latter so we can help them find ways to make concrete and significant progress in implementing religious freedom ideals.

Fortunately, the annual effort to produce country reports on religious freedom provides an excellent vehicle for identifying countries of particular opportunity.

Additionally, IRFA already contains authorization for providing positive incentives to encourage other countries to improve religious freedom. The act already authorizes State to pursue numerous positive incentives. These are described in greater detail in my full statement.

Briefly, the State Department should, one, recognize and reward countries making important religious freedom progress; two, recognize meritorious or distinguished religious freedom service by State employees through performance pay and awards; three, link humanitarian, military, and other U.S. aid to religious freedom progress; four, link U.S. economic incentives to religious freedom progress; and, five, conduct country-specific consultations to tailor goals and incentives for different countries.

Since authorization for these positive incentives already exist under IRFA, my strong recommendation is that Congress use its oversight authority to investigate the extent to which these positive incentives have already been used by State and to encourage State to implement them in the future.

There is no doubt that many positive steps are being taken, but I would recommend that the State Department be urged to formulate a strategic plan for more systematic use of such positive measures. Ideas from some of the embassies which have developed the most effective positive measures should be shared systematically with other embassies around the world.

In summary, instead of emphasizing name-and-shame tactics, IRFA should be reoriented to identify and incentivize improved performance through greater utilization of positive measures.

I believe that this positive approach will reinvigorate U.S. policy on religious freedom and will help IRFA become a much more powerful force to help improve the lives of millions of persons who deeply desire religious freedom.

Thank you.

Mr. CHAFFETZ. Thank you.

[Prepared statement of Mr. Smith follows:]

TESTIMONY

BEFORE THE NATIONAL SECURITY SUBCOMMITTEE

OF THE

HOUSE COMMITTEE ON

OVERSIGHT AND GOVERNMENT REFORM

ON

EXAMINING THE ADMINISTRATION'S IMPLEMENTATION OF THE

INTERNATIONAL RELIGIOUS FREEDOM ACT OF 1998

AND;

ITS RECORD ON PROMOTING RELIGIOUS FREEDOM ACROSS THE WORLD

BY

ROBERT T. SMITH

MANAGING DIRECTOR

INTERNATIONAL CENTER FOR LAW AND RELIGION STUDIES

AT

BRIGHAM YOUNG UNIVERSITY

SEPTEMBER 18, 2014

Introduction

Mr. Chairman and members of the Subcommittee, it is an honor for me to appear before you today to testify on the vitally important subject of international religious freedom. While I appear in my personal capacity, for the past eight years I have served as the Managing Director of the International Center for Law and Religion Studies at Brigham Young University. In this capacity I have had the opportunity to learn from and serve with Professor W. Cole Durham, Jr., and other members of our Center. It is from the perspective gained from working with this group of scholars that I speak.

Since the Center's founding fourteen years ago, we have organized, sponsored and appeared in some 150 international conferences, and have had direct impact on law reform in over fifty countries, including those designated as "countries of particular concern" (CPCs) because they condone or tolerate "systematic, ongoing and egregious" religious freedom violations. See IRFA, H.R. 2431 §3(11). Over the past 20 years we have hosted over 1000 delegates from over 120 countries at our Annual International Law and Religion Symposium. In recent years we have hosted approximately 80 delegates from about 40 countries annually. This experience provides context for my remarks today.

The Importance of the International Religious Freedom Act of 1998

Last year this Subcommittee conducted the first Congressional hearing on the efficacy of the International Religious Freedom Act of 1998 (IRFA).[1] Conducted 15 years after its enactment, this Subcommittee heard powerful testimony emphasizing the importance of international religious freedom as a basic and essential human right guaranteed under internationally binding agreements and as a necessary predicate to peace and security throughout the world.

Yet despite the good intentions embodied in IRFA, religious freedom appears to be declining significantly in most of the world. The results of recent Pew studies indicate that 75% or more of the world's population now

[1] Examining the Government's Record on Implementing the International Religious Freedom Act: Hearing before the Subcommittee on National Security of the Committee on Oversight and Government Reform, 113th Cong. (June 13, 2013).

lives in countries with high or very high restrictions on religious freedom, up significantly from only a few years ago. Recent geopolitical events demonstrate the need for much greater efforts to counteract the negative forces of religious extremism and religious intolerance worldwide. We are here today to consider how to strengthen IRFA in an effort to stem the rising tide of religious intolerance, strengthen our national security, and promote religious freedom for all.

Recommendations from Last Year's Hearing

At last year's hearing this Subcommittee heard important recommendations made by knowledgeable witnesses including Dr. Katrina Lantos Swett, Chair of the U.S. Commission on International Religious Freedom (USCIRF), and Dr. Thomas Farr, Director of the Religious Freedom Project at Georgetown University's Berkley Center for Religion, Peace, and World Affairs, both of whom are here again today.

The testimony of last year's witnesses included a number of important recommendations about IRFA and its implementation. In part the witnesses recommended that Congress:

1. Establish a direct reporting line from the Ambassador at Large for International Religious Freedom to the Secretary of State.[2]
2. Reaffirm that the State Department annually designate the worst violators of religious freedom as CPCs.[3]

---

[2] Currently IRFA specifies that the Ambassador at Large shall be the "principal adviser to the President and the Secretary of State regarding matters affecting religious freedom abroad." IRFA, H.R. 2431, §101(c)(2). However, State's current organizational chart indicates that the Ambassador formally reports to an Assistant Secretary but in actuality reports primarily to a Deputy Assistant Secretary. See GAO-13-196, International Religious Freedom Act: State Department and Commission Are Implementing Responsibilities but Need to Improve Interaction: Report to Congressional Committees, 21-22 (2013) (hereinafter GAO-13-196). This places the Ambassador five levels below the Secretary of State.

[3] IRFA affirmatively requires that "not later than September 1 of each year, the President shall . . . designate each country the government of which has engaged in or tolerated [egregious religious freedom] violations . . . as a country of particular concern for religious freedom." IRFA, H.R. 2431 §402(b)(1)(A).

3. Require Presidential actions (i.e., sanctions) in response to religious freedom violations.[4]
4. Create a director level position on religious freedom at the National Security Council.[5]
5. Require augmented religious freedom training for State Department personnel.[6]
6. Compile and publish a list of prisoners persecuted or held abroad on account of their religious identity or beliefs.[7]

---

[4] IRFA requires the President to take one or more actions (from a list of 15 sanctions), or substitute a "commensurate action" for such sanction or enter into a "binding agreement" for improvement, against or with a country that "engages in or tolerates violations of religious freedom." IRFA, H.R. 2431 §401(b)(1)-(2). Such actions are to be imposed "as expeditiously as practicable." IRFA, H.R. 2431 §§401(a)(1)(B), 401(b)(1). The most severe sanctions from that list are required for CPCs. See IRFA, H.R. 2431 §402. An annual deadline for these sanctions is imposed with short-term delay mechanisms. IRFA, H.R. §§401(b)(2)-(3), 402(c)(3). However, IRFA seems to allow broad executive discretion in deciding whether to issue sanctions. This is because IRFA 1) seems to make sanctions discretionary for non-CPC violations of religious freedom, see IRFA, H.R. §403(a) ("[a]s soon as practicable after the President *decides* to take action under section 401") (emphasis added); see also, IRFA, H.R. §404(a), 2) allows the President to take into account existing sanctions in the case of CPCs, see IRFA, H.R. 2431 §402(c)(4), 3) does not require the termination of U.S. government assistance even for CPC countries, see IRFA, H.R. 2431 §402(d), 4) seeks to minimize the collateral impact of sanctions on innocent persons, see IRFA, H.R. 2431 §401(c), and 5) prohibits judicial review of Presidential actions, see IRFA, H.R. 2431 §410.

[5] Currently IRFA merely states it is "the sense of Congress" that "a Special Advisor to the President" be designated at the National Security Council. IRFA, H.R. 2431 §301.

[6] Currently IRFA requires the creation of religious freedom courses, see IRFA, H.R. 2431 §104, but the few courses that have been created are optional for State personnel.

[7] Currently the Secretary of State is required to "prepare and maintain . . . on a country-by-country basis, . . . lists of persons believed to be imprisoned, detained, or placed under house arrest for their religious faith". IRFA, H.R. 2431 §108(b). However, State efforts in this regard are inconsistently reported or incomplete.

7. Compile and publish a list of individual religious freedom violators.[8]
8. Require the State Department to respond in writing to USCIRF recommendations.[9]
9. Provide a "feedback loop" to religious communities for government responses to the State Department's annual report.[10]

Not mentioned last year, but obviously necessary today, is reauthorization of USCIRF. See United States Commission on International Religious Freedom Reauthorization Act of 2014, H.R. 4653 (May 9, 2014).

With the exception of the recommendations dealing with CPCs and sanctions I will not review these recommendations further. However, I have analyzed above in footnotes the existing statutory authority for each recommendation to show that authority currently exists for their current implementation. Subject to my own comments below, I commend these recommendations to this Subcommittee.

---

[8] Currently IRFA specifies that for each designated CPC "the President shall seek to determine the agency or instrumentality thereof and the specific officials thereof that are responsible for the particularly severe violations of religious freedom engaged in or tolerated by that government in order to properly target Presidential actions." IRFA, H.R. 2431 §402(b)(2). The President is to notify Congress of this specific information. IRFA, H.R. 2431 §402(b)(3). However, because State has failed to consistently name CPCs, these responsibilities have been avoided. Further, even when CPCs have been named, specific government offices or individuals responsible for severe violations have frequently been omitted.

[9] Currently IRFA requires USCIRF to annually provide policy recommendations to State for each "foreign country the government of which has engaged in or tolerated violations of religious freedom, including particularly severe violations of religious freedom." IRFA, H.R. 2431 §202(b). The President is required to take these recommendations into account in assessing what Presidential action should be taken. IRFA, H.R. 2431 §§401(a)(2), 402(b)(1)(B). However, IRFA contains no requirement that State publicly respond to those recommendations so it is unclear if the recommendations are accepted or rejected and the basis for this determination.

[10] Currently IRFA indicates the President "should consult with "appropriate humanitarian and religious organizations" and "shall, as appropriate, consult with United States interested parties" regarding the potential impact of U.S. policies and Presidential actions. See IRFA, H.R. 2431 §§403(c), (d). These provisions make any feedback to impacted religious communities optional.

Without wanting in any way to detract from the significance of the above recommendations, I would like to submit the following additional policy recommendations for your consideration.

Policy Goals of IRFA

To help achieve international religious freedom, IRFA specifies that its first policy goal is "[t]o condemn violations of religious freedom." IRFA, H.R. 2431 §2(b)(1). This important policy goal is repeated numerous times throughout the Act.[11] It is foundational to many other provisions of IRFA and undergirds the annual reporting and sanctioning regime IRFA establishes.

Because of the strategic importance of condemnation to the success of IRFA, my comments will focus on this policy goal. Ultimately, it is my view that the policy goal of condemnation should be buttressed by placing greater emphasis on positive incentives. While negative sanctions are often appropriate for countries exhibiting serious violations of religious freedom, the vast majority of countries fall outside this group. Currently only 9 of 196 countries evaluated by the State Department are designated as CPCs and another group of 16 countries are designated by USCIRF as Tier 1 or Tier 2 violators of religious freedom.[12] For the nearly 90% of countries not so

---

[11] For example, the primary responsibility of the Ambassador at Large shall be "to denounce the violation of that right, and to recommend appropriate responses by the United States Government when this right is violated." IRFA, H.R. 2431 §101(c)(1). Similarly, in response to violations of religious freedom, including particularly severe violations, the President should "oppose violations of religious freedom." IRFA, H.R. 2431 §§401(a)(1), 402(a)(1)-(2).

[12] In its International Religious Freedom Report for 2013, the State Department re-designated 8 countries as CPCs (Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, and Uzbekistan) and for the first time designated Turkmenistan as a CPC, as recommended by USCIRF. In its 2014 report, USCIRF recommended that 7 additional countries be designated CPCs (Egypt, Iraq, Nigeria, Pakistan, Syria, Tajikistan, and Vietnam). Countries not meeting the threshold for CPC designation were designated by USCIRF as "Tier 2" religious freedom violators. USCIRF identified 10 countries as Tier 2 violators (Afghanistan, Azerbaijan, Cuba, India, Indonesia, Kazakhstan, Laos, Malaysia, Russia and Turkey) because they each met at least one of the three statutory criteria for being a CPC: "systematic, ongoing and egregious" violators of religious freedom. See IRFA, H.R. 2431 §3(11).

designated, positive incentives may be the best way to encourage more active protection of the fundamental right of religious freedom.

Condemnation of Religious Freedom Violations

IRFA is best known for its primary policy goal, condemnation of religious freedom violations. Such condemnation occurs primarily through the State Department's annual International Religious Freedom Report that systematically evaluates each country in the world to determine its religious freedom record. As noted above, the worst offenders of religious freedom are designated as CPCs because they condone or tolerate religious freedom violations that are "systematic, ongoing and egregious," IRFA, H.R. 2431 §3(11), and are thereby subject to Presidential actions, or sanctions.

Last year witnesses before this Subcommittee lauded the annual International Religious Freedom Report (hereinafter the "Report") for its remarkable success in laying out the facts of religious oppression worldwide. As Dr. Farr noted during last year's testimony, the Report represents the "gold standard" in evaluating religious freedom protections throughout the world. Policy makers, academic researchers, and religious leaders rely on the Report for its accuracy, reliability and timeliness. The State Department should be applauded for its successful efforts in producing this Report.

Besides the obvious benefit of having reliable facts that identify the most egregious religious freedom problems worldwide, the Report also provides an internal catalyst to the State Department to engage in religious freedom issues. Every embassy works on the Report, which requires engagement with government leaders, religious communities, NGOs and others who provide information about religious freedom violations to help establish the facts ultimately reported. This effort provides an advocate within each U.S. embassy for the persecuted in all foreign countries.

Yet the annual Report has important limitations. As noted last year, the Report is largely a narrative that, while shining a spotlight on the fate of the persecuted, contains few prescriptive recommendations to improve religious freedom. Some of last year's witnesses critiqued the Report for not making a meaningful difference in the status of international religious freedom worldwide. They wondered whether the Report leads persecutors to change their behavior.

Other witnesses criticized the State Department's failure to consistently use the Report to make CPC designations.[13] The State Department has only designated CPCs in three of the last seven years (with 2014 pending) even though it is required to make annual CPC designations under IRFA. Further, even when a country has been designated as a CPC, sanctions (called "Presidential actions" by IRFA) have been limited. According to last year's testimony, only one specific religious freedom sanction has ever been imposed on a CPC country (Eritrea) under IRFA.[14] Saudi Arabia and Uzbekistan, two CPCs, have received indefinite waivers as allowed under the Act. See IRFA, H.R. 2431 §407. Last year's witnesses testified that all other sanctions issued against CPCs have been double counted with existing sanctions already in place.[15]

Yet the State Department's reluctance to designate countries as CPCs and impose punitive sanctions is not totally irrational. State must balance many competing national interests in determining punitive actions. Even more fundamentally, negative incentives may not be very effective or appropriate in encouraging compliance with international religious freedom standards. Nevertheless, the stated policy goal of IRFA to "condemn" religious freedom violations reflects a bias toward negative incentives. In fact, under IRFA all Presidential actions that may be taken in response to a religious freedom violation are negative sanctions.

As specified in the Act negative sanctions include:

---

[13] USCIRF has consistently recommended more countries be designated as CPCs than has State. See n.11, *supra*, for latest list of additional countries recommended by USCIRF as CPCs.

[14] Examining the Government's Record on Implementing the International Religious Freedom Act: Hearing before the Subcommittee on National Security of the Committee on Oversight and Government Reform, 26 (June 13, 2013) (testimony of Dr. Thomas Farr) ("in fifteen years only one country has ever been sanctioned. That country was Eritrea.").

[15] Examining the Government's Record on Implementing the International Religious Freedom Act: Hearing before the Subcommittee on National Security of the Committee on Oversight and Government Reform, 5, 16 (June 13, 2013) (testimony of Dr. Katrina Lantos Swett). Dr. Lantos Swett refers to the practice of double counting sanctions as "double hatting." Perhaps because of the failure to issue separate sanctions under IRFA, Congress passed specific legislation sanctioning Iran based on religious freedom violations in the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, 22 U.S.C. §8501(6).

1. A private demarche.[16]
2. An official public demarche.
3. A public condemnation.
4. A public condemnation within one or more multilateral fora.
5. The delay or cancellation of one or more scientific exchanges.
6. The delay or cancellation of one or more cultural exchanges.
7. The denial of one or more working, official, or state visits.
8. The delay or cancellation of one or more working, official, or state visits.
9. The withdrawal, limitation or suspension of U.S. development assistance.
10. Directing the Export-Import Bank of the United States, the Overseas Private Investment Corporation, or the Trade and Development Agency not to approve any credit extension, guarantees or other benefits.
11. The withdrawal, limitation, or suspension of U.S. security assistance.
12. Directing U.S. executive directors of international financial institutions to oppose and vote against loans benefiting specific foreign governments.
13. Ordering the heads of U.S. agencies not to issue licenses or authority to export goods or technology to a specific foreign government.
14. Prohibiting U.S. financial institutions from making loans in excess of $10 million during a 12-month period.
15. Prohibiting the U.S. Government from procuring any goods or services from the foreign government.

IRFA, H.R. 2431 §405(a)(1)-(15).

Other negative sanctions specified in IRFA include diplomatic inquiries, diplomatic protests, official public protests, imposition of targeted or broad trade sanctions, and withdrawal of the chief of mission. IRFA, H.R. 2431 §202(b).

Of course negative incentives are needed as a last resort for the worst state actors. I am not advocating their removal. However, negative sanctions are often inappropriate for international diplomacy. The fact that in 16 years only one specific religious freedom sanction under IRFA has ever been imposed on a country designated as a CPC suggests something is

---

[16] "A demarche is a formal diplomatic representation of one government's official position, views, or wishes on a given subject to an appropriate official in another government or international organization." GAO-13-196, at 6 n.8.

fundamentally wrong with this negative approach. With such a limited record of sanctions it should be clear that the success of international religious freedom guarantees cannot depend primarily upon the fear of sanctions from the United States.

Recommendations for Specific Positive Incentives

Recognizing the limitations of negative incentives under IRFA, I propose supplementing negative condemnation with greater emphasis on positive incentives. In my view positive incentives will generally be more effective and should be much more frequently employed. While negative sanctions may still be appropriate or necessary in some circumstances, most often positive incentives will be a better approach. Because they are more likely to attract positive responses from other countries, I suggest they will better promote international religious freedom.

For this to occur, it may be useful to amend IRFA to make it more clear that such positive measures are an important policy priority that should supplement the existing annual State Department Reports.

Fortunately, this reorientation in policy is already suggested within IRFA. When Congress drafted IRFA it wisely and carefully considered the benefit of positive incentives. My review of IRFA's detailed provisions indicates that the Act already contains a surprisingly robust set of positive incentives available for use by the State Department. Examples of specific positive incentives are discussed briefly below.

1. Recognizing and rewarding countries making important religious freedom progress

Countries with difficult religious freedom records should be recognized for significant progress in meeting defined goals or showing other signs of courageous advancement of religious freedom. IRFA already requires that the annual State Report note in its executive summary the "identification of foreign countries the governments of which have demonstrated significant improvement in the protection and promotion of the internationally recognized right to freedom of religion." IRFA, H.R. 2431 §102(b)(1)(F)(ii). To my knowledge such recognition is not frequently bestowed by the State Department.

Similarly, IRFA already specifies that USCIRF may recommend a wide range of positive incentives for "countries found to be taking deliberate steps

and making significant improvement in respect for the right of religious freedom." IRFA, H.R. 2431 §202(c). IRFA's prescribed positive incentives include:

- Private commendation,
- Diplomatic commendation,
- Official public commendation,
- Commendation within multilateral fora,
- An increase in cultural or scientific exchanges, or both,
- Termination or reduction of existing Presidential actions (i.e., negative sanctions),
- An increase in certain assistance funds, and
- Invitations for working, official, or state visits.

IRFA, H.R. 2431 §202(c). Unfortunately, this broad list of positive incentives appears not to be used with sufficient frequency.

In my view Congress should use its oversight authority to determine the extent to which these positive incentives have been or are being used to encourage their robust recommendation by the Commission and their application by the State Department in the future.

2. **Recognize meritorious or distinguished religious freedom service by State Department employees.**

State employees who exhibit exemplary service promoting religious freedom should be rewarded to recognize their efforts and to show an example to others to do the same. IRFA already allows for performance pay to State employees who are particularly effective in promoting internationally recognized human rights including religious freedom. IRFA, H.R. 2431 §504(a), codified at 22 U.S.C. §3965. Additionally, IRFA recommends that the President "establish a system of awards to confer appropriate recognition of outstanding contributions to the Nation by members of the Service" who promote "internationally recognized human rights, including the right to freedom of religion." IRFA, H.R. 2431 §504(b), codified at 22 U.S.C. §4013.

In my view Congress should investigate the extent to which these positive service awards have been implemented in the past and should encourage the State Department to use them more liberally as part of a conscientious effort to promote religious freedom.

3. **Link humanitarian and other U.S. aid to religious freedom progress.**

U.S. aid to foreign countries is very extensive, providing an opportunity for meaningful religious freedom incentives. In 2012 our government gave over $48 billion in foreign assistance to countries around the world, including $5 billion in humanitarian aid, $26 billion in other developmental aid, and over $17 billion in military assistance.[17] IRFA currently recommends increasing assistance funds to countries exhibiting religious freedom protections. See IRFA, H.R. 2431 §202(c). IRFA also explicitly ties U.S. monetary and military assistance to positive compliance with religious freedom norms. See IRFA, H.R. 2431 §§421, 422.

In my view Congress should use its oversight power to investigate the extent to which this large amount of U.S. aid has been linked to religious freedom compliance as called for by IRFA. Congress should also encourage the State Department and other government agencies to affirmatively link the amount, timing or existence of U.S. aid to measurable progress on religious freedom rights.

4. **Link U.S. economic incentives to religious freedom progress.**

Most countries are eager to achieve greater economic prosperity. The U.S. has many tools that it can wield to reward countries making religious freedom progress. These tools could include U.S. support for WTO membership, economic assistance from the World Bank, OECD accession, beneficial treaty arrangements, or even enhanced trade agreements with the U.S. IRFA implicitly recognizes that tying economic benefits to improved religious freedom would be beneficial. IRFA currently allows the "termination or reduction" of Presidential actions when countries make progress on guaranteeing religious freedom rights. See IRFA, H.R. 2431 §202(c). Since many Presidential actions are based on curtailing economic incentives, eliminating these negative incentives suggests replacing them with positive ones. Thus, stated positively, the economic incentives already implicitly recognized by IRFA include:

- U.S. development assistance,
- Credit extensions at the Export-Import Bank, the Overseas Private Investment Corporation, or the Trade and Development Agency,
- Loan support from international financial institutions,

[17] See www.usaid.gov and www.globalhumanitarianaid.org.

- Licenses or other authority to export goods, and
- Contracts by the U.S. Government to procure goods or services from the foreign government.

See IRFA, H.R. 2431 §§405(a)(9)-(15). IRFA also specifies that the export of crime control instruments and multilateral assistance should be tied to religious freedom improvements. IRFA, H.R. 2431 §§422, 423.

In my view, Congress should investigate the extent to which the vast economic incentives of the United States have been linked to religious freedom initiatives in the past. Congress should also amend IRFA to explicitly state that the above economic incentives be used by the State Department to promote religious freedom, rather than relying on the implicit language of IRFA discussed above.

5. **Conduct country-specific consultations with tailored goals and incentives.**

The State Department has experience conducting religious freedom consultations with foreign countries. IRFA requires consultations when a country is designated a CPC. See IRFA, H.R. 2431 §403. However, rather than only engaging in a consultation to discuss religious freedom violations, see IRFA, H.R. 2431 §403(b)(1)(A), these consultations should be designed to create positive incentives for improvement. IRFA recognizes the beneficial possibilities of a country specific consultation and offers special protections so that these consultations may be either public or private. IRFA, H.R. 2431 §403(b)(3). IRFA also permits limited disclosure of religious freedom violations when it facilitates the goals of IRFA. Thus, reports to Congress on sanctions may be withheld from the public, IRFA, H.R. 2431 §404(a)(4)(B), and publication in the Federal Registrar of the individuals responsible for severe violations of religious freedom may also be limited, see IRFA, H.R. 2431 §408(b).

In my view Congress should investigate the extent to which the State Department conducts consultations to positively promote adherence to religious freedom principles and should encourage the positive use of consultations.

Conclusion

The above list of positive incentives was clearly contemplated by Congress when it passed IRFA. They should not be neglected. Congress should take active steps to encourage greater use of positive measures. This could be done either through use of Congress' oversight power to investigate the use of positive incentives and encourage their use or through amendment to IRFA's policy statement to make explicit the goal of using positive incentives. This refocused policy would help reinvigorate IRFA's effectiveness as a tool to encourage religious freedom compliance.

Congress should strongly encourage the State Department "to use and implement appropriate tools in the United States foreign policy apparatus, including diplomatic, political, commercial, charitable, educational, and cultural channels, to promote respect for religious freedom by all governments and peoples." IRFA, H.R. 2431 §2(b)(5). Doing so will more effectively encourage adherence to international religious freedom rights as originally envisioned under IRFA than by relying solely on the goal of condemnation.

Mr. CHAFFETZ. Mr. Ogebe. Did I—how do you pronounce your last name?

Mr. OGEBE. Yes. It was the last.

Mr. CHAFFETZ. Yes. If you can turn on your microphone, that would be great.

STATEMENT OF EMMANUEL OGEBE

Mr. OGEBE. Yes. Mr. Chairman, ranking member, members of the committee, thank you very much for allowing me to testify today.

This hearing is a very timely hearing. As you may have heard in news, just yesterday Boko Haram bombed a school and killed 15 people who were preparing to be teachers.

Let me start with three sobering statistics. The first is that Christians are the most persecuted religion in the world today. The second is that more Christians have been killed this century than in previous centuries. And the third is that more Christians were killed in Northern Nigeria in the year 2012 than the rest of the world combined.

Now, one of the things that Boko Haram has done was this time last year they used chainsaws to decapitate over 150 Christians when they mounted a fake roadblock on a highway. These are the kinds of atrocities that this group has engaged in even before they abducted 300 young girls from a boarding school in April.

With regard to the U.S. Commission of International Religious Freedom, it is my thinking that they missed a golden opportunity to alert the world to the atrocities and the religious genocide that Boko Haram was conducting.

And what happened was that the USCIRF in its annual report on Nigeria last year did not make a recommendation to the State Department for Boko Haram to be designated as a foreign terrorist organization. This, I think, would have been the moment that USCIRF would have lent its voice to a critical policy recognition of what this terrorist group was doing.

I also want to mention the response of the State Department. The IRFA Ambassador at the time traveled to 27 countries in her 29 months in office. And at the time when you had this horrendous anti-Christian genocide going on in Nigeria, she did not meet with Christian leaders in that country.

And I say this to say that we have a good law, but if we have people aggressively implementing existing powers that they have, that there are some of these issues that would not need to be reformed. They are obviously clear issues that warrant reform, but the existing paths are being underutilized.

I want to point out that the State Department has continued to downplay the persecution of Christians in Northern Nigeria, and this is a grave concern for us. There is nothing that ISIS has done in Iraq in the last two months that they have not done in Northern Nigeria in the last 3 years.

Now, let me say that we are all shocked by what ISIS has done in beheading two American journalists, but Boko Haram has tried to do that several times. And just last week we heard for the first time the name of an American that Boko Haram attempted to kill. Her name is Vernice Guthrie. Until this day, the State Department

has not publicly admitted that Americans have been targeted by this horrific terror group.

I think I want to quickly make the linkage here. The groups that terrorize people of other faiths in that country will ultimately want to set their sights on bigger targets, and that is why we see what is going on now, is that groups like ISIL and Boko Haram want to reach America and want to kill Americans.

Let me point out that one of the concerns we have had with U.S. response is the effort to downplay the intent of these groups. It is what I call the "see no jihad, hear no jihad, say no jihad" strategy.

And we heard in Iraq, as in Nigeria, "Oh, what you need to do is create a more inclusive government. Violent jihadist groups are not about inclusive governments. They are about exclusive governments. They want to rule exclusively by themselves.

I want to take a moment to say that I honestly believe that we need to fund USCIRF better. I believe that USCIRF needs to use its powers more effectively.

I want to submit my testimony for the record. But before I hand over, I do want to pay tribute to a young girl who was killed by Boko Haram.

I conducted a 1-month investigation after we found out that Boko Haram had started using females as suicide bombers, and it was my sad duty this week to notify members of the Chibok community that Boko Haram that abducted about 300 Christian schoolgirls from their school in Northern Nigeria has used one of them and blew her up in a school and killed several people.

As a tribute to this girl, I want to mention the words of a song that she is known for by people in her class. And what she said was, "We have come to the end of the world now. We have to stand firm and be strong in the Lord because we are now in a bad situation, and there's milk and honey in the place where I am going. No matter the condition, I will not go back. The Lord is my refuge. We are now in a bad situation. We better turn to God now to enjoin him on the last day."

And Boko Haram strapped this girl with explosives. We do not know if she was aware what was on her body, but she was blown up and killed in Northern Nigeria a few weeks ago.

Thank you.

Mr. CHAFFETZ. Thank you.

[Prepared statement of Mr. Ogebe follows:]

Testimony of Mr. Emmanuel Ogebe, Esq.

On Behalf of Jubilee Campaign

What Lies Beneath: Massive Erosions of Religious Freedom & International Security
The Boko Haram Problem in Nigeria

Before the

Subcommittee on National Security

Rep. Jason Chaffetz, Chairman

September 18, 2014

U.S. House of Representatives Committee on Oversight and Government Reform

---

Mr. Chairman, Ranking Member, and Members of the Subcommittee: My name is Emmanuel Ogebe and I have worked on religious liberty issues related to Nigeria for over 15 years. Thank you for the opportunity to testify before you today on this deeply troubling but quite timely issue.

INTRODUCTION

First kindly permit me to start with three sobering factoids:

- Currently, Christianity is the most persecuted religion on earth
- More Christians have been martyred for their faith this century than in previous centuries
- More Christians were killed in Northern Nigeria in 2012 than the rest of the world combined - mostly at the blood-stained hands of Islamist terror group Boko Haram also known as "The People for the Propagation of the Prophet's Teaching and Jihad."

This is what Boko Haram's daily activities look like. This week I met a woman who's fiancé was shot to death at a gas station simply because he was a Christian. Last year a pastor told how 9 boys on the way back from youth group where stopped by Boko Haram and executed by Boko Haram on the road side – all members of his congregation he had to bury.

This time last year, Boko Haram introduced a new methodology to its cruel and unusual forms of terrorism. In a single day, Boko Haram decapitated about 150 Christians using chainsaws when it mounted a fake checkpoint in Bene Sheikh in Borno state. A dozen Muslim men with government IDs were similarly slaughtered.

Naomi begged Boko Haram to kill her too after they murdered her husband and burnt her home in front of her and her newborn baby. Boko Haram declined saying they do not kill women. Months later, they came to her uncle's home where she now lived and killed him in front of her.

In February, Boko Haram which has killed over 187 school teachers and destroyed hundreds of schools achieved a new low. It went to a boarding school and, after methodically inspecting the genitally of the schoolboys, systematically slit the throats of those who met its crude puberty test. 59 boys in all were slaughtered in the Buni Yadi School massacre.

Then in April, Boko Haram attacked another school after hours. There were no boys left to conquer. They abducted about 300 schoolgirls in one of the highest casualty mass terror abductions of our time. Innocent schoolgirls were now fair game for the brutal band of marauding jihadists.

A. THE US COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM'S (USCIRF) RESPONSE TO BOKO HARAM'S ANTI-CHRISTIAN GENOCIDE

The US Commission on International Religious Freedom, the agency Congress charged with monitoring issues of religious persecution, appears to have missed a singular opportunity to alert and advise the US to possibly the worst on-going genocide against Christians at the time.

Contrary to USCIRF's 2013 report and a recurring Department of State narrative, Boko Haram's agenda is Islamist insurgency and is not a reasonable reaction to state actions. Boko Haram has made amply and repeatedly clear its goal and purpose to remove the secular government and replace it with an Islamic Sharia state. State and federal government actions has have not been cited as a justification for its violence. Boko Haram issued an ultimatum in January of 2012 ordering all Christians to leave northern Nigeria in 72 or face attacks. Over 300 people died in the month of January alone as Boko Haram made good on its threat.

If anything, Boko Haram blames the US about as much as it berates the Nigerian government as this excerpt from its numerous diatribes indicate:

"All of them are infidels. Here is what Bush once said and we will repeat it here. He said all the fights going on in Iraq and Afghanistan are Christian war, crusade, it is a known issue. And that they will crush Afghanistan, today I will say my own. To the people of the world, everybody should know his status, it is either you are with us Mujahedeen or you are with the Christians. The likes of Obama, Lincoln, Clinton, Jonathan, Aminu Kano. They are your fathers of democracy, the likes of Tafawa Balewa. It is Usman Dan Fodiyo that is our own.

"We know what is happening in this world, it is a Jihad war against Christians and Christianity. It is a war against western education, democracy and constitution. We have not started, next time we are going inside Abuja; we are going to refinery and town of Christians. Do you know me? I have no problem with Jonathan. This is what I know in Quran. This is a war against Christians and democracy and their constitution, Allah says we should finish them when we get them."

In spite of the well documented nexus with global jihad that goes as far back as Nigerian Islamist fighters being captured fighting alongside the Taliban during the US invasion of Afghanistan, and Bin Laden's personal secretary admitting to traveling to Nigeria in a New York court, the US continued to discount the full global antecedents and jihadist aspirations of Boko Haram.

USCIRF's recommendations did not include labeling Boko Haram a Foreign Terrorist Organization (FTO). The START Country Reports on Terrorism 2012 declared Boko Haram the second most deadly terrorist group in the world right below the Taliban.

Boko Haram has claimed the lives of over 10,000 people since 2009, both Nigerian nationals and international victims. They have killed individuals from over 15 nations – far more than ISIS, AL Qaeda and possibly the Taliban. As the terror attacks have spilled into the international community, they are a threat to not only Nigerian people but also the world at large.

USCIRF missed a singular opportunity to make a concrete, relevant and timely recommendation on a burning issue before the State Department and Congress: — by not making an evaluation and recommendation on a Foreign Terrorist Organization designation. The systemic egregious and ongoing persecution by Boko Haram, by its own admission, has shrunk the religious freedoms of Christians in Nigeria. What could be more relevant than making a recommendation on FTO designation of this culpable non-state actor responsible for Nigeria's regression in religious freedom? It is quite ironic that USCIRF recommended the Nigerian government, who USCIRF concedes does not generally persecute Christians, should be designated a Country of Particular Concern (CPC) but did not recommend FTO designation for Boko Haram which does perniciously persecute Christians.

Finally, one of the most concerning aspects of this report is that USCIRF blames Christian leaders in Nigeria for believing their population is being eradicated. USCIRF concedes that US Government perception is inconsistent with what victims on the ground say. However, it treats the threat of eradication of Christians by Boko Haram as merely a "belief" by Christian leaders and not as a direct manifesto quote of the mass-murdering terror group. In effect, USCIRF catches the lie but then turns the heat on Nigeria's Christian leaders rather than call the Department of State out on its dissimulation. As noted above, Boko Haram itself declared an ultimatum in January of 2012 ordering all Christians to leave the north or face attacks. Data shows that more Christians were killed in Nigeria in 2012 than the rest of the world combined.

Similarly, USCIRF likened the rhetoric of religious leaders to the atrocities of Boko Haram, in effect implying that religious leaders whose congregants had suffered loss of religious liberty also do not have freedom of expression to protest their persecution!

USCIRF finally visited Nigeria for the first time in several years in 2014 but local Christian leaders expressed concerns that while there was a Muslim commissioner in the delegation, no Christian commissioner attended.

B. STATE DEPARTMENT'S RESPONSE

Part of the State Department's response was to:
*deny the religious motivation of a rabid jihadist group that has repeatedly declared its goal of overthrowing the state and establishing a radical Muslim theocracy;
*to downplay the repeated threats to America going back several years by claiming this is all "local";
*present arguments rationalizing terrorism by psycho-analyzing the "emotional disconnect" between the central government and northern Muslims who fuel the terrorism;
*press the government to throw money at the problem with no emphasis on victim compensation, and
*be more critical of the military counteroffensive than of the terrorists' atrocities.
In other words, "see no jihad, hear no jihad, say no jihad."

This has led to an absurd situation where the terror group has had to clarify its jihadist credentials in almost direct rebuttals of State Department characterizations. When the US said Boko Haram is "not religious" but economically motivated, the terrorists invested in a video to correct this misinformation. In a video released on November 3rd, 2013, Boko Haram leader Shekau claimed responsibility for the deaths of 35 people in an October 24, 2013 attack in the northern city of Damaturu. He stated: "This is a brief message to the world. We carried out the Damaturu attacks with Allah's help, with Allah's might, with Allah's glory and with victory from Allah, the Creator." Shekau and his group are not shy about the fact that they kill in the name of religion.

If USCIRF's positions were unfortunate, that of the Department of State (DOS) were preposterous, if not tragic. Its 2013 IRF report lamented the non-establishment of a Sharia Supreme Court in Nigeria in violation of the Nigerian constitution. Here's the problem – there is no such requirement in the Nigerian constitution and no one except Boko Haram is advocating for more sharia in Nigeria besides Boko Haram. There was therefore the absurd situation where the US seemed to be sharing a similar position with the Islamist terror group on a theological issue!

The IRF ambassador visited a record 27 countries in 29 months reportedly spending equal time in Ghana (with no reported IRF concerns) as with Nigeria with the world's highest rate of faith-based genocide that year. Nigeria's Christian leadership maintains she never met with them. At the end of the junket-filled tenure, the first ordained Christian pastor to hold the post of IRF ambassador stepped down, not to commit herself more fully to assuaging the global onslaught from which her fellow Christians were dying in record numbers but to earn a better living according to published accounts of her valedictory remarks. Yet the massive erosion of religious freedom at the hands of violent non-state actors and repressive regimes is to my mind truly the gravest civil rights issue of our day.

Similarly, on Easter Monday 2012, the top US diplomat for Africa then, Ambassador Johnnie Carson, declared, "I want to stress that religion does not drive extremism in Jos

or northern Nigeria" despite the fact that 38 innocent Nigerians were killed in terrorist bombings the day before during Easter celebrations.

This is to be contrasted with the bombing in Iraq during the eid Muslim holiday in August 2013. The DOS issued a strident statement on these attacks which incidentally where not attacks on or by Christians saying "The United States condemns in the strongest possible terms the cowardly attacks today in Baghdad. These attacks were aimed at families celebrating the Eid al-Fitr holiday that marks the end of the Muslim holy month of Ramadan. The terrorists who committed these acts are enemies of Islam and a shared enemy of the United States, Iraq, and the international community."

In Iraq, US officials advocated strenuously for the inclusion of Shias and Sunnis in the post-occupation government. When asked to similarly advocate on behalf of Christian minorities, US officials reportedly told colleagues that they would not speak on religious issues. These led to a number of absurdities – the highest ranking Christian in Iraqi government was in the Saddam era and the greatest erosion of Christianity was in the post-Saddam era!

To state that religion does not play a role in the extremism exhibited by the terrorist group is disingenuous at best and deeply insensitive to victims. To propose that it can be fixed with a commission is naïve. The US sent out billions of dollars in cash that was physically distributed around Iraq, but still signally failed to win hearts and minds to stem insurgency. To propose a repeat methodology and expect different results in Nigeria is folly.

Similarly, after the massacre of 25 Copts by the Egyptian military on October 9, 2011, "the White House lamented the "tragic loss of life among demonstrators and security forces" (emphasis added) and called for "restraint on all sides." ...Sam Tadros commented, "I call upon the security forces to refrain from killing Christians, and upon Christians to refrain from dying." http://www.christianpost.com/news/the-war-on-christians-121604/ .This example of moral equivalency is one that not only Nigeria's persecuted minorities face.

America's missed opportunity in properly understanding and promptly responding to the Boko Haram threat has misled the Government of Nigeria, weakened its response and resulted in numerous lives lost as well as a heightened and highly evolved threat to the US homeland and global community.

A US diplomat was reportedly in Nigeria around May 2013 urging the government to pull back the army from confronting Boko Haram and hand over counterinsurgency to regular police. Interestingly the US claimed military aggression as helping Boko Haram recruitment even though Boko Haram first attacked the security forces in 2003 well before recent rights abuses (Christians, especially in Plateau state that has been occupied by the military for almost a decade, have suffered much military aggression but have not, as a result, joined Boko Haram.)

America's response to Nigeria's declaration of a state of emergency in mid May 2013 is instructive. In a statement, Secretary of State John Kerry said "The United States is deeply concerned about the fighting in northeastern Nigeria following President Jonathan's declaration of a state of emergency in the Borno, Yobe, and Adamawa states. "We are also deeply concerned by credible allegations that Nigerian security forces are committing gross human rights violations, which, in turn, only escalate the violence and fuel extremism.

"The United States condemns Boko Haram's campaign of terror in the strongest terms. We urge Nigeria's security forces to apply disciplined use of force in all operations, protect civilians in any security response, and respect human rights and the rule of law."

What is the problem with the US statement? Well, it refers to the "fighting" in Nigeria as if it is a simple misunderstanding between two people not an "insurgency" as it actually is. It then goes on to lament "gross human rights violations" by the army although where and how US got these "credible" allegations is unknown since the battle was aerial between aircraft and anti-aircraft weapons.

The US condemned Boko Haram's campaign of terror in one line but failed to designate them as a foreign terrorist organization. More negative words were used on the army than on the terrorists Boko haram. Indeed US insists that Nigerian army is escalating the violence and fueling extremism. From reading this, the US appears to dislike the Nigerian army as much as the terrorists. It makes excuses for the terrorists and lampoons the military. Senator Vitter has a comprehensive list of queries to Secretary Kerry that outlines worrisome watering down of terror reporting on Nigeria http://www.vitter.senate.gov/newsroom/press/vitter-did-state-dept-mislead-on-boko-haram-terrorist-threat-under-clinton-leadership

Recently the media reported that US Assistant Secretary of State Linda Thomas-Greenfield said Washington was "very troubled by the apparent capture of Bama and the prospects of an attack on Maiduguri. This is a sober reality check for all of us…
We are past time for denial and pride." (AFP September 2014) It is truly hoped that the State Department which as recently as in May 2014 pushed for and hailed a "softer approach" to fighting terrorism in Nigeria has finally wised up to a threat of existential proportions to a key African ally and will end its "State of Denial."

Finally, although the US eventually designated Nigerian-based Jihadist Terror Group Boko Haram as a Foreign Terrorist Organization, the false narrative that sustained the delay in US recognition of this hideous organization continues.

Secretary of State John Kerry's recently released human rights country conditions report continues a systematic pattern of egregious false reporting once again by DOS:
"Throughout much of the country, Boko Haram perpetrated numerous killings and attacks, often directly targeting civilians. During the year the sect, which recruited child soldiers, claimed responsibility for coordinated assaults on social and transportation hubs in Kano; an attack on the town of Baga; **multiple attacks on schools and mosques**; an

attack on the town of Benesheik; and the killing of government, religious, and traditional figures. On February 17, the terrorist group Ansaru, believed to be a Boko Haram faction, kidnapped seven foreigners in Bauchi State" – Executive Summary of the Nigeria report http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dlid=22014

Over 60 churches were attacked and about 2 mosques in 2013. The churches got no mention but the mosques did even though Christians are Boko Haram's declared number one target.

Boko Haram has gone out of its way to emphasize that it does not attack Islamic places of worship. However it does assassinate Muslim critics after worship when they are vulnerable.

Boko Haram's first attack inside a mosque in the 5-year insurgency occurred in 2013. Yet the 2014 IRF report elevates that singular incident and makes the following exaggerated claim "Civil society groups, media outlets, and politicians stated Boko Haram killed more Muslims than Christians because its primary bases of operation were in the predominately Muslim north and it frequently targeted schools, security forces, and government installations. In one such August incident, Boko Haram killed more than 20 soldiers and policemen in an attack on the Borno village of Mallam Fatori. Boko Haram also targeted Muslim civilians who aided the security forces; this was widely accepted as the motive of an attack on a mosque in Konduga, Borno State, which killed 44 worshippers on August 11."

Unwittingly, this report revealed the fact about why Boko Haram attacks Muslims on the rare occasions that it does – there must be a motive sufficient enough to justify killing fellow Muslims when its declared goal is to eradicate Christians. The difference between Boko Haram's attacks on Muslims and Christians is that it attacks Muslims "for cause" (e.g. collaboration with the authorities) but it attacks Christians "just because."

Boko Haram has never seen a Christian man that it liked. All are shot or stabbed. Boko Haram uses "kill-shots" for Christian males in northern Nigeria – point-blank gunshots to the head. The most common wounds on Christian male survivors of Boko Haram attacks are head trauma from execution-style shots. The few who have survived these kill-shots spend extensive periods in reconstructive surgery in view of the horrific extent of the injuries sustained.

C. BOKO HARAM TODAY

"In the two months since Boko Haram fighters kidnapped hundreds of schoolgirls in northeastern Nigeria, the terror group has taken at least 1,000 lives in what may be the deadliest killing spree by a single terrorist group since the Sept. 11 attacks, according to an NBC News analysis of reports from the region."
http://www.nbcnews.com/storyline/missing-nigeria-schoolgirls/bloody-toll-boko-haram-behind-deadliest-killing-spree-9-11-n130206

Journalist Alex Perry says of Boko Haram "They seem to be even more extreme than al-Qaida. A few years ago, we could've barely imagined that. The lack of education among the highest leadership makes them very difficult to reason with, to talk to, and to expect anything other than [a] nihilist pursuit — or violence and death, really.

"I read [Osama] bin Laden's letters from the stash that was picked up from Abbottabad [Pakistan] after he was killed — and it's really interesting. After about 2007, he clearly rethinks the whole project and starts writing all these letters to different groups around the world saying, "Calm down. Stop the killing. Stop making us so unpopular." http://www.npr.org/2014/07/16/331988815/nigerias-boko-haram-more-extreme-than-al-qaida-journalist-says.

Boko Haram is no less evil than ISIS in Iraq. Practically every ignoble deed ISIS has done in the last two months of its notoriety has been done by Boko Haram in the last three years. Boko Haram has actually videoed the decapitation of a woman's head – something considered un-islamic even by hardcore jihadists.

However, Boko Haram has, as yet, not beheaded an American but this is not for want of trying. Boko Haram has attacked US nationals. I repeat - Boko Haram has attacked US citizens. During the bombing of the UN HQ in Abuja, there were several Americans known to be in the building who survived the attack. One was an American official stationed at the US embassy in Nigeria and the second was an American civilian working as a UN diplomat whom I was supposed to see at the UN that day. I was in Nigeria on the day of the bombing. Yet the U.S. has made no public statement or admission about the American survivors of that horrific attack including when asked at a May hearing of the Foreign Affairs committee.

After two years of secrecy, an American journalist recently uncovered the identity of one of the Americans in the building that day. http://www.worldmag.com/2014/09/another_problem_for_hillary.

Since then, Boko Haram has unsuccessfully attempted to abduct several Americans in northern Nigeria that we know of based on numerous fact-finding missions.

In a recent video, Boko Haram leader Abu Shekau declared "I want to cut White people and Obama's people", shortly after ISIS beheaded America journalist James Foley. In the same video, in which Boko Haram is shown slitting the throats of innocent people in

Gwoza, a town it captured last month, Shekau claims he killed 1000 Christians that day. This cannot be verified as he still controls that town but he has seldom made a claim that has not been proven true. Yet this direct threat to Americans and a claim of responsibility for possibly the worst single-day massacre of Christians has not been reported in the media.

Further supporting the credibility of this massacre, a Catholic Diocese in the northeast which reported last year that 50 out of 51 of its churches had been attacked just reported last week that it has lost 2500 members to Boko Haram http://www.thisdaylive.com/articles/bishop-borno-adamawa-catholic-dioceses-have-lost-over-2-500-parishioners-to-insurgency/188815/

The number of churches attacked in just this one catholic diocese in Nigeria is more than the worst violence against Coptic Christians in 700 years which claimed less than 50 churches.

The death toll of 2500 Catholics killed in this single diocese is more than double the entire Christians killed worldwide in 2012 based on data provided by World Watch Monitor.

It is not clear what period this data covers but it is still phenomenal nonetheless. Given Boko Haram's recent claim that it killed 1000 Christians after the capture of Gwoza and considering that it has captured about half a dozen towns since last month, such record-setting casualty figures would appear plausible.

D. BATTLE FOR AFRICA

Although World Watch Monitor has consistently reported a geometric spike in Islamist terrorism in Africa (northern Nigeria alone accounted for more Christian deaths than the rest of the world combined in 2012) the United States missed an historic opportunity to engage on the centrality of religious liberty to national and global security.

Incidentally, during the US Africa summit last month, President Obama ordered airstrikes in Iraq to help save persecuted minorities who were besieged on mountaintops by ISIS—the Islamist terror group that has overrun swathes of that country. Starving refugees on mountaintops, towns overrun and their Christian population exterminated, children decapitated, girls taken as slave brides—these are not just tragic breaking news headlines from Iraq. They are the daily reality of life—and death—in northern Nigeria since the jihadi terror group Boko Haram, like ISIS, ordered Christians to leave town or die.

In fairness, when MUJAO, a jihadist group, overran northern Mali last year and destroyed churches and even relics of Timbuctoo's rich history, French and African troops, with US logistical support, helped roll back that burgeoning insurgency. In one particularly poignant online video, MUJAO insurgents were trying two men embroiled in a dispute for the affections of a woman. To crudely resolve this romantic triangle, the terrorists applied their own version of Solomonic wisdom—they shot the woman to death with a burst of AK47s as a barbaric "problem solved." MUJAO pushed Mali to the WWM's top ten most persecuted countries in 2012 from not ever being on the list of the top 50before.

Similarly, in East Africa, after the horrific mall slaughter of Christians in Kenya (Alshabab terrorists painstakingly quizzed captives on Qur'anic verses to determine who was doomed to die and who freed), US troops ultimately captured one of the terror masterminds during a raid.

However, the *Wall Street Journal* reports that in spite of the high-profile #BringBackOurGirls (BBOG) campaign that even the First Lady Michelle Obama tweeted, US aerial surveillance flights in search of the hundreds of abducted Nigerian school girls are being cut back, barely two months after the US offered assistance.

What makes northern Nigeria's situation worse is not only that the US response has been inadequate, but that the Administration has steadfastly downplayed the religious underpinnings of the insurgency and, in particular, has outrightly denied the persecution of Christians.

This is a pattern of mischaracterization that we saw in Mali and in Kenya as well. Religious freedom or extremism was seldom recognized as the core issue. In a briefing in DC with some of the African officers responsible for fighting off MUJAO, one general leaned over to me and asked me, "what is a VEO?" I explained to him that Washington's politically correct but "multiculturally misguided" new sobriquet VEO meant "Violent

Extremist Organization."

Similarly, the abduction of the Chibok schoolgirls only garnered attention as a "girls' education" issue—not as a religious freedom issue—and even after the terrorists declared that the girls had been "converted to Islam," the media continues to distort the facts.

The *Wall Street Journal* infamously reported about protesters in the BBOG campaign that "Their rallies have become a referendum on whether Nigerian women—particularly poor, young, Muslim girls—are valued by a government of mostly wealthy, elderly, Christian men." About 90% of the abducted girls are Christians, but the media itself falsely implied that they were Muslim when even the US Administration has conceded this fact. Ironically, although there is validity to the fact that Nigeria's President Jonathan was slow to respond to these primarily Christian victims; most commentators conceded that Boko Haram's egregious terrorism against Christians is partly to hit back at Jonathan, who is Christian.

It is not only the US government and the media that has glossed over persecuted religious communities in Africa. A bill in Congress provides for a special envoy on religious persecution in the Middle East, but its mandate does not include Africa. Sadly, the first African American ambassador for International Religious Freedom left office without bringing to the fore the horrific situation in Africa during her tenure.

Within weeks of ISIS' atrocities in Iraq, major American Christian relief organizations were launching appeals and coordinating relief efforts. ISIS issued its ultimatum for Christians to leave Mosul in July 2014. Boko Haram issued its ultimatum for Christians to leave northern Nigeria in January 2012. Yet none of the major US relief organizations have heeded our calls to help with the humanitarian crisis that has since unfolded, while swathes of northern Nigeria have been de-Christianized via religious genocide.

Why there is all around neglect of persecuted African Christians should be the subject of interesting research someday but it is a sad day when a 16-year old Pakistani girl called Malala chooses to go to Nigeria for her birthday and denounces the same type of Islamist extremism that put a bullet in her head while Western Christendom watches. It is indeed a missed opportunity—all around.

If contemporary history has taught us anything, it is that the true problem will be recognized when it is too late. The Central African Republic sprang from not even being on the top 50 persecuted countries list previously up to the top ten persecuted countries in 2013. However, it was only after Christians began to retaliate brutal massacres by Muslim bands that Western media headlines blared about the religious nature of the conflict, with Christians portrayed as the aggressors.

Christians in Nigeria who make up approximately half of that country's population have not retaliated. Yet, they are portrayed as somehow being responsible for their own persecution by "neglecting" Muslims. Ironically, this was the same flawed thesis put forward to explain the ISIS insurgency—that they were neglected by a non-inclusive

Iraqi government. Violent Jihad is as Violent Jihad does. It cannot be rationalized through the actions of its victims. It can but be understood through its own lens, and therein lies the West's continuing missed opportunity of understanding the fundamental correlation between ISIS in Iraq, MUJAO in Mali, Alshabab in Kenya, and Boko Haram in Nigeria. Violent jihadist groups are never about an inclusive government, they are about an exclusive government.

Africa is in the maelstrom of another elephant fight. From colonialism to Nazism then communism and now Islamism.

E. RECOMMENDATIONS

When Congress passed the International Religious Freedom Act, little could it have known how foresighted and prescient it was on what would turn out to be the gravest human rights issue of this decade, and arguably the greatest global security threat. The ISIS crisis in Iraq and Syria, the Gaza crisis in Palestine, Boko Haram in Nigeria all have religious dimensions to them fuelled by non-state actor terror groups. North Korea and Iran which are two global other global security trigger points are states who perniciously infringe on religious liberty making only the Ukraine crisis as one that has no overt religious undertones.

Restriction on religious freedom have tightened in the last 6 years. The world is seeing a reversion from "cold war" imprisonment to "old war" decapitations. We have moved from "iron curtain" to "iron veil" countries.

It is a putative third world war which I struggled to call an "incremental" ,"retail" or "franchise" war but which was given better expression by His Holiness Pope Francis just last week when he said "even today, after the second failure of another world war, perhaps one can speak of a third war, one fought piecemeal, with crimes, massacres, destruction."

We face a troubling new era of third world war, diffuse and internal, amorphous, borderless and embedded – the ultimate Trojan. Nation's prepared for Biological warfare only to be ambushed by Theological warfare.

We have hybrid non-state actor warriors – the rise of the nebulous "enemy combatants" - from a matrix of multi-national identities. Britain which just a couple of centuries ago sent out missionaries who in many cases lay down their lives to evangelize the world to Christianity by building schools and hospitals is now exporting hundreds of radical jihadists blowing up themselves and others as well as schools and teachers and aid workers.

This hodge-podge of fighters who, for want of a better name can best be described as UFOs – Unidentified Fighting Objects – are from different climes fighting in disparate lands all at once. Yet they feed off each other. ISIS inspired by Boko Haram's tales of mass abduction of schoolgirls as slave brides has itself kidnapped women for the same

reason. Boko Haram fired up by ISIS' declaration of a caliphate has similarly annexed over half a dozen towns, videoed the slaughtering of inhabitants and also declared its own caliphate while extending greetings to ISIS. The Moro Islamist terror group in Philippines too has been re-energized.

At a time like this, IRF can ill afford to be the forgotten step-child of US foreign policy or even broader global diplomacy and security. A robust and well-funded and respected IRF office would likely have been a veritable early warning system on what has become a national security conundrum on multiple fronts.

Therefore Congress needs to increase funding and staff levels to enable USCIRF perform a crucial role in informing US positions on foreign policy, national security and global security relative to IRF.

USCIRF itself should see itself as being on the cutting edge of a burning issue and should deploy a rigorous and robust approach to evaluating situations and recommending solutions.

DOS should accord USCIRF the respect and accommodations it needs to perform a vital function that must be seen as mission critical and not merely an irritant.

The administration should not leave the office of IRF ambassador bereft of leadership for as long as it has – reportedly half the life of the current administration. If necessary, Congress should amend the Act to allow for the appointment of an acting ambassador until a substantive ambassador is installed.

The White House Office of Faith-Based Initiatives should be expanded to include an office of IRF. Similarly the IRF ambassador should be included in deliberations of the National Security Council as well as the Atrocities Prevention Panel.

F. CONCLUSION: IS BOKO HARAM BLOWING UP OUR GIRLS?

In my June 11 testimony before the Africa subcommittee congressional hearing on 300 Nigerian schoolgirls abducted by Boko Haram, I noted that that same week Boko Haram had deployed their first female suicide bomber.

Following the unleashing of four female suicide bombers in as many days in July, the troubling question now arises - is Boko Haram blowing up our girls?

The trend is worrisome. This is the highest number of consecutive suicide bombings by females in recent world history.

The ages of the ladies is equally disconcerting. They have ranged from 16-19 - the exact same demographic of the 300 school girls abducted by Boko Haram in Chibok, northern Nigeria sparking global outrage.

After a one month investigation, it was my sad and unfortunate duty this week to meet with members of the Chibok community and inform them that we have positively identified one of the remains recovered from the site of a school bombing as that of an abducted Chibok schoolgirl.

From our inquiries, it appears that the girl was likely clothed in a burqa strapped with explosives probably unknown to her. She was then probably released into the school campus under a ruse from where the bomb on her was remotely detonated killing her and several students. This is our working theory of the case which brings us to the conclusion that she was not a complicit female suicide bomber but a remotely-detonated homicide victim bomber (DVB).

Boko Haram has therefore introduced into the terror lexicon the new concept of Captive Human-Borne Improvised Explosive Device (CHIED.)

Subjects we spoke to indicate that in another case of DVB or CHIED, the young girl was dropped off at a police checkpoint possibly under the pretext that she was being released. As she sought to draw the attention of the police for help, she was likely remotely detonated instantly killing. We do not have conclusive evidence in this case but the theory of that case is strikingly similar to the one we have investigated.

We have asked the community leaders to notify the family of the pastor whose daughter was blown up at a school probably as a both a punishment and a message for her daring to seek an education. We are unable to release her name at this time as we have not confirmed parental notification.

However, in tribute to the memory of this fine young Christian lady who was quite active in her campus fellowship, we reproduce here two songs that she used to love to sing:

My pride is to be in the holy home because I know one day I will go to heaven.
My pride is to be in the holy home.
I am singing a song to praise my God. I am going to church to praise my God.
One day I will go to heaven. I am preaching the word of God I want to be at his right hand; so my pride is to be in the house of the lord.

We have come to the end of the world now. We have to stand firm and be strong in the Lord because we are now in a bad situation and there is milk and honey in the place where I am going. No matter the condition, I will not go back. The lord is my refuge. We are now in a bad situation. We better turn to God now to enjoy with Him on last day.

May her gentle soul rest in peace…

As parents of the missing Chibok schoolgirls once said to me, "I can't understand why you won't send your kids to school but that is your prerogative. However why do you have a problem with me sending my own kids to school?" As Boko Haram now abducts and blows up other peoples' children, the world now sees a whole new vista of terror unlike anything our current civilization is capable of rationalizing.

The era when a parent's worst nightmare for their school-age kids was flunking out of high school has now been displaced with abduction, trafficking and detonation. We must as one and at once put an end to Boko Haram and its ilk and bring back our girls.

Thank you.

Mr. CHAFFETZ. Mr. Stahnke.

STATEMENT OF TAD STAHNKE

Mr. STAHNKE. Thank you, Mr Chairman, Mr. Tierney, and members of the subcommittee for the opportunity to discuss this important issue, international religious freedom.

Religious freedom's a cornerstone of secure and thriving societies. Denying religious freedom is associated with instability, rights abuses, and violent extremism. The rising tide of violence and religious intolerance and restrictions on religious freedom is clearly an ongoing threat to U.S. national security.

The recent events in Iraq, Syria, Nigeria, Pakistan, and Egypt all underscore the urgency of formulating U.S. national security policies that promote and protect religious freedom and related human rights as part of the strategy to secure U.S. national interests.

In the last year, there's been an alarming rise in deadly violence targeting religious communities, ISIS and Boko Haram seizing and holding territory, committing horrendous human rights abuses.

It is also very troubling how effective these groups have been in using mass and social media to get out their message and to recruit followers. Burma, Pakistan, Egypt, all places where we continue to see way—too much in the way of violence targeting religious minorities.

Not at the same scale of violence, but also troubling is growing anti-Semitic and other hate violence in Europe as neo-Fascist, anti-Semitic political parties have gained electoral strength throughout the region, particularly in Hungary and in Greece.

My written testimony covers these situations. Let me make three general points.

First, although non-state actors perpetrate much of the violence, failures of governments play an enormous role. Governments often create or fail to confront the conditions that give rise to violence. There's a direct link between ISIS success and the Iraqi Government failures on good governance and addressing the grievances of the Sunni population.

Second, many of the situations we are discussing have deteriorated because of the failure of governments to adequately protect human rights and the rule of law and more effectively confront discrimination and hatred.

Support for ISIS and Boko Haram has been fueled by human rights violations by the Iraqi and Nigerian security services and their paramilitary supporters. These aren't rogue violations, but seemingly deliberate, abusive, and counterproductive counterterrorism and security policies.

Third, the United States has invested a tremendous amount of money, prestige and, in some cases, blood in the success of these countries to become more stable, to move in a more democratic direction more tied to the rule of law.

So the need is pressing. And what needs to be done?

First of all, as several of us have said, the Senate should confirm Rabbi Saperstein to be the Ambassador-at-Large. It is the immediate step that should be taken. I urge you to—urge your colleagues in the Senate to do so.

Second, the United States needs country-specific strategies to better integrate the promotion of religious freedom and other human rights into its effort to confront each of these national security challenges.

Developing and investing in these strategies is a way to prevent security situations in countries that could eventually deteriorate to the point where we would even contemplate U.S. military action.

The elements of this type of strategy include promoting a more rights-respecting approach by foreign governments to counterterrorism; stopping U.S. allies like Saudi Arabia and Qatar from funding religious extremism beyond their borders; where there's political will, provide assistance to help countries better integrate the security services with members of religious minorities; and promote better law enforcement response to violence—impunity for any act of religiously motivated violence is a cancer that can spread out of control—countering extremist propaganda and hatred; and, also, assisting IDPs, refugees, and asylum seekers fleeing religious persecution.

Now, in order to implement these strategies, the White House and the State Department needs to better integrate the Ambassador-at-Large into the work of national security, conflict prevention, counterterrorism, countering violent extremism, and democracy promotion.

Dr. Farr and I saw the same line in Rabbi Saperstein's testimony, and I will highlight that, too. It is extremely important. But how do you do that? And let me end with a couple of specific recommendations.

There's a new national security strategy in the works, and it should include a clear statement that it is U.S. policy to advance international religious freedom and related human rights as part of the strategy to promote stability in foreign countries and combat terrorism.

Second, the President should create a permanent interagency policy committee on religion, human rights, and national security co-chaired by a deputy national security advisor and the Ambassador-at-Large for International Religious Freedom. Give it resources. Give it a mandate to coordinate policies across the agencies, as I think we have all been discussing.

Regardless of where the IRFA Ambassador sits in the bureaucracy, the Secretary of State should ensure that the Ambassador has regular and consistent access to him, to senior State Department-level meetings, and fully integrated into the broader policy discussions.

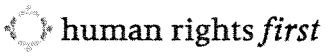
Finally, Under Secretary Sewall, who I know is going to talk later, should create within her purview a unit that could be deployed to the field to assess the risk of systemic violence targeting religious communities and respond—make recommendations and respond using the tools that she has within her shop.

And, finally, the President should send Vice President Biden to represent the United States at the upcoming high-level OSCE Berlin conference on anti-Semitism, and I am hoping that Congress also will send a high-level delegation to that important meeting.

Thank you very much.

Mr. CHAFFETZ. Thank you.

[Prepared Statement of Mr. Stahnke follows:]



TESTIMONY OF TAD STAHNKE
VICE PRESIDENT FOR RESEARCH & ANALYSIS
HUMAN RIGHTS FIRST

BEFORE THE HOUSE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM SUBCOMMITTEE ON NATIONAL SECURITY

"MEETING CURRENT INTERNATIONAL RELIGIOUS FREEDOM AND NATIONAL SECURITY CHALLENGES"
September 18, 2014

Introduction

Mr. Chairman and Members of the Subcommittee, thank you for convening this hearing to examine the implementation of the International Religious Freedom Act, with an emphasis on some of the major national security challenges facing the United States that also constitute grave abuses of religious freedom and other human rights. I appreciate the opportunity to be here today to share Human Rights First's findings and recommendations and to discuss how to advance U.S. policy on international religious freedom in ways that are mutually beneficial to both the protection of security and rights.

Religious freedom is a cornerstone of secure and thriving societies. It reinforces the freedoms of expression, assembly and association. Religious freedom is a universally recognized and fundamental human right; but it is also a human security issue, and as such protecting it should be a key element of U.S. national security and counterterrorism, conflict prevention and mitigation and democracy promotion strategies.

One need look no further than the past year's headlines to see the religious freedom/security connection. Recent events in Iraq, Syria, Nigeria, Pakistan and Egypt underscore the urgency of formulating U.S. foreign and national security policies that promote and protect religious freedom and related human rights as part of the strategy to secure U.S. national interests. Many of these situations have deteriorated because of a failure of governments to adequately protect human rights and the rule of law and confront discrimination, hatred and extremism.

Religious freedom problems are not limited to the Middle East or to Muslim majority countries. Almost all major U.S. foreign policy challenges involve countries where religious freedom is denied, where religious conflict threatens to destabilize societies, or where the state-sponsored religion or ideology is used to suppress debate or

dissent, including China, Russia, North Korea, Iran, Afghanistan, Burma, Sudan and the Central African Republic.

We know from empirical data that religious freedom is an indicator of free societies with accountable governments and thriving civil societies. We also know the converse: denying religious freedom is associated with increased conflict and hostility, restrictions on civil and political rights, political instability and violent extremism. In fact, more than three quarters of the world's population are restricted from freely practicing their faith, and there is a rising tide of religious intolerance and government restrictions. This is an ongoing threat to U.S. national security.

President Obama's 2009 Cairo speech and Secretary Clinton's 2012 speech at the Carnegie Endowment for International Peace persuasively argued for policies that promote international religious freedom (IRF), including links to national security, economic development, and democracy promotion, and as an antidote to religious extremism and terrorism. Unfortunately, current IRF policy--in place since 1998 and largely built around the threat of economic sanctions against governments which no administration has been willing to use--has been underperforming in relation to the challenges and opportunities that President Obama and Secretary Clinton identified. To address that, the White House needs to build a stronger infrastructure and provide the necessary resources for a reinvigorated policy of new tools and strategies. The need is pressing. Nominating Rabbi David Saperstein to be the next Ambassador at Large for International Religious Freedom is a good start, as Rabbi Saperstein is well respected and brings with him a lifetime of experience championing religious freedom at home and abroad. I urge you to press your colleagues in the Senate to confirm Rabbi Saperstein without delay, before the mid-term election recess.

An Alarming Rise in Deadly Violence Targeting Religious Communities

In the last year, there has been an alarming rise in deadly violence targeting communities and individuals on the basis of their religion or belief, by terrorist organizations as well as religious and political extremists, in communal and sectarian violence, and in day to day violent hate crimes. The success of ISIS and to some extent Boko Haram in controlling territory and purporting to justify mass murder, expulsions, forced conversion, sexual slavery, severe discrimination and destruction of places of worship on their conception of Islam is particularly alarming, as is their effectiveness in using mass and social media to get out their message and recruit followers.

Although non-state groups and individuals perpetrate much of this violence, failures of governance play an enormous role. Governments create the conditions for these problems to flourish. They exclude members of some religious communities from sharing political power and from leadership positions in government, state security and law enforcement bodies. They promote sectarian or ethnic polarization in society, by proposing or enforcing oppressive and discriminatory laws, failing to confront and condemn hatred, and failing to take meaningful steps to provide security, prevent violence or to hold perpetrators accountable. State action to counter terrorist groups is often counter-productive, because the brutal rights-violating tactics that some

governments use alienate the very populations that the government needs in order to eliminate terrorist threats.

The result is fear, displacement and massive human rights abuses carried out with impunity, in some cases endangering the very existence of religious communities in their historic homelands.

The following are several specific examples from the last 12 months, comprising some of the most important threats to international religious freedom:

ISIS atrocities in Syria and Iraq
Boko Haram brutality in Nigeria
Anti-Muslim violence in Burma
Sectarian violence and religious persecution in Pakistan
Anti-Christian violence in Egypt

Each situation is unique, yet in each religion and religious freedom play central roles. All of these situations stem from broader failures of governance and protection of human rights and accountability for the violation of rights.

Not on the same scale of violence as the above but noteworthy, is growing antisemitic and other hate violence in Europe, occurring as far-right antisemitic, racist, homophobic parties have gained electoral strength in several EU countries.

ISIS in Syria and Iraq

ISIS has committed systematic, severe abuses of religious freedom and other human rights as part of a brutal campaign in their self-described quest to create a "caliphate" on the territory of Syria and Iraq. They have perpetrated mass killings, rape, human trafficking and sexual slavery, using these and other abuses to "cleanse" the areas under its control of religious minorities: Christians, Yazidis and Turkmen and Shaback Shia Muslims. The group has forced conversions of Christians, ordering them in Raqqa, Syria in February and then in Mosul, Iraq in June to convert to Islam, pay a special tax, leave town or be killed. Hundreds of thousands of Christians, Shia Muslims and Yazidis have fled their homes to escape persecution by ISIS in the areas it controls in Iraq. Countless more have fled in Syria. ISIS has destroyed hundreds of churches, mosques and shrines in the areas it has taken. The group has also killed Sunni religious leaders who oppose them. The State Department reports that ISIS has abducted at least 1,500 women and girls, mostly members of religious minorities, subjecting them to murder, rape, torture, sexual slavery, forced marriage and forced conversion as well as giving them to fighters as "brides" and trafficking them for profit. U.S. and Kurdish military intervention helped to rescue tens of thousands of Yazidis trapped by ISIS on Mount Sinjar who would have undoubtedly suffered a similar fate.

There is a direct line between ISIS success and Iraqi government failure on human rights and good governance. The Iraqi government's security strategy has contributed to the polarization of the country. It has consistently resisted real power sharing and

other key reforms to address the grievances of the Sunni community. Former Prime Minister Nouri al-Maliki and his Shiite-dominated government seemed more interested in recrimination than reconciliation. Sunni politicians were ignored, humiliated, and often prosecuted. The most senior among them, Vice President Tariq al-Hashimi, fled the country after being charged with terrorism and sentenced to death in absentia. Maliki dismissed American trained Sunni generals from the Iraqi Army and replaced them with Shiite political cronies. He filled the ranks of the police forces with Shiite militia partisans, many of whom had previously killed Sunnis.

The United States and others in the international community did not exert enough pressure to bring about a change of course. The chronic failure of the Iraqi government to protect religious and ethnic minorities, who had for years been caught in the middle between Sunni and Shia sectarian violence, left them even more vulnerable to abuse by ISIS. All of this – the failure to forge inclusive governance and reign in corruption, to stand up institutions capable of protecting human rights, holding violators accountable and addressing grievances, and to tamp down rather than enflame sectarianism – invited further sectarian divisions and contributed to ISIS' success in Iraq. The International Crisis Group has likened ISIS taking territory in northern Iraq to "push[ing] against a house of cards." Interviews with residents of Mosul assert that the corrupt and abusive conduct of government security forces controlling the city left residents, if not ready to embrace ISIS, at least not willing to fight to defend the existing order. In the absence of support, government forces fled ISIS' swift advance.

President Obama has set out a 4-pronged strategy to degrade and defeat ISIS and has begun to forge a broad coalition of nations to advance that effort. That coalition includes Saudi Arabia, the UAE and Qatar, who have funded extremist groups and authoritarian governments who have promoted sectarianism throughout the region.

We welcome the Administration's effort to advance a more inclusive and responsive Iraqi government as part of its comprehensive strategy; a government that protects universal rights will strengthen the determination of Iraqis to work together to defeat ISIS and secure a more stable and democratic future. We urge that the Administration to secure specific undertakings from the Iraqi government to protect religious minority communities and the rights of their members and include community representatives as meaningful partners in the future of Iraq. U.S. security assistance to Iraq should include efforts to prevent abuses by the Iraqi security forces in any areas retaken from ISIS. We also urge the Administration to work to reduce the support of Gulf State allies for extremism and sectarianism.

Nigeria

This year has been the most violent of the conflict with Boko Haram thus far, with reports that some 3,300 people have been killed since January. Boko Haram militants have been responsible for mass killing, looting, abduction and rape as well as the destruction of entire villages often with little or no resistance. The group has sought to erase Western influence and establish an Islamic state in Nigeria, and has waged a brutal campaign of attacks in the northern and central parts of the country, bombing

churches, police stations, army barracks. It has killed those who criticize it, including Muslim clerics and Christian preachers. In August 2014, the UN reported that 650,000 persons had been displaced from northeast Nigeria, an increase of 200,000 since May.

The kidnapping of some 200 girls from a Christian boarding school in Borno state in April 2014 brought international attention to apparent weaknesses in the Nigerian military's efforts to protect Nigerians from atrocities and also recapture and hold territory controlled by Boko Haram. Less well known but no less apparent is that the Nigerian military and its civilian surrogates have engaged in rape, torture and murder in the fight against the extremist group. Security analysts have concluded that abuses by the Nigerian security forces has greatly undermined the government's efforts to degrade Boko Haram, and has in some cases increased local support for the group. These abuses have alienated the very citizenry the government needs to weaken Boko Haram.

The United States has ramped up its counterterrorism assistance to Nigeria following the crisis with the abducted girls, and, according to Congressional testimony by the Defense Department's African Affairs Director Alice Friend in May, the U.S. government is urging Nigeria "to take to take a more holistic approach and a frankly, much less brutal approach ... against Boko Haram." It is not clear how effective those entreaties have been.

Human Rights First has urged senior U.S. officials to be frank with their counterparts in Nigeria about how their security forces have contributed to this crisis. The Department of Defense should partner with State and USAID to support anti-corruption, rule of law, and police reforms. It should also, through the Leahy Law and other avenues, ensure that the United States is not supporting individuals within the Nigerian security services who are complicit in the victimization of civilians. The United States should support and demand that mechanisms to prevent abuses be put in place in the Nigerian security apparatus as part of the assistance it is providing.

Burma

Communal violence has killed hundreds of people and displaced close to 150,000 since unrest broke out in the western state of Rakhine in June 2012, with the ethnic Rohingya Muslim minority bearing the brunt of the violence. Outbreaks of anti-Muslim violence have also occurred elsewhere in the country, most recently in July of this year, when two were killed and 14 injured when rioting erupted in Mandalay. The rioting began when a mob attacked a tea shop owned by a Muslim man accused of raping a Buddhist woman.

Recent positive political changes in Burma have yet to resolve longstanding discrimination and other grievances against ethnic Muslims and Christians. The government has clashed sporadically with ethnic separatist groups, amid attempts to negotiate over grievances that stretch back decades. Extremist Buddhist nationalist elements, such as the so-called "969 Movement," have been accused of inciting sectarian hatred and pushing for discriminatory laws, including a proposed ban on

interfaith marriage. The government itself has asked the legislature to consider a ban on conversions, targeting non-Buddhist minorities in the country.

Burma is undergoing a transition to democracy that is heavily supported by the United States, which is reported to be considering some forms of security assistance to the country. As the United States advocates government and institutional reforms, it should concertedly press for more action by the authorities to abandon discriminatory legislation, condemn hate speech, counteract violence and combat discrimination on the basis of religion. Continued religious violence and official discrimination will undermine the ability of the Burmese government and people to achieve a transition to a more democratic, rights-respecting system.

Pakistan

There has been a spike in religious violence in the last year in Pakistan. Dozens have been killed by Sunni militant groups targeting primarily Shia Muslims (including several deadly attacks on pilgrimages) as well as Christians, Ahmadis, and Hindus. In February, gunmen launched a deadly attack on a Sufi religious ceremony in Karachi, killing 8. Abuses of blasphemy laws continue, leading to mob attacks on Christian, Hindu and Ahmadi communities. In March, Madrasa students in Sindh's Larkana district attacked and burned a Hindu temple after an alleged act of blasphemy by a Hindu community member. Christian teenager Asia Bibi and at least 16 others remain on death row for blasphemy law convictions, 19 others are serving life sentences, according to the U.S. Commission on International Religious Freedom. Extremists have waged a brutal but largely successful campaign to kill and intimidate judges, lawyers and critics of the blasphemy laws. Pakistani authorities have consistently not brought perpetrators of religiously-motivated violence to justice. Pakistan is in the midst of a political crisis, and the current government of Prime Minister Nawaz Sharif faces an uncertain future, as a government campaign against the Pakistani Taliban and other militant groups in the tribal areas continues.

Egypt

Following the dismissal of President Morsi in July 2013, there was a spike of well over 100 attacks against Coptic Christians and their property that continued through the end of the year. At the time, it was clear that Copts were pawns in a highly destructive zero-sum political game between the Muslim Brotherhood and the military-backed national security state. Supporters of ousted President Morsi openly blamed the Copts for the removal of their president, claiming that Christian hostility to Islam and to the idea of a Muslim Egypt they claim to represent led them to conspire with the military and hostile foreign powers, like Israel and the United States, to overthrow a legitimately elected president. The disproportionate blame attached to the Christian community by Morsi supporters after his dismissal made the community more vulnerable to the violence that followed. At the same time, the military-backed government of President Abdel Fattah el-Sisi and its supporters appeared to be more interested in pointing to the anti-Christian violence as evidence of the extremism of the Muslim Brotherhood than in taking effective measures to protect Christians and

their places of worship, homes and businesses from attack.

Sporadic attacks on Christians and other religious minorities have continued in 2014. Although the wave of attacks on Copts has largely abated, the underlying dynamic remains, rendering the community perhaps safer for the moment but vulnerable over the longer term in a political and security environment that remains unstable.

It continues to be the case, as it was under Mubarak and the Morsi government, that the Egyptian authorities need to enhance protection for the Coptic community, to be more responsive to complaints of assaults or harassment from extremists, and to hold accountable those who incite and take part in sectarian violence. The current government also should remove some of the long-standing restrictions on freedom of religion and building blocks of legal and societal discrimination targeting religious minorities, which would include repealing abusive laws prohibiting blasphemy and defamation of religions, repealing the decree banning Baha'is, and enacting a unified law for the construction and repair of all places of worship.

Even more than Mubarak, President Sisi is grounding his legitimacy in his own brand of Islamism. He is sometimes referred to as "the believer President" and he has maintained an alliance with the Salafi al-Nour Party, which has taken positions more extreme and more sectarian than the jailed Muslim Brotherhood leadership. His rhetoric and persona is more Islamized than Mubarak's. Sisi's financial and political backing is coming directly from Saudi Arabia and the UAE, the same powers that have backed Sunni extremist groups, many of which have engaged or instigated violence against religious minorities throughout the Muslim world for decades.
Saudi influence can perhaps be seen in the "Think Again" campaign launched by the Sisi government to push back against atheism and "takfiri" thinking. This echoes moves in Saudi Arabia to discourage its nationals from taking up arms with takfiri groups like ISIS, or al-Qa'eda off shoots, but equates "atheism," which threatens no one, with violent extremist groups responsible for killing thousands and displacing millions. Under the Egyptian campaign, the State Security directorate is clamping down on those who openly identify as atheists on Facebook. This has led to arrests and prosecutions. Working with Al Azhar and the ministry of Awqaf, the Sisi government is exerting greater control over Islamic preachers and policing religious discourse more tightly. This is partly to counteract extremism, but it also raises concerns for the situation of minority Muslim sects, like Shi'ites and Ahmadis, as well as the Baha'is.

Sisi seems to be using religion deliberately, possibly creating a religio-military-nationalist hybrid that follows the Pakistani model. Again, this carries risks for religious pluralism and the rights and safety of religious minorities. The United States should be careful not to repeat the mistakes made by successive administrations in Pakistan in the 1980's, turning a blind eye to the hardening of an Islamist military dictatorship because they are helping us fight another enemy.

Another caution for the United States is that ongoing human rights abuses in Egypt are likely to advance the cause of extremism down the road. The United States has been

painfully quiet as President Sisi has cracked down on human rights groups and civil society groups and independent media – the very voices in Egypt that have spoken out against abuses targeting religious minorities and women. Despite the ongoing crackdown, this past weekend in Cairo, Secretary Kerry implied that the Sisi government was working "to follow through on its pledge to protect human rights," while he also referred to our "shared fight against terrorism and extremism" and reiterated the intent to deliver 10 Apache helicopters to the Egyptian military. Although the sectarian violence may have receded for now, the Egyptian government has done little or nothing to make it more difficult to return in the future. It has not addressed any of the long-standing grievances of the Coptic community. It may have suppressed the Muslim Brotherhood for the moment, but it has created an environment – including through a very violent crackdown on the Muslim Brotherhood and its supporters – where it is unlikely that a more moderate strain of political Islam will develop, one that is more open to religious pluralism than was the case under Morsi's presidency. And if the future of Egypt continues to be shaped as a struggle to eliminate the Islamist opposition, the Christian community will likely remain trapped in the middle, to be used again as a pawn down the road, as the increasingly authoritarian regime has every incentive to paint all Islamists as terrorists and dangerous extremists. The United States does not appear to have a strategy to change that dynamic in a country that is an ally, is one of the largest recipients of U.S. assistance and has the largest non-Muslim minority community in the Middle East.

U.S. policy should be rooted in seeking to promote stability, and a more inclusive civilian government in Egypt through respect for human rights and the rule of law. If it does not take this opportunity, the United States will inevitably continue to lose credibility and influence in a country it desperately needs to be stable and free.

Antisemitism and the Rise of Hate Parties in Europe

Europe has witnessed a sharp increase in anti-Semitism. This includes violent attacks, such as the killing of 4 people outside the Jewish Museum in Brussels in May 2014, and a series of violent attacks on Jewish community property in France, Germany and elsewhere in connection with protests over the recent war between Israel and Gaza. Also very alarming is the rise over the last three years of virulently antisemitic, racist, neo-fascist parties, which have won seats in their national parliaments as well as the European Parliament. Human Rights First has recently issued a report entitled "We're Not Nazis, but... The Rise of Hate Parties in Hungary and Greece and Why America Should Care," that details how antisemitic, racist rhetoric has become part of the mainstream political discourse in both Hungary and Greece. There is a growing climate of fear for religious and ethnic minorities in those countries as hateful rhetoric flourishes and violent hate crimes go largely unpunished. Senior leaders of the Jobbik party in Hungary and Golden Dawn in Greece have openly denied the Holocaust, called for a list of Jews in the government to be drawn up, and read from the Protocols of the Elders of Zion; many of these statements took place on the floor of their respective national parliaments.

Jobbik and Golden Dawn have made large gains in local, national, and European Parliament elections. Both parties have benefited from the tolerance, if not the tacit

support, of the governing parties, which have competed with the extremists for votes. In Hungary, Jobbik has helped Prime Minister Viktor Orban to become more authoritarian, pursue historical revisionism with regard to the Hungarian government's involvement in the deportation of hundreds of thousands of Jews in the Second World War, violate European norms of constitutional democracy and human rights, and most recently, declare that Hungary rejects liberal democracy and will become an "illiberal state." In Greece, Golden Dawn infiltrated the police and weakened the Greek government, which waited far too long to begin prosecuting its leaders for running a criminal organization and to purge police officials who enabled their crimes. Neither government has done enough to combat hate violence and protect vulnerable populations. And in the case of both Greece and Hungary, for very different reasons, the assumption that E.U. democracies are self-correcting over time with respect to extremism in the political system has been thrown into doubt.

Jobbik and Golden Dawn are not poised to take power soon, but their malevolence and the corrosive effect they have on their societies and the political conversation in Europe should not be underestimated. They are more than Eurosceptic: they want their countries out of the European Union and oppose the commitments to respect existing borders to which their countries agreed in order to join the E.U.

Almost all of the 14 far-right parties that won seats in the May 2014 European Parliament elections have been courted by Russia. Pro-Russian far-right parties have opposed E.U. sanctions against Russia for its behavior in Ukraine and have attempted to give international legitimacy to its annexation of Crimea. Some analysts assert that Kremlin cultivation of far-right parties is part of President Vladimir Putin's strategy to weaken the E.U. from the inside and to prevent further expansion of NATO. There are allegations that Jobbik has received financial support from Russia and Iran. These concerns deserve full investigation.

The U.S. government needs a strategy to help Greece, and counter democratic backsliding in Hungary. The United States must engage directly to address the human rights and rule of law challenges in Greece and Hungary as part of its overall strategy to strengthen the Transatlantic Alliance. It will need different strategies to deal with its two old friends: Hungary, a democratic backslider, and Greece, with a government that has been weakened by severe recession and soaring unemployment but has belatedly begun to prosecute Golden Dawn leaders and their accomplices in the police for violent crimes. The United States needs to recognize that these successful neo-fascist movements in Europe are no longer just an E.U. problem. To the extent that they undermine the E.U., NATO, or our allies, they are an American problem, too.

Other International Religious Freedom Challenges

In addition to the situations described above, there remains severe government persecution, oppression and discrimination on the basis of religion or belief in North Korea, China, Iran, Saudi Arabia, Turkmenistan, Uzbekistan, Russia and elsewhere. Members of all faiths suffer persecution and continue to flee those repressive regimes where they can, many trying to reach freedom in the United States.

Freedom of expression continues to be under assault in the name of prohibiting blasphemy and the so-called defamation of religions, and these attacks have escalated dramatically as repressive governments and extremists alike are getting more adept at exploiting the internet and social media for their purposes. Although the United States led an international coalition that eventually reversed in 2011 the effort by the Organization of Islamic Cooperation to establish a global blasphemy code at the UN, national laws prohibiting blasphemy or defamation of religion are regularly abused, creating instability and empowering violent religious extremists. The concept of blasphemy has long been a destabilizing force, and accusations of blasphemy easily stir popular sensitivities, which extremists with political agendas exploit to rally violent mobs. Human Rights First's most recent review found dozens of cases in over 20 countries.

A New International Religious Freedom Strategy ...

President Obama's nominee for Ambassador at Large for International Religious Freedom, Rabbi David Saperstein, said at his Senate confirmation hearing last week that he would seek to engage "every segment of the State Department and the rest of the U.S. Government, to integrate religious freedom into our nation's statecraft: counter-terrorism, conflict stability efforts, economic development, human rights...." This is a smart approach, and one that should be supported by the White House and the Congress. This kind of integration can produce smarter, more effective strategies to advance U.S. interests and to reduce violations on the ground in particular situations.

The United States needs country-specific strategies to better integrate promotion of religious freedom and related human rights into its efforts to confront the national security challenges described above. In particular, these strategies should be deployed in order to prevent security situations from deteriorating to the point where it becomes necessary to consider military action by the United States as a viable option.

The elements of this type of strategy should be specific to individual situations, but should include as applicable:

- **Promote a more rights-respecting approach by foreign governments to counterterrorism.**

  Support for ISIS and Boko Haram has been fueled by human rights violations by the Iraqi and Nigerian security forces and their paramilitary supporters, including indiscriminate bombing, torture, rape and retaliatory killings. In its security and counterterrorism assistance for these and other countries, the United States should counteract this dynamic by securing and holding governments to commitments to reform its practices in exchange for U.S. assistance, by explicitly building human rights outcomes into the objectives of U.S. security assistance (by, e.g. funding accountability mechanisms for abuses, training in protection strategies for religious minorities and women and training in non-coercive interrogation techniques) and enforcing the Leahy

Law.

- **Stop U.S. allies like Saudi Arabia and Qatar from funding religious extremism.**

  Employ diplomatic pressure and other tools to dry up the financial and other support coming from sources in countries that are allied to the United States (e.g. Saudi Arabia, UAE, Qatar) for violent extremist groups as well as other activities like preaching and literature that exploit sectarianism and incite violence or hatred among Muslims and against Christians, Jews, Ahmadis, Baha'is, Yazidis and other non-Muslims. A necessary step in that effort is to ensure that U.S. Intelligence Community resources are deployed to track and analyze these activities. Lessons learned and information gathered from the current effort to disrupt financial support for ISIS should be applied to other situations, as applicable. Allegations of Russian support for neo-Nazi and other far right parties in Europe should be investigated. In the longer term, better strategies are necessary to upend the dynamic where wealthy Middle Eastern countries allied to the United States profit politically from promoting sectarianism, often in competition with Iran.

- **Provide assistance to integrate members of religious minorities into the security services and promote greater accountability for violence.**

  Where the political will to do so exists or can be created, assist law enforcement, judicial and security services to recruit and integrate members of religious minority communities into their ranks, and to investigate, prosecute and punish violence targeting communities and individuals on account of their religion as well as complicity of government officials in such violence.

- **Counteract extremist propaganda and hatred.**

  Develop and support messengers to counteract extremist propaganda about religious minorities. Support programs that create public space to discuss the benefits of religious freedom and that offer alternative narratives to religious extremism and ideologies of intolerance and violence, including that reflected in state-sponsored education. Provide opportunities for women's advocates to engage more effectively with religious leaders and religiously-based arguments to advance their issues.

- **Assist IDPs, refugees and asylum seekers fleeing religious persecution.**

  Provide support for protection of those fleeing religiously based violence and persecution, including strategies in countries of first asylum where members of religious minorities, unaccompanied women and others are particularly vulnerable to threats from extremist elements in the local population. Obstacles to the fair adjudication of asylum claims in the United States – such as the backlog in immigration courts, overbroad interpretation of terrorism related

grounds for inadmissibility and unnecessary detention – should be removed.

Recommendations

In order to implement this strategy in situations where gross violations of religious freedom are occurring or threatened and foreign governments are unwilling or unable to act to prevent them, Human Rights First recommends the following:

1. *The President should include in the new* ***National Security Strategy*** *or another White House policy document a clear statement that it is U.S. policy to advance international religious freedom and related human rights as part of the strategy to promote stability in foreign countries and combat terrorism.* Such a statement should reflect the importance to U.S. interests of advancing the full scope of the right to freedom of thought, conscience and religion (including religious pluralism and tolerance, the rights of religious minorities and the freedom of expression, dissent and debate).

2. *The President should* ***create a permanent Interagency Policy Committee (IPC) on religion, human rights and national security****, to be co-chaired by a Deputy National Security Advisor and the Ambassador at Large for International Religious Freedom, with the resources and mandate to coordinate across the administration international religious freedom policy as it relates to national security issues.* This will help to integrate the IRF ambassador into the work on national security, conflict prevention and mitigation, counterterrorism, countering violent extremism and democracy promotion.

As part of its work, the IPC should:

- Analyze religious freedom conditions in particular countries or situations and provide guidance for the relevant federal agencies and offices in developing policy responses, programs, and activities as part of a government-wide strategy.
- Make recommendations to the Deputies Committee (NSC/DC) to define priority countries or situations for promoting religious freedom and channel resources to implement strategies on those countries.

The IPC should consider prioritizing the development of strategies on the following situations:

- ISIS
- Nigeria
- Burma
- Pakistan/Afghanistan
- Egypt
- Europe's Growing Far-Right

3. *Regardless of where the IRF Ambassador and the IRF Office sits in the State*

Department bureaucracy, ***the Secretary of State should ensure that the Ambassador has regular and consistent access to him,*** *attends senior level State Department meetings, and is fully integrated into the broader policy discussions on issues of national security and bilateral relations with countries violate religious freedom.*

4. *The Secretary of State should instruct the Under Secretary for Civilian Security, Democracy and Human Rights to* ***create within the "J" family of bureaus an integrated unit that can be deployed to the field to assess the risk of systematic violence targeting religious communities*** *or other severe abuses of religious freedom and make recommendations on confronting the situation in a coordinated fashion using existing tools of diplomacy and assistance* (in particular those under the control of the CSO, CT, INL, DRL and PRM Bureaus to promote civilian security, rights-respecting counterterrorism, law enforcement reform, protection of human rights and religious freedom, atrocity prevention, protection of vulnerable populations and the displaced, and women and girls).

5. *The Secretary of State should* ***require training in international religious freedom, the religious dimensions of U.S. national security challenges and engagement with religious leaders*** *in the Foreign Service Institute's A100 course and area-studies courses as well as mandatory training for ambassadors and deputy chiefs of mission.*

6. *The President should* ***send Vice President Biden to represent the United States at the 10th Anniversary of the OSCE's Berlin Conference on Anti-Semitism*** *in November 2014. Congress should also send a bipartisan, senior level delegation to this important meeting.*

Mr. CHAFFETZ. Thank all of you for all your testimony. You have—your fuller remarks, if there are some, obviously will be entered into the record.

I would also just ask that, if you have very specific recommendations or want to modify those at any time, please send those forward as we digest—we are not only the Oversight Committee, we are supposed to be the Government Reform Committee. And certainly there are things that the law can do to help catch up with what we are supposed to do.

Now I would like to recognize the gentleman from South Carolina who cares passionately about these issues, Mr. Gowdy.

Mr. GOWDY. I want to thank the chairman, and I want to thank all the panelists.

I want to just single out the one that I know the best, Dr. Farr, who has done a lot, Chairman Chaffetz, to help me understand the issues, and our mutual friend, John Hutchinson from South Caroline.

Dr. Farr, I just have one question.

And then I want to yield my time to the gentleman from Utah who has worked so assiduously on this issue.

You mention the Senate's heretofore failure to confirm the Ambassador-at-Large. Among the mysteries of the world, a Senate confirmation process probably ranks in the top three, at least to me. So I don't—I don't know what the holdup would be.

Is there—one of your panelists mentioned our colleagues in the Senate and—perhaps putting pressure on them, which traditionally does not work. What can we do? Is there a holdup that has been identified or is it just the normal Senate schedule? And I'll let you answer that.

And then, Mr. Chaffetz, I would give the rest of my time to you.

Mr. FARR. Thank you for that, Mr. Gowdy.

Others on the panel may know better than I, but I understand that the committee was to vote on his nomination today. It may be happening as we speak. The problem is that the Senate is going to be in recess.

So if there's a way for the Senate to—which I know you have no control over—to confirm him before they go on recess, before the Congress does, it would be good, because he could get into—into the job. But I do think at this point it is a procedural matter rather than any opposition.

Mr. CHAFFETZ. I thank the gentleman from South Carolina.

If you were going to take this job on—you have all offered recommendations that you can do. But what, realistically, can that position actually do, given its status, given its placement?

I know there are some recommendations on the elevation and who they report to, different committees that we can—but if you had an objective for this person in the first 100 days, the first three, what would that be? What would be on that person's list? What can they realistically actually do and accomplish?

And, again, I think you all know this. You have all stated it. We just haven't seen the numbers and the meter move in the right direction. In fact, it is going in the wrong direction.

Yes.

Ms. LANTOS SWETT. Well, I will be happy to take a crack at that.

I think, to some degree, there needs to be an effort to change the culture at the State Department. For many years there was something that was known almost as—I think it was called the secularization thesis, that as societies became more modern, they would inevitably become more secular and that religion was not really a terribly relevant factor or would not continue to be a terribly relevant factor in the lives of large numbers of people around the world. And, if anything, the history of the last 25 years has undermined that—that now somewhat discredited secularization thesis.

And I do think that Rabbi Saperstein will face a challenge of sort of confronting a culture at the State Department that has tended to sideline these concerns, has tended to view the business of State as being, of course, maintaining, to the extent possible, positive relations between the United States and other countries, and when there are problems, working at other levels and on other—on other areas of focus.

And so I—you know, I think it is critically important that the next Ambassador-at-Large find a way to have that direct access to the Secretary and, indeed, to the President. You know, the terms of the statute say that the Ambassador-at-Large is the principal advisor to the President and the Secretary of State on matters relating to international religious freedom.

We no longer need to make the case. The world is in flames. It is on fire with religious freedom atrocities, and those atrocities have direct and terrifying implications for our national security.

So I would say try not to be co-opted by the highly bureaucratic nature of the State Department. Battle hard for that ability to, in fact, fulfill the statutory, you know, claim to be that principal advisor.

And, finally, I would say—and I don't underestimate the value of this. And I happened to be with Rabbi Saperstein yesterday at a powerful, wonderful event remembering and honoring Anne Frank, the remarkable young woman who died in the Holocaust, the Dutch woman.

He spoke so powerfully, so eloquently, in such an inspiring fashion, and I do think that we should not underestimate the power and the ability of someone of great passion, great commitment, and great dedication to this issue to change the narrative and to—to draw more focus to it.

Mr. CHAFFETZ. Thank you.

And my guess is you all have input on this. We can either come back to that or, again, submit it to the committee.

We have a second panel, and we are going to also have a second series of votes. So we have got try to balance that time.

And I thank the gentleman from South Carolina, Mr. Gowdy.

Now recognize the gentlewoman from Illinois for 5 minutes.

Ms. KELLY. Thank you, Mr. Chair.

One of the central tools of the International Religious Freedom Act is the designation of countries of particular concern, or CPCs, who are particularly severe violators of religious freedom.

However, the CPC mechanism has not always been consistently—and I understand—used consistently. And I understand that the State Department has interpreted this statute to not require annual designations.

For example, the Bush Administration did not make any CPC designation after 2006, and the current administration has only made two designations to far.

Dr. Lantos Swett, is that correct?

Ms. LANTOS SWETT. Yes. And we—if you are going where I think you are going, we very much would encourage them to make annual CPC designations, as contemplated in the statute.

Ms. KELLY. That is where I was going.

And can you tell me why.

Ms. LANTOS SWETT. Well, you know, we don't want the CPC list to be a frozen sort of dead document that just sits on a shelf. The process of evaluating on an annual basis whether a country is progressing in the right direction, is regressing, is—in and of itself, it brings pressure to bear on those countries when they know that that process is dynamic. It also gives you a much more dynamic opportunity to recognize when progress has been made.

The worst thing that can happen is to create a list, stick it on a shelf, and nobody thinks about it for 4 or 5 years. We want State thinking about religious freedom because it really matters to our national security and our foreign policy. So it is the dynamism and the annual process that brings attention to bear on the good guys and those making progress.

Ms. KELLY. Now, the other issue seems to be disagreement on what countries should be designated between—you know, with the International Religious Freedom Act, the State Department, and the U.S. Commission on International Religious Freedom.

How does the Commission determine which countries are engaged in particularly severe violations?

Ms. LANTOS SWETT. Well, it is a very detailed process involving a lot of research, drawing on information—testimony and information that we get from a wide variety of sources.

Of course, to some degree, we rely on our significant State Department interlocutors in the various countries, religious communities, NGOs, outside organizations that do evaluations. We take trips to those countries to make our own independent assessments.

I hope I am not going to sound too self-congratulatory, but I would say that the USCIRF CPC list is the gold standard. And I recognize we have the luxury of not having to consider the full range of concerns that our State Department has to deal with.

So, you know, I think we need to cut them a little slack. They have to balance things we don't at USCIRF. We have one focus, which is international religious freedom.

But for that reason, I do think our list is the gold standard. I think, if a country makes it on to our recommended list, it has met the statutory requirements. And sometimes State can't find their way to getting where we get to. But I would commend that people consider the USCIRF list to be a very, very good list.

Ms. KELLY. What reasons have they given not to go along with your recommendations?

Ms. LANTOS SWETT. Oh, that is a good question.

You know, I don't want to put words into anybody's mouth; and, so, I want to be very circumspect in answering that.

Certainly their formal responses would indicate that they are not sure that the—that the bar has been crossed in a statutory sense.

But I would give as an example Pakistan, which is a country that I think most people—looking at the statutory language, looking at the reality of, you know, over 100 people in prison, many of them on death row for violations of outrageous blasphemy codes.

Look at the persecution of the Ahmadiyya Muslims in Pakistan. Look at the threats and the murder of people like Shahbaz Bhatti, the only Christian member of the Pakistani Government before he was murdered and others would say this is a country that has severe religious freedom abuses going on and either perpetrated or tolerated or a situation of impunity by the government.

Tom, I know you have something to add there.

Mr. FARR. Well, now—sorry. I am sorry. I didn't mean to interrupt this——

Ms. LANTOS SWETT. Oh, no.

Mr. FARR. I didn't want to say something about the CPC. I wanted to just say a word about the issue of how the Ambassador could be effective, if I might. I will be very brief.

My first recommendation to the committee, which was the first recommendation last year, is that the IRFA be amended to require the Ambassador-at-Large to report to the Secretary of State just as the Ambassador-at-Large for others, such as women's issues, do.

You could put the Pope in this position, Mr. Chairman, and buried in the bureaucracy as he is, he would not be effective. It is because of State Department understands this issue as a junior position. Foreign governments—it is not rocket science—understand it is not a priority.

The Congress could make this happen. The State Department is not going to do it. They are not going to do it with, hopefully, Ambassador Saperstein.

Ms. KELLY. Can I just ask one more?

How effective have the CPC designations and resulting actions been in actually changing the behavior of the offending countries?

Ms. LANTOS SWETT. Well, I don't think I can be quite as self-congratulatory in response to that question. Part of the reason is, as has been mentioned by a number of us here on the panel, neither—you know, none of the administrations since the creation of IRFA have adequately utilized the tools that are at their disposal.

When sanctions are imposed pursuant to a CPC designation, they are always what we call double-hatted. So there is no specific penalty associated to the designation as a CPC.

Mr. Smith suggested that we also need to look for countries of particular opportunity. I think that is a great idea. I think there needs to be—I am a believer in shame and blame. You know, look. I am a Jewish mother. You know, I—daughter of Holocaust survivors. So we belive in the power of guilt. We really do. And it is a highly sophisticated art within that tradition, if I may say so with tongue firmly in cheek.

But—so I do believe in shame and blame, but I don't think it is enough by itself. So I think we need to look for positive opportunities. But I would say this. When it comes to the ineffectiveness of change as a result of CPC designations, there is a role for sanctions.

And if I can quote the great Catholic writer G.K. Chesterton, I think he once said, speaking of Christianity, that it is not that it

has been tried and found wanting, but it has been found hard and not tried. And I think that that also sort of has some relevance to whether or not we could bring about more change if we had more robust and particular sanctions associated with CPC designations.

Ms. KELLY. Thank you for the time.

Mr. CHAFFETZ. I think Mr. Stahnke wanted to add something briefly, if we could, please.

Mr. STAHNKE. Yes. Very briefly.

I think it is hard to point to success stemming from CPC designation or actions that are taken. I would suggest take a different approach. Right?

The administration is engaged on ISIS, on Boko Haram, on Burma. These countries are ones where Rabbi Saperstein, as Ambassador-at-Large, could be put at the table of the serious policy discussions.

He could go there, and he could come back and lay out a strategy for how to reverse the conditions that are plaguing and producing these abuses. And I think that is something that is achievable in a short term where there is already action taking place.

Thank you very much.

Mr. CHAFFETZ. Thank you.

We are way over the—over the time. Let me go to Mr. Bentivolio. You will have a chance to come back here.

The gentleman from Michigan, Mr. Bentivolio, is now recognized.

Mr. BENTIVOLIO. Thank you very much, Mr. Chairman.

And thank you all for coming here today on this very important issue.

America is waking up to the atrocities in the Middle East. I have spoken 13 times on the floor of Congress about religious freedom issues in the Middle East as well as China and other places of the world.

And my office has been reviewing some of the standards, I think, that the State Department has for how they rate countries as far as the religious freedom. Are you familiar with that? And I think you talked about that earlier. Can you explain that in more detail?

Anybody want to answer that question, what that rating system is all about in the State Department, how they rate countries based on religion freedoms?

Mr. FARR. I don't think they do that, sir. I think what they do is name the bad guys. That's the Countries of Particular Concern list.

Mr. BENTIVOLIO. Okay. So there is really no——

Mr. FARR. There is no ranking.

Mr. BENTIVOLIO. —ranking, no matrix to use for how we—you know, countries that are promoting religious freedom versus not promoting or the opposite?

Mr. FARR. The Pew Research Center produces an annual report that does, in effect, rank these countries and gives them scores.

Mr. BENTIVOLIO. And the reason I am asking this is because, in order to promote religious freedom, you know, sometimes we ignore those atrocities taking place, and yet the United States Government will still write them a foreign-aid check for some reason or another, usually in the form of tanks and airplanes and AK–47s or similar.

So how do you feel about rating these countries based on their matrix of religious freedom and foreign aid?

I notice, Mr. Smith, you have a list of—excuse me a minute—yeah, "As specified in the act, negative sanctions include," but I don't see not getting a check from the United States Government. Do you think that would have an effect one way or the other?

Mr. SMITH. Yes, of course it would. And, in fact, I am not sure if that was totally understood. My testimony is that it should be linked, that there should be a linkage between U.S. aid, military aid, and religious freedom, which is already recommended in the act.

Mr. BENTIVOLIO. In the act.

Mr. SMITH. Yes.

Mr. BENTIVOLIO. But we are not enforcing it.

Mr. SMITH. That is correct.

Mr. BENTIVOLIO. That is what you are telling me.

Mr. SMITH. That is exactly right.

And if I could just say, while the focus should be on countries of particular concern because of the horrendous religious freedom records that they have, most countries are not CPCs. And so my testimony is that we should also focus on those countries that are not the worst offenders because those are the ones that legitimately want to improve their records and are most susceptible to incentives and to persuasion.

When we think of the CPC countries, where we are really talking about criminal activity and other forms of abuse, they are not very responsive. And that is why there is a problem. And if the goal of IRFA is to actually make a difference, we need to also focus on those countries most susceptible to positive incentives and persuasion.

Mr. BENTIVOLIO. Very good.

So how do you think we should handle the present problem we have in the Middle East with the persecution of Christians, Coptics, and other minority religions?

Mr. SMITH. Well, that is obviously a tremendous tragedy, and there has been a lot of discussion over the past couple of years about how it is increasing.

What needs to be done, in my view, is there needs to be a strategy that is put into place by State. And it is not a matter of simply giving some speeches or even writing an effective report that explains the problem. There needs to be a strategy for success. And that includes the type of efforts that will be made, the linking of U.S. aid, U.S. incentives of various kinds—economic incentives can be linked to religious freedom—and identifying the people who are in charge of religious policy in those countries, getting to know them and trying to work with them.

Mr. BENTIVOLIO. Do you think there is any hope in restoring the homes in the communities that the Christians were forced to leave after living there for thousands of years? Do you think there is any chance of them ever going back with the present state of affairs?

Mr. SMITH. Well, we have to always hope that that can be the case.

Mr. BENTIVOLIO. Hope.

Mr. SMITH. And it may take time, but quick action is needed now to prevent further erosion.

Mr. BENTIVOLIO. What do you mean by "quick action"? Can you be more detailed?

Mr. SMITH. Well, the strategy that I am referring to——

Mr. BENTIVOLIO. Okay. A strategy.

Mr. SMITH. Yes.

Mr. BENTIVOLIO. But you are not really outlining a specific strategy. And I don't mean to attack you on this because there is a lot of people here in Washington that use that word, "strategy," but I haven't seen the details of that strategy.

Did you want to add something?

Excuse me. Thank you very much, Mr. Smith.

Mr. SMITH. You bet.

Mr. BENTIVOLIO. Appreciate it.

Ms. LANTOS SWETT. Just very specifically to your question about whether or not these persecuted communities that have fled could be resettled, we have had a number of briefings at USCIRF from representatives of those communities. And I can convey to you that what they said to us is: We cannot go back. After what happened to us, after the way we saw our neighbors, neighbors going back generation upon generation, either turn against us or fail to defend us in any meaningful way, we cannot rebuild our lives there.

Which is why I think one thing we need to be prepared to do as a government is raise the refugee resettlement quotas for some of these horribly targeted communities in the region of, you know, Iraq, in particular, the area that ISIL has taken over in Iraq.

So members of the communities are not feeling optimistic about the idea of their lives resuming there.

Mr. BENTIVOLIO. Just one more quick question?

Mr. CHAFFETZ. We have a second panel, and we have the vote coming up.

Mr. BENTIVOLIO. Thank you very much.

Mr. CHAFFETZ. I thank the gentleman.

We will now recognize the gentlewoman from New York, Ms. Maloney, for 5 minutes.

Mrs. MALONEY. Thank you.

And I would like to welcome all of the panelists and particularly my good friend Dr. Lantos Swett, whom I first met as the daughter of my former colleague and the wife of my former colleague and a great candidate herself.

So it is good to see you still working hard on issues, and wonderful to see you again.

The International Religious Freedom Act is the main legislative vehicle through which Congress has authorized the administration to respond to gross violations of religious freedom. But in light of the sharp rise of religious persecution, we should stop and ask how well the act is equipped to deal with crises around the world and what changes Congress can make to do it better.

And I would like Dr. Lantos Swett to answer that and elaborate on what you actually wrote about in your testimony and in your conclusion that IRFA's tools are, quote, "almost irrelevant" in situations like Syria.

I would like to add that I went to the grave of Thomas Jefferson, and, if I recall, on his headstone is not "author of the Declaration of Independence," not "President," not this or that, but what he chose to put on his headstone was "the author of the Religious Freedom Act"—a basic, basic belief in our country. And I really am very disturbed to see the persecution of religion around the world that we have seen particularly recently against Christians.

So I look forward to hearing your statement, Dr. Lantos Swett.

Ms. LANTOS SWETT. Thank you so much.

We have made a number of recommendations, but I do think probably the single most significant thing that could be done to make IRFA a more effective piece of legislation, make USCIRF and the IRFA office in the State Department more effective would, in fact, be for our government at the highest levels to prioritize this cause.

And I will say that I do see a shifting attitude. I think it is becoming increasingly apparent to people at the highest levels of our government that, if we don't get this piece right, we will not be able to solve our most intractable foreign policy and security challenges. If you overlay the list of Countries of Particular Concern with the list of countries of particular national security threat to the United States, it is shocking how closely those two lists mesh, for the most part.

One thing that I think is already contemplated in IRFA that has not happened—and I think another member of the panel referred to this—is it calls for, for example, a director-level position at the National Security Council who could serve as the special advisor on the National Security Council on religious freedom issues.

I think my most passionate argument would be that people need to stop thinking about religious freedom as a nice idea, something that reflects our values, something that it would make us feel good if people could, you know, sort of, practice their beliefs more freely in other parts of the world. When you have societies that repress, oppress, persecute on the basis of sectarianism and religion, you create the seedbed for extremism, for violence, for instability, and, ultimately, for the export of terrorism. We really have got to get this right.

And I am so glad you brought that up about Jefferson because I think that was our secret sauce as a country. That was the piece we got right that was revolutionary at the time, unheard of in human history, this notion that the government shall make no law respecting an establishment of religion nor denying the free exercise thereof, this brilliant, simple formulation—protecting the right of freedom of religion and separating it from being intertwined with government. That is the basic deal right there, and it made all the difference in the way we developed as a nation.

So we need higher-level engagement, we need this to become a priority at the State Department on the part of the administration and in the Congress. IRFA—there are things we can change there, but there is no magic bullet there. The magic bullet lies in raising its priority.

Mrs. MALONEY. But that is a hard thing to do. You have to almost put it into the structure.

And I will join you and others in writing a letter to the State Department or the President that this position on the Security Council should be filled.

Ms. LANTOS SWETT. That would be great.

Mrs. MALONEY. But what other things can we do to institutionalize this? It is one thing to say, raise the priority, but we know what government is like. You are under tremendous pressures, usually understaffed, and so you go to what you have to do. So you almost have to put a structure in place.

What about special envoys? We use that all the time in international affairs, maybe special envoys to special regions on particular problems as we see it. If anybody would like to——

Ms. LANTOS SWETT. I am actually going to defer to Dr. Farr, who I often refer to as my tutor on religious freedom and really very knowledgeable——

Mrs. MALONEY. My time is up now, so I request the chairman let him respond.

Mr. FARR. Very, very briefly.

Two things: We don't need a special envoy. We have an ambassador-at-large. Nobody is in the position. Get it filled, and make this position report to the Secretary of State like other ambassadors-at-large.

Secondly, I recommend in my testimony a Presidential policy directive on religious freedom and national security. The reality is we have nothing in our religious freedom policy to respond to what is going on in the Middle East now—nothing except speeches, words, and reports, in response to your question.

We need a strategy that has action as part of it, but here I am not talking about just talking about strategies. A Presidential directive to develop a strategy on religious freedom and national security, that will put us in a position to do something.

Mr. CHAFFETZ. Thank you.

I am now going to recognize myself for 5 minutes.

I want to go to Mr. Ogebe, who—I really want to talk about what is going on in Nigeria and Boko Haram.

There was a lot of criticism for Secretary Clinton, for the State Department as a whole for not designating them as a foreign terrorist organization. From your perspective, why did that take so long?

But then, once it was designated, what changed? Did it actually even make a difference or move the meter? And is it getting better, worse, or is it just the same?

Mr. OGEBE. Yes. Thank you very much, Mr. Chairman.

Now, we, to this date, do not understand why the State Department dragged its feet with the FTO designation. We do know that there were individuals, 20 professors, that wrote to the State Department and said, don't do it. We did write to them and provide briefs and facts showing why this should be done.

One of the really difficult aspects for us was the fact that the State Department would not admit that Americans had been attacked by Boko Haram.

Ultimately, they did the designation. But we do not know if they have had the political will to implement the sanctions required. We don't know if they just did it to just wish us away.

I can give you a practical illustration of some of the things that have emerged which an FTO designation implementation would have showed. For example, there are reports that Turkish Airlines has been flying arms into Nigeria surreptitiously. Now, if we were aggressively tracking the flow of arms and finances, that is an organization that by now the State Department should have imposed sanctions on.

So we do feel that the situation has worsened. Just this week, one Catholic diocese is reporting they have lost 2,500 members. That is one church losing the equivalent of 9/11—one diocese.

So the situation is getting much worse, and we are now thinking there needs to be a look at the Leahy amendment to see how military assistance can be provided. Because Nigeria is a country that is too big to fail, to use those terms.

Mr. CHAFFETZ. So, to be clear, what would you have the United States do, from your perspective? What would you want them to do?

Mr. OGEBE. Well, one of the first things would be to stop the denial. It is hard to believe that till this day officials continue to deny the serious killings of Christians that is going on. But I honestly think that if there is military assistance—last week, a top U.S. official said, you know, we need to end the denial and the pride. Nigeria is losing territory to these people. If she was genuine in her comments, then we need to look at military assistance so that these people can be stopped. They have taken over six cities in the last couple of weeks, and that is not a good sign for the entire subregion.

So we do need to look at military assistance. If the Ambassador is appointed, that is one of the things that an ambassador can hit the ground running. He can intervene, he can engage with the Nigerian Government with the refugee situation in Cameroon and so on and so forth.

Mr. CHAFFETZ. I thank you.

Unless there are some other pressing questions, what I would like to do is thank this panel for their participation. I would have preferred to have just one panel, quite frankly, but we do have the person from the State Department, and we would like her to have time to testify.

We would invite you to stay here and listen if you would like. But if it is okay with the committee, unless there is an objection, the committee is going to stand in recess for just a couple of minutes while we change the panel there.

And we thank you so much for your dedication and commitment to this issue and your passion. And it is a very important issue, and we look forward to the continued dialogue with you.

We will stand in recess for just a few minutes.

[Recess.]

Mr. CHAFFETZ.The committee will come to order.

We are honored to have the Honorable Sarah Sewall. She is the Under Secretary for Civilian Security, Democracy, and Human Rights at the Department of State.

And we appreciate you being here.

Pursuant to committee rules, all witnesses will be sworn before they testify. So if you would please rise and raise your right hand.

Do you solemnly swear or affirm that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

Ms. SEWALL. I do.

Mr. CHAFFETZ. Thank you.

Let the record reflect the witness answered in the affirmative.

We again appreciate you being here. We are pretty generous on the timing of your verbal comments. If you have additional comments and testimony, I believe, which is a bit revised from what you first gave us, that is perfectly acceptable. That is fine, in this case. We will, obviously, make all of your written comments part of the record. And if you want to add something after the fact, we are happy to do that, as well.

So we will now recognize you for 5 minutes. If you would just bring that microphone maybe straight there and make sure it is on. And you may proceed.

STATEMENT OF THE HON. SARAH SEWALL, UNDER SECRETARY FOR CIVILIAN SECURITY, DEMOCRACY, AND HUMAN RIGHTS, U.S. DEPARTMENT OF STATE

Ms. SEWALL. Thank you, Mr. Chairman.

Chairman Chaffetz, Ranking Member Tierney—although I see he is not here, but I wish him a happy birthday in absentia—and members of the committee, thanks for the opportunity to appear before you today to provide the details on how the Obama administration is promoting religious freedom worldwide.

Today's hearing couldn't come at a more appropriate time because in too many corners of the globe religion is perverted by cynical forces as a tool of subjugation to justify violence, to expand power, and to advance parochial political agendas. There is no greater example of this terrifying reality than the metastasizing growth of the Islamic State of Iraq and the Levant, ISIL, and the terrorist group in Iraq and Syria.

Countering violent extremism and promoting tolerance and human rights is a policy priority that cuts across many of the bureaus I lead as Under Secretary for Civilian Security, Democracy, and Human Rights and, indeed, the entire State Department. The most basic rights of freedom of expression in thought, conscious, and religion are at the core of our work, whether we are countering terrorism or preventing atrocities.

The United States Government is appalled by the horrendous violence and violations of religious freedom and other rights in Iraq and Syria. As the President told the Nation last Wednesday, we cannot allow these communities to be driven from their ancient homelands.

President Obama recognized the alarming nature of the violence by ISIL against the Yazidi community last month, saying that ISIL has called for the systematic destruction of the entire Yazidi people, which would constitute genocide.

This threat, combined with the request from the Iraqi Government, prompted President Obama to authorize a humanitarian effort, reinforced by targeted air strikes, to help save those trapped on Mount Sinjar. Again, in Amirli, we airdropped food and water to Shia Turkmen, and we provided air support for Iraqi forces that

broke ISIL's siege and prevented a humanitarian catastrophe. Going forward, the coalition mission and our actions in Iraq will continue to help protect vulnerable communities.

Mr. Chairman, our efforts to combat ISIL and ensure the long-term safety of the religious communities now so threatened in the Middle East are led by the administration's abiding commitment to advance freedom of religion and protect people at risk due to their faith.

Mindful that we can never do enough, yet focused on how we can do more, this administration is seized by the pursuit of religious freedom as a central foreign policy and national security priority. In remarks at the National Prayer Breakfast this year, President Obama explained why, saying, "History shows that nations that uphold the rights of their people, including the freedom of religion, are ultimately more just and more peaceful and more successful. Nations that do not uphold these rights sow the bitter seeds of instability and violence and extremism. So freedom of religion matters to our national security."

The President's commitment has been matched by that of Secretary of State John Kerry. And just last week in Baghdad, the Secretary urged the new Iraqi Government to protect and integrate members of religious minorities, saying that we are committed to working with the new government as long as they are committed to diversity, to inclusivity, as long as they are going to protect minorities in Iraq.

My team, including the International Religious Freedom, IRF, office, has been directly engaged with those most targeted by the violence waged by ISIL. I have met with representatives of the Yazidi community in the United States a week after the Mount Sinjar attack, and just last week, I met again within an Iraqi human rights group advocating for religious minorities.

The State Department is, in fact, in regular communication with representatives of these communities in Iraq and in the United States. And that interchange has been vital in protecting vulnerable groups and getting humanitarian assistance directly to displaced community members.

The Bureau of Population, Refugees, and Migration, PRM, is working to ensure humanitarian relief is reaching those in need. And it has provided $171.8 million thus far in fiscal year 2014 for aid to Iraqis both inside Iraq and in the region.

ISIL's recent assault on northern and western Iraq is an extension of its brutal acts in Syria, where there have been reports of mass killings in Christian and Alawite villages, forced conversion at gunpoint, beheadings, kidnappings, and extreme abuse of women from all communities, including communities comprised of their fellow Sunni Muslims.

In all of our engagements with Syrians, from Secretary Kerry down to the working level, we have consistently called upon all opposition parties to respect the rights of all Syrians, including the right to religious freedom, and to pursue a government and legal framework that protects these rights. Despite the challenges in realizing these goals, we have been heartened that the Syrian opposition coalition we have recognized has repeatedly and publicly denounced any affronts to religious freedom.

Sadly, religious freedom violations are not limited to the dire situation in Iraq and Syria. In nearly every region of the world, we can see limitations on the freedom of—on the exercise of religious freedom. In Pakistan, numerous religious minorities face high levels of violence and discrimination. Turkey refuses to recognize the Alevis' houses of worship despite their 20 percent percentage of the population. And the Greek Orthodox Ecumenical Patriarch continues to face restrictions, as well.

Pew Forum statistics highlight that over 80 percent of the world's population claims a religion, while over 70 percent of the global population lives in areas in which religious freedom is restricted.

These statistics underscore the momentous step that the Congress took in 1998 when it passed landmark legislation, the International Religious Freedom Act, which sent a clear and strong signal that the universal right of religious freedom would be a priority of the United States' foreign policy. We are deeply committed the our obligations under the IRF Act. We acknowledge the significant contributions toward implementation of the act that have been made by the United States Commission on International Religious Freedom.

On July 28th, Secretary Kerry released the 2013 International Religious Freedom Report, which describes the status of religious freedom in every corner of the globe. And, at that time, he also announced his designations for Countries of Particular Concern. This valuable tool highlights the most egregious violations, and we use this tool, among the many others outlined in the act, to advance international religious freedom. And we press governments to stop violations when they happen, wherever they happen, and not only in countries of particular concern.

Religious freedom, as well as the broader spectrum of human rights, remains a priority in U.S. foreign policy, and it is related more broadly to questions of governance and stability. Around the globe, in countries emerging from conflict or undergoing great change, like Burma and the Central African Republic, we find that fostering respect for religious freedom and a culture of tolerance is central to the creation of a just and lasting peace and a stable government. And this is a trend, I think, to which earlier witnesses testified.

As created by the 1998 IRF Act, the Ambassador-at-Large for International Religious Freedom serves as the principal advisor to the Secretary of State and President on religious freedom. And, just last week, the Senate Foreign Relations Committee held a hearing to consider the nomination of Rabbi David Saperstein. I understand that Rabbi Saperstein has now been voted out of business committee. He has a long and distinguished career pressing for international religious freedom, and we are hopeful for his speedy confirmation so that his efforts and energies can join in the important work already ongoing within the Department.

The challenges of religious freedom around the globe far exceed the efforts of any one person. They require broad cooperation both inside and outside of government. My colleagues and I work with colleagues throughout the Department, our missions overseas, and the White House to ensure that the government is working to-

gether to advance religious freedom overseas. While we can never do enough, we continue to strive to meet our obligations under the IRF Act in both letter and in spirit.

We appreciate Congress' support for international religious freedom, and we want to continue working closely with the legislative branch on our shared concerns and efforts to advance international religious freedom. I look forward to your questions and to our continued cooperation on this critical issue.

Thank you, Mr. Chairman.

Mr. CHAFFETZ. Well, thank you. And thank you for your participation.

[Prepared statement of Ms. Sewall follows:]

STATEMENT BY SARAH SEWALL
Under Secretary for Civilian Security, Democracy, and Human Rights
House Oversight and Government Reform Subcommittee on National Security
September 18, 2014

Chairman Chaffetz, Ranking Member Tierney, and Members of the Committee,

Thank you for this opportunity to appear before you today and to provide details on how the Obama Administration is promoting religious freedom worldwide.

Today's hearing could not come at a more appropriate time. In too many corners of the globe, religion is perverted by cynical forces as a tool of subjugation and to justify violence. Differences among religions are exploited to expand power and to advance parochial political agendas. There is no greater example of this terrifying reality than the metastasizing growth of the Islamic State of Iraq and the Levant (ISIL) terrorist group in Iraq and Syria.

Countering violent extremism is a top priority for the Bureau of Counterterrorism, and is a policy priority that cuts across many of the bureaus I lead as Under Secretary for Civilian Security, Democracy, and Human Rights, and the basic rights of freedom of expression and thought, conscience, and religion are at the core of this task. Violent extremist groups flourish when religious freedom and other rights are repressed and accountability is absent.

The United States government is appalled by the horrendous violence and unmatched violations of religious freedom and other human rights to which we are all witness in Iraq and Syria. ISIL has carved a path of terror and destruction across the face of Northern Iraq in the last few months and Syria for even longer, threatening the very existence of religious minority communities in these countries. The President told the nation last Wednesday that, "*We cannot allow these communities to be driven from their ancient homelands*." President Obama recognized the alarming nature of the violence by ISIL against the Yezidi community last month, saying that ISIL's forces, "*have called for the systematic destruction of the entire Yezidi people, which would constitute genocide*." These unique circumstances, combined with the request from the Iraqi government, prompted the necessary action to protect this community and other innocent civilians. On August 7, President Obama authorized a humanitarian effort to help save those trapped on Mount Sinjar, targeted because of their religion and facing almost certain death. This effort was reinforced by a series of targeted airstrikes to

break ISIL's siege of Mount Sinjar and allow civilians trapped there to escape. Again in Amerli, we acted when ISIL had a large number of civilians—this time Shia Turkmen—cut off from escape and facing a humanitarian catastrophe. We air-dropped food and water and provided air support for Iraqi forces that broke ISIL's siege of the city. Going forward, the coalition mission and our actions in Iraq will continue to include protection of vulnerable communities.

Our efforts to combat ISIL and ensure the long-term safety of the religious communities now so threatened in the Middle East are led by the Administration's abiding commitment to advance freedom of religion and protect people at risk due to their faith. Mindful that we can never do enough, yet focused on how we can do more, this Administration is seized by the pursuit of religious freedom as a central foreign policy priority. President Obama has clearly stated that religious freedom is a national security priority. During his remarks at the National Prayer Breakfast this year, he explained why, noting: "*History shows that nations that uphold the rights of their people -- including the freedom of religion -- are ultimately more just and more peaceful and more successful. Nations that do not uphold these rights sow the bitter seeds of instability and violence and extremism. So freedom of religion matters to our national security.*"

The President's commitment to this issue has been matched by that of Secretary of State John Kerry. Just last week, in Baghdad, the Secretary urged the new Iraqi government to protect and integrate members of religious minorities, saying that we are committed to working with the new government "*as long as they're committed to diversity...to inclusivity...as long as they're going to protect minorities in Iraq.*" Such protection for members of religious and ethnic minorities is indispensable if there is to be lasting peace in the region and must be an integral part of the work of the new Iraqi government under Prime Minister Abadi.

My team, including the International Religious Freedom (IRF) office, has been directly engaged with those most targeted in the violence waged by ISIL. I personally met with representatives of the Yezidi community in the United States a week after ISIL attacked their coreligionists around Mt. Sinjar. Their story was very compelling and deeply moving. Just last week I met with an Iraqi human rights group advocating for religious minorities, again presenting a forceful argument for how long-term stability requires governments that fully respect the rights of their citizens. The State Department is in regular communication with representatives of the Yezidi, Christian, and other religious communities in both Iraq and the United States. They have shared information about ISIL abuses against their community members that has been vital in protecting vulnerable

groups and getting humanitarian assistance to displaced community members. The Bureau of Population, Refugees, and Migration (PRM), also part of the Under Secretariat for Civilian Security, Democracy, and Human Rights, has provided $171.8 million thus far in Fiscal Year 2014 for aid to Iraqis both inside Iraq and in the region through the United Nations and other international and non-government organizations. PRM has been working closely with these organizations to ensure humanitarian relief is reaching those in need.

We note that ISIL's recent assault on northern and western Iraq is an extension of its brutal acts in Syria, where it has conducted a similar campaign of violence and atrocities against the Syrian population. There have been reports of mass killings in Christian and Alawite villages, forced conversion at gunpoint, beheadings, kidnappings, and extreme oppression and abuse of women from all communities, including communities comprised of their fellow Sunni Muslims. In all of our engagements with Syrians, from Secretary Kerry down to the working level, we have consistently called upon all opposition parties to respect the rights of all Syrians, including the right to religious freedom, and to pursue a government and legal framework that protects these rights. Despite the challenges in realizing these goals, we have been heartened that the Syrian Opposition Coalition that we have recognized has repeatedly and publicly denounced any affronts to freedom of religion.

Sadly, religious freedom violations are not limited to the dire situation in Iraq and Syria. In nearly every region of the world, we can see examples of limitations on the exercise of religious freedom in varying degrees. For example, in Pakistan, numerous religious minorities face high levels of violence and discrimination. In Turkey, nearly 20 percent of the population claim to be Alevis, although the government discriminates against them by refusing to officially recognize their houses of worship, and the Greek Orthodox Ecumenical Patriarchate also continues to face restrictions on the exercise of their religious freedom. Pew Forum statistics highlight that over 80% of the world's population claims a religion, while more than 70% of the global population lives in countries in which religious freedom is restricted. These statistics underscore the momentous step the U.S. Congress took in support of religious freedom when it passed the International Religious Freedom Act in 1998. Enacting this landmark law sent a clear and strong signal that the universal right of religious freedom would be a priority in U.S. foreign policy.

We are deeply committed to our obligations under the IRF Act. We also acknowledge the significant contributions of the United States Commission on International Religious Freedom towards implementation of the IRF Act. On July

28, Secretary Kerry released the 2013 International Religious Freedom Report, which describes the status of religious freedom in every corner of the globe. At that time, Secretary Kerry also announced his designations for Countries of Particular Concern (CPCs) under the IRF Act. CPC designations are a valuable tool that highlights the most egregious violations. We use CPC designations and the range of other tools of the IRF Act to their full potential to advance international religious freedom. We press governments to stop violations wherever they happen, not only in those countries designated as CPCs.

When it comes to being a voice for the voiceless, there is no stronger example than our persistent call for the protection of the rights of Tibetans to practice their faith freely. As the Special Coordinator for Tibetan Issues, I work to coordinate U.S. government efforts to promote an end to interference by authorities into the religious affairs of the Tibetan people. In this role, I promote the policy of seeking to assist the preservation of the distinct religious heritage of Tibetans. In February of this year, on my second day of office in fact, I met with the Dalai Lama. I plan to travel to India and Nepal in November during which I will meet with Tibetans in exile. President Obama and Secretary Kerry have repeatedly urged China to ease restrictions on religious freedom, including repressive policies in Tibetan areas as well as in the Xinjiang Uighur Autonomous Region of northwestern China. We have raised concerns about these issues, as well as conditions affecting Christians and adherents of Falun Gong, during last year's U.S.-China Human Rights Dialogue in China, and we continue to document religious freedom violations in our annual reports to Congress. We are sharing our experience with China on the inherent link between effective counterterrorism efforts and open societies that allow dissent and protect the rights of members of minority groups and the rule of law. We not only must expose those who seek to inflict harm on others in the name of terrorist ideology, but we must also work to preserve and improve the lives of the most vulnerable populations and strengthen the relationship between governments and societies that are at risk of radicalization. Religious freedom, as well as the broader spectrum of human rights, remain a priority in our engagement with the Chinese government.

Around the world, in countries emerging from conflict or undergoing great change, we find that fostering respect for religious freedom and a culture of tolerance is central to the creation of a just and lasting peace. In Burma, for example, fostering mutual respect between peoples of different ethnic, racial, and religious backgrounds remains one of the toughest and most important challenges in its transition toward democracy. When in Burma in May, the complexity of inter-religious and inter-communal violence was clear when I met separately with

Rohingya and Rakhine leaders in Rangoon, Muslim and Buddhist Internally Displaced Persons in Meiktila, religious and community leaders in Mandalay, and Burmese government officials. We continue to stress to the Burmese government, civil society, interfaith leaders, and other stakeholders the need to promote a pluralistic and tolerant society and the importance of ethnic reconciliation and respect for religious diversity. As we engage, we must work to record and prevent restrictions on religious freedom, but we also must work proactively to help nations in transition resolve questions of national identity in an open and pluralistic way.

In the Central African Republic (CAR), a ceasefire was signed in Brazzaville in July of this year after nearly two years of conflict and violence. This violence had increasingly begun to take on religious undertones, with Christian self-defense militias formed to confront the largely Muslim Seleka rebels, and the killing of civilians along religious lines by both sides. In December 2013, the President addressed the people of CAR in an audio message from Dakar, urging them to reject violence and work towards peace. The United States continues to call for all violence in CAR to stop, and for all parties to abide by and fully implement the terms of the Brazzaville cessation of hostilities agreement. We have supported inter-religious dialogue among U.S. and CAR religious leaders and provided $7.5 million for grassroots mediation and reconciliation programs. The U.S. has also worked to address urgent humanitarian needs, providing nearly $145.7 million in humanitarian funding for the crisis in Fiscal Year 2014. We resumed operations at our Embassy in Bangui on September 14, a further sign of our deep commitment to working with the people and leaders of the CAR to stop the violence and advance a democratic political transition.

As these challenging cases illustrate, advancing religious freedom around the globe is a key priority that requires our best efforts to address them. As created by the 1998 IRF Act, the Ambassador at Large for International Religious Freedom serves as the principal advisor to the Secretary of State and President on religious freedom. Last week the Senate Foreign Relations Committee held a hearing to consider the nomination of our Ambassador at Large for International Religious Freedom nominee, David Saperstein. He has a long and distinguished career pressing for international religious freedom and we are hoping for his speedy confirmation, so that his efforts and energies will be joined in this important work.

The challenges of religious freedom around the globe far exceed the efforts of one person. They require broad cooperation both inside and outside of government. My colleagues and I work with colleagues throughout the Department, our

missions overseas, and the White House to ensure that our government is working together to advance religious freedom overseas. Tackling religious freedom challenges on a transnational basis requires a range of voices and resources. As we partner closely with other governments to advance our shared goals and address the broad range of problems with unity of purpose, we are encouraged by a promising new intergovernmental Religious Freedom Contact Group, initiated by Canada in a collaborative effort with the United States, Germany, the Netherlands, Italy, and other like-minded partners. Around the globe, we are working with religious and civil society actors to build relationships among religious communities and administer programs that promote tolerance and empower members of minority groups to better advocate for their interests and rights.

While we can never do enough, we continue to strive to meet our obligations under the IRF Act, in letter and in spirit.

We appreciate Congress' support for international religious freedom and want to work closely with the Legislative Branch on our shared concerns and efforts to advance international religious freedom. I look forward to your questions and to our continued cooperation on this critical issue.

Mr. CHAFFETZ. And we should refer to you as "Dr. Sewall." We are going to change your nameplates out. And as long as I keep talking, the camera will probably stay on me and they won't even notice it. But, again, we thank you for your expertise and your passion on this issue.

We heard previous testimony from our panelists that some want to see more of a stick approach; there should be more consequences for those who that don't participate in religious freedoms. And then we also heard from Mr. Smith, for instance, and others that said there ought to be some sort of incentives and rewards and some recognition for those that are actually moving in the right direction to encourage those types of behavior.

What I see from afar is not much movement of the needle in the right direction. We hear some of the most horrific things you can possibly imagine—Boko Haram and what's going on there. We want to do something that's effective, that actually moves the needle. I think most Americans do care about this, and it does become the focal point of a lot of conflict around the world in which our men and women—you know, it gets to a much more serious level.

So what, from your vantage point, actually works and that we need to do more of? What specifically do we need to do more of?

Ms. SEWALL. Well, as a former Sunday school teacher, I can confess that I share that desire to make our values promotion in the context of religious freedom, in the context of a broader human rights commitment, to be realized in a very practical level around the globe. And so I think I would like to respond to your question in two different ways.

You know, first, I think one of the very clear realizations that we have had in the context of the ongoing conflict in both Syria and Iraq—and they are not new revelations, but they are really crystallized in the form of ISIL's rapid advance—is how central the question of religious freedom is to broader foreign policy questions and concerns that we have as a government.

So I think one of the challenges for anyone who is passionately committed to the issue of religious freedom is to sometimes recognize where the issue is worked on with great fervor and commitment even if the leading tag on the issue isn't religious freedom per se. In other words, I think we are hugely and deeply involved in promoting religious freedom in many aspects of our foreign policy that people don't necessarily think of, first and foremost, as questions of religious freedom. And I think the ISIL frame, because of the brutality and the particular flavor of the evil that it perpetrates in the name of religion, has really raised that issue in a way that we haven't perhaps appreciated before.

Mr. CHAFFETZ. Can you give me any example of something that we have done that has actually been effective——

Ms. SEWALL. Yes. Yes, Mr. Chairman.

Mr. CHAFFETZ. —specific to this topic?

Ms. SEWALL. So let me talk a little bit about some of the things that we have done that we think the United States can be extremely proud of.

Active engagement by the administration in Armenia encouraged the passage of a law to protect conscientious objectors. That may sound like a small thing, but conscientious objectors in the past

were not allowed to have a status. And so that is a significant and precedential example of a concrete impact from engagement. It led to the release of 28 Jehovah's Witnesses in the fall of 2013.

We work with international partners to train law enforcement practitioners on tools to combat intolerance, discrimination, and violence on the basis of religion or beliefs using methods that ensure respect for freedoms of speech and assembly. Those have effects that we don't necessarily track per se, but the training itself is very concrete, and it lives on in the commitment of those who carry it out.

We have worked, for example, in the context of the current Egyptian Government, where the prosecution of a few perpetrators of violence against religious minorities has occurred, that is obviously an insufficient response to the broader question of religious freedom in Egypt. Nonetheless, it has an important deterrent effect, and it demonstrates support for communities that we have long recognized as besieged in the context of Egypt's laws.

Tunisia, the birthplace of the Arab uprising, is a great example, I think, of how democracy can foster robust debates about how countries uphold fundamental rights. And, again, the constitution that was ratified in 2014 is not perfect, but I think we can be—we must be mindful and grateful for the strides that it takes in the constitution for guaranteeing the liberty of conscious, belief, and worship. That is a significant change.

Mr. CHAFFETZ. Okay.

So this new position—I mean, it is bingo night over in the United States Senate, so who knows if we can get this person actually confirmed before they go into recess. It is good to see movement within the committee, but to have this position actually confirmed by the full United States Senate, I think we all share the concern that it takes way too long.

What are you going to specifically do to make sure that the Rabbi is at the table and has a significant portfolio so that he can actually, you know, help move the ball forward?

You know, part of the concern that we heard from the first panel is that, at least structurally on the organizational chart, he's a little bit deeper into the bowels of the organization as opposed to a direct line of sight to the Secretary himself. So how do you deal with that, as somebody within your organization?

Ms. SEWALL. Thank you for that question, Mr. Chairman. Let me try to answer it in two different ways.

I mean, first, I think, in terms of the bowels of the bureaucracy, I would like to think of myself as having been bureaucracy-free for a good many years before I had the good fortune to be confirmed to join this administration. It is only through working within the State Department that I have come to appreciate the centrality that the bureaus themselves play in ensuring that the issues that they represent are folded across the entire State Department's work. In other words, I have come to believe and see in my daily practice the advantage of being inside a bureau.

So, for example, whoever is the Ambassador-at-Large will have limits on his or her attention. What the Bureau of Democracy, Human Rights, and Labor can do is ensure that that person and that staff is integrated into the panoply of issues, whether they are

the questions of government reform in Tunisia or in Iraq or whether they are bilateral engagements with China or elsewhere. The reach of the Ambassador-at-Large is vastly magnified by being within DRL.

And I have seen that in its manifestation. A great example of that, Mr. Chairman, would be the role that the Office of Religious Freedom was able to play in bringing information from the Yazidi community directly to the planners who were working on the military support, both the humanitarian support and the air strikes, and the ability to lash up that expertise and specialized knowledge within the realm of a larger bureau that was centrally engaged in a broader range of issues and then particularly manifest in the context of the conduct of the war.

So I think it was a great example of how being within a bureau can magnify the impact of the Ambassador-at-Large.

Mr. CHAFFETZ. Well, there is deep concern from a number of people to make sure that this position is fully implemented. I appreciate your commitment there. I don't doubt it. This position will be a newly filled position since you have had your confirmation. So I want to offer as much encouragement as we can to make sure that this person hopefully will get Senate confirmation sooner rather than later and that they are fully integrated and have a place of prominence.

I do think the points that were made earlier, that so many of our Nation's conflicts are still rooted in some of the basic prohibitions that a lot of people have on the practice of religion, some of this dates back thousands of years. And they are difficult, emotional issues, but I think it is important to the United States of America. It is part of our success. And we want to make sure that it is given the full weight and measure.

But I think we now will recognize the gentleman from Florida, Mr. Mica, for 5 minutes.

Mr. MICA. Well, thank you. And I apologize. I came in late. I was delayed. But I certainly commend the chairman and ranking member for holding this hearing.

And it is an important hearing. I think everyone looks to the United States for leadership, particularly on moral issues. And we have sort of tried to set the pattern throughout our history as a Nation that would protect human rights.

You have an important position. How many people work with you in your office? Your title is Under Secretary for Civilian Security, Democracy, and Human Rights, Dr. Sewall?

Ms. SEWALL. My front office——

Mr. MICA. Can't hear you.

Ms. SEWALL. Excuse me. I am sorry, Congressman.

My front office has, I believe, about 20 people. And the bureaus that live within the J Under Secretariat, in cumulative total, number roughly 2,000.

Mr. MICA. Two thousand people work within——

Ms. SEWALL. Across seven bureaus and offices.

Mr. MICA. —working to protect civilian security, democracy——

Ms. SEWALL. We do counterterrorism work, sir.

Mr. MICA. Uh-huh.

Ms. SEWALL. We do security sector reform.

Mr. MICA. I see. Like, civilian security is——

Ms. SEWALL. We do counterterrorism.

Mr. MICA. Is that like—I mean, we just lost two journalists, Mr. Foley and Mr. Sotloff. Would you be involved in those kind of cases too? They were held as hostages and slaughtered.

Ms. SEWALL. The Bureau of Counterterrorism is part of my mandate as the Under Secretary for Civilian Security, Democracy, and——

Mr. MICA. So the 2,000 people that you oversee in that office have some of that responsibility.

And then we are trying to get this nomination of Rabbi Saperstein to serve as the State Department's next Ambassador-at-Large for Religious Freedom. Now, has that position—how long has that position been vacant?

Ms. SEWALL. I believe it has been vacant for almost a year. We are very excited about the nomination of Rabbi Saperstein——

Mr. MICA. Now, does he report to you or someone else?

Ms. SEWALL. One of his first visits, I believe, was to my office, where he said, I need to know how important this issue is. And he was very vociferous in his desire to——

Mr. MICA. But he would report to you. Is there another——

Ms. SEWALL. He reports—his office is based within the Bureau of Democracy, Human Rights, and Labor. He will——

Mr. MICA. Is there another Secretary or a Deputy Secretary position——

Ms. SEWALL. Yes, sir.

Mr. MICA. —between you and him?

Ms. SEWALL. He will be reporting to the Assistant Secretary for Democracy, Human Rights, and Labor.

Mr. MICA. Okay.

Ms. SEWALL. He, of course, will be able to report directly to the Secretary with any information, updates, or questions that he might have. So he will be——

Mr. MICA. So you would prepare protests, or you would—in cases where, like, civilians like Foley and Sotloff were slaughtered, do you prepare any human rights violation protests with—I guess, would that be directed, where people say—we had a witness from the—was it Nigeria?— who spoke of the slaughter of Christians there.

If there are instances where these violations are egregious—slaughter of innocent people because of their religion, or innocent civilians—you protest where? Is it the United Nations Human Rights Council?

Ms. SEWALL. Sir, our policy towards Nigeria has multiple dimensions, and many of the offices within my Under Secretariat, as well as the regional——

Mr. MICA. I know, but I think one of the witnesses said there was more slaughter of Christians in Nigeria than all the other instances.

Ms. SEWALL. Yeah, I was surprised by that number. I will need to investigate that.

Mr. MICA. But I would be surprised if you were surprised——

Ms. SEWALL. Yeah.

Mr. MICA. —because you are in charge of that.

Ms. SEWALL. Right. It might not be accurate. So we just need to investigate it.

Mr. MICA. Well, it sounds like a lot. But——

Ms. SEWALL. It is a lot.

Mr. MICA. But what I——

Ms. SEWALL. The slaughter by Boko Haram is horrific.

Mr. MICA. Yes. And my question is, you have a position—you just said you have 2,000 people that work for you. And we have some way to engage at the international community. Have we forwarded a protest from your department or the State Department or the United States within either the—I guess it's the Human Rights Council of the United Nations? Have we done anything?

Ms. SEWALL. I would have to investigate whether we——

Mr. MICA. You don't know whether we——

Ms. SEWALL. I don't want to misspeak, Congressman.

Mr. MICA. I mean, I find it astounding because——

Ms. SEWALL. I have taken an oath, so I need to be very careful.

Mr. MICA. —I think that—yeah. I think that you should be aware, particularly where there is the slaughter of innocent civilians, be it media people or people for religious freedom, of what actions we are taking to——

Ms. SEWALL. Sure. I would love to explain them to you.

Mr. MICA. Now, ISIS or ISIL might be a more difficult entity to come after because it is not a defined state, but certainly Nigeria is.

Ms. SEWALL. Uh-huh. Would you like to know what we have done on behalf of our efforts against Boko Haram in Nigeria?

Mr. MICA. From you now, yes.

Ms. SEWALL. I could explain because I have been to Nigeria to raise these issues——

Mr. MICA. No, but it's not there too. It's also—to bring this to world attention—this is the Department of State witness, Mr. Chairman, isn't it?—we deal in these international bodies; we lodge protests. And someone in the State Department, the Secretary or someone, has to initiate an action in a body, and that's our—we deal with other states.

So my question is, what have we done——

Ms. SEWALL. We talk to other states repeatedly——

Mr. MICA. But we have not lodged anything or initiated——

Ms. SEWALL. I can repeat my answer. I will need to check and find out whether or not we have lodged——

Mr. MICA. Again, I found it astounding, Mr. Chairman, that a witness could come before us on an issue like that and not know if we have even lodged a protest in the appropriate international body.

If there is some other international body you've protested to or taken action to, I would like to know.

For the record, maybe she could submit it. Thank you.

Ms. SEWALL. I would be happy to.

Mr. CHAFFETZ. Thank you.

I now recognize the gentleman from Massachusetts, the ranking member, Mr. Tierney, for 5 minutes.

Mr. TIERNEY. Thank you, Dr. Sewall. And thank you for your good wishes earlier on in your testimony.

I understand that you are not the person that would be making any objections to international bodies and others. It is probably left to the Secretary, on that basis. But please tell us what you have done, particularly with respect to Boko Haram, and what actions you took in your position and capacity.

Ms. SEWALL. Thank you.

Well, it is a team effort because the President has spoken directly to the President about his concern and ways in which we can help them defeat this scourge. We have been leaders with some of our closest NATO allies in trying to build a global coalition—or, sorry, a regional coalition to defeat Boko Haram. We have had numerous regional meetings where we have sought to encourage the neighbors to increase their military activity as well as their information-sharing.

We have made significant inroads in helping the Nigerian government understand their need to be more responsive, not simply on a military level but also in the context of addressing some of the grievances that exist in the northeast.

This is an issue that has been on the U.S. diplomatic radar screen and has been the focus of a wide range of meetings in different European capitals, in Nigeria. We have been sounding the alarm about Boko Haram. We have condemned its violence against all Nigerians—Christians but also Muslims.

And I think, you know, the First Lady's concern with the behavior of Boko Haram has been a great example of American values and engagement at work. And the notion that we have not been significantly—and our example of highlighting the abuses of Shekau's really brutal campaign against all Nigerians has been front and center in our Nigeria policy and our engagement with allies and with others to try to highlight the difficulties that exist there now.

Mr. TIERNEY. I think you started to indicate that you personally had taken a trip to Nigeria on that basis.

Ms. SEWALL. Yes.

Mr. TIERNEY. Would you relate to us what your impressions are of the responsiveness that you were getting from Nigerian officials when you make a presentation?

Ms. SEWALL. Thank you for that question.

I went—I would have to check on the date. I believe it was about 2 months ago, when I went as part of a delegation. We were, at the time, concerned—and I testified before the House—to convey our concern about the Nigerian Government's recognition of the fundamental violations of human rights in northeast Nigeria and, in particular, their failure to mobilize effectively to confront the military threat of Boko Haram.

I can tell you that a more recent delegation, which included my colleague at the State Department, Assistant Secretary Linda Thomas-Greenfield, just returned from Nigeria, where they reported that the Nigerian Government, while now extremely concerned, has yet to be able to take effective action. And so we are in discussion now within the government about ways in which we might further encourage action both by Nigeria and by its neighbors because the situation is extremely dire.

Mr. TIERNEY. Do you think that Nigeria has the capacity——

Ms. SEWALL. I am concerned that Nigeria does not have the capacity, sir.

Mr. TIERNEY. Thank you.

Is there anything else you want to add in terms of Nigeria and where you think we ought to go?

Ms. SEWALL. No——

Mr. TIERNEY. To help build that capacity, for instance.

Ms. SEWALL. Well, there is a host of challenges in trying to work with Nigeria, not the least being—and this relates to the broader point that I was trying to make about how mainstream questions of religious tolerance are. Because they are part of a question of governance and whether or not a government is responsive to its people and protects all of its human rights, to include the freedom of religion.

I think that the protection of rights in the northeast or the attention to rights in the northeast has not been what it was. And that, in turn, allows for—creates conditions in which it is easier for extremism of other forms to thrive.

And so, as we look to promote religious freedom, we can do so with the confidence that when we advocate our values overseas to foreign governments we are actually advocating something that is, even though they may not see it in the short term, very much in their long-term interest, which is to promote tolerance and freedom and human rights as a state so that they can hope to enjoy greater stability within the state.

And it is a theme that we see not just in Nigeria. We see it also in Iraq and Syria. We see it in many places around the globe.

And the fact that the United States is consistently raising freedom of region and human rights in its engagements bilaterally, even with countries with whom we fundamentally disagree on a number of issues, I think, speaks to its centrality in U.S. foreign policy and the fact that, while Rabbi David Saperstein will be an enormous boost and we all hope for his speedy confirmation—and I, for one, am really looking forward to having him join the team in the State Department—this is work that goes on every day by many officials within the Department, and it is truly a central element of our foreign policy today.

Mr. TIERNEY. Thank you, Doctor.

Yield back.

Mr. CHAFFETZ. Just a few more questions as we wrap up.

You would acknowledge that Christians, at least at this time, are the most persecuted group around the world; is that your belief?

Ms. SEWALL. I think Christians are extremely persecuted around the world.

Mr. CHAFFETZ. Do you not agree that they are the most persecuted at this point?

Ms. SEWALL. I don't have the numbers in front of me, so it is hard for me to say that as a statistical matter. But I am completely open to getting back to you with the numbers on that question, sir.

Mr. CHAFFETZ. When would you get back to us with those numbers?

Ms. SEWALL. If the numbers exist, I will be back to you later this afternoon.

Mr. CHAFFETZ. Okay. I would hope that, at your level of your expertise—and you've got a number of things you're responsible for—that you would have those at your fingertips at any given time.

Ms. SEWALL. But, sir, I don't need the numbers to know that the persecution of Christians is wrong and should be an American foreign policy priority, as the persecution of all religious minorities is.

Mr. CHAFFETZ. I would agree that all—what I don't see is any success.

Ms. SEWALL. Well, I could—could I continue on that for a——

Mr. CHAFFETZ. There are a host of materials and information and third-party groups and we just heard testimony from a whole host of people who've made, I think, a very solid point that what is happening or not happening in the State Department, it isn't working.

Ms. SEWALL. Well, I don't disagree. And I said in my testimony that we can never do enough to guarantee religious freedom any more than any other human right around the world. It is an uphill climb, but we are committed.

And I think you would be really interested in at least this set of facts. In the last few years, at least 100 people imprisoned for their faith have been released following USG advocacy in eight countries in the Middle East, South and Central Asia, East Asia, and Africa. It is not an exhaustive list, but I know that we all long for some quantitative measure of impact, and I can at least with confidence give you that.

Mr. CHAFFETZ. And I appreciate that. I look forward to having that and seeing that. I would also hope that you would be receptive to some of the other very worthwhile, credible outside groups who have done a host of this work and listen to their perspective, as well.

Let me ask you about one of the policy recommendations. And it seems simple to me that there would be or should be an annual designation. Is that something that off the top of your head is objectionable, to annually try to evaluate and make some sort of designation? Is there any reason not to do that?

Ms. SEWALL. When I have asked the office about that issue, I get a very interesting answer, which is that they are constantly reviewing for designation. There is no minimum requirement or maximum requirement; they are constantly in that process.

And so I think that, as facts on the ground change and as the reviews continue, my understanding is that that is the basis on which they then designate, that it is not——

Mr. CHAFFETZ. So it would be relatively easy, if the Congress were to request something to just compile, that what seems to be constantly in motion, to have some sort of date or whatnot, that we could get this annual designation. Is that fair?

Ms. SEWALL. I'm sorry, could you repeat the question?

Mr. CHAFFETZ. So if Congress were to designate a date by which we try to do some sort of annual report, that that shouldn't be extraordinary in terms of effort and something—if it's constantly in motion, to just simply take a snapshot in time.

Ms. SEWALL. Well, as you know, the administration has many reports that it is required to report. So——

Mr. CHAFFETZ. Well, my understanding is that this year's designations were the first one—at least the staff is telling me, this year's were the first since 2011. So they are sporadic at best. And we will explore this with you. If there's other reasons, something that we're not thinking of, I'd appreciate it if you'd share that with us.

But it seems like a simple request. It would give us a good snapshot. It would remind us, and I think it would be important, that—as was pointed out, the last thing you want to do is designate a country as somewhat problematic and not have them have the ability to climb off that list.

And it should be just, in my personal opinion, much more than a list. There needs to be some sort of consequence. There needs to be some sort of reward, some sort of reason to, you know, move in the right direction. I guess that's the point.

I have a host of other questions, but in the absence of what we're doing here and the time, I guess my last comment would be: We would certainly appreciate it in the future if we could have your participation, and other people in the State Department, on one panel rather than two panels. The opportunity to just share in the spirit of cooperation and understanding, that we have one panel to share these things back and forth, I think we would find that we would be very bipartisan. And we may get to the point where we have to insist on that, but I'd appreciate your consideration to be able to have that on the one panel. It would be a better use of the Congress' time, I think a better use of your time. And we would ultimately come up with a better product. And I'd appreciate——

Ms. SEWALL. I suspect I'm entering a long—a long history with regard to that issue. And——

Mr. CHAFFETZ. It has been back and forth. And I think we are going to have to be more insistent in making sure that we have productive panels and that we have the good, candid dialogue.

I know you are committed to what you do and your passion in what you do. You are very accomplished in your background. I appreciate the type of talent and thought that you bring to this.

It is, obviously, a concern of ours that the religious liberties, religious freedoms become an integral part of the State Department's efforts in all of our foreign policy. It is very important. It should not be delegated to just one of those other things we need to check the box on. And that's, I think, the impression that we're trying to leave with you and with others.

And I appreciate the good men and women who do work on this issue within the State Department and those in the outside groups who care passionately about these issues. And we thank all of you for your participation today. I think we learned a lot from this, and we've got to make sure that we actually act upon it.

So, with that, we will stand adjourned. Thank you.

Ms. SEWALL. Thank you, Mr. Chairman.

[Whereupon, at 4:11 p.m., the subcommittee was adjourned.]

○