



UNITED STATES COMMISSION ON  
**INTERNATIONAL  
RELIGIOUS  
FREEDOM**

2019 | ANNUAL  
REPORT





#### Photo Credits

**Above:** A demonstrator wearing a mask painted with the colours of the flag of East Turkestan and a hand bearing the colours of the Chinese flag attends a protest of supporters of the mostly Muslim Uighur minority and Turkish nationalists to denounce China's treatment of ethnic Uighur Muslims during a deadly riot in July 2009 in Urumqi, in front of the Chinese consulate in Istanbul, on July 5, 2018. - Nearly 200 people died during a series of violent riots that broke out on July 5, 2009 over several days in Urumqi, the capital city of the Xinjiang Uyghur Autonomous Region, in northwestern China, between Uyghurs and Han people. (Photo by OZAN KOSE / AFP) (OZAN KOSE/AFP/Getty Images)

**Left:** Ethnic Uighurs take part in a protest march asking for the European Union to call upon China to respect human rights in the Chinese Xinjiang region and asking for the closure of 're-education center[s]' where some Uighurs are detained, during a demonstration around the EU institutions in Brussels on April 27, 2018. (Photo by Emmanuel DUNAND / AFP) (EMMANUEL DUNAND/AFP/Getty Images)

**Bottom Left:** People from the Uighur community living in Turkey carry flags of what ethnic Uighurs call 'East Turkestan', during a protest in Istanbul, Tuesday, Nov. 6, 2018, against what they allege is oppression by the Chinese government to Muslim Uighurs in far-western Xinjiang province. (AP Photo/Lefteris Pitarakis)

**Below:** A gate of what is officially known as a vocational skills education centre is photographed in Dabancheng, in Xinjiang Uighur Autonomous Region, China September 4, 2018. This centre, situated between regional capital Urumqi and tourist spot Turpan, is among the largest known ones, and was still undergoing extensive construction and expansion at the time the photo was taken. Police in Dabancheng detained two Reuters journalists for more than four hours after the photos were taken. Picture taken September 4, 2018. To match Special Report MUSLIMS-CAMPS/CHINA REUTERS/Thomas Peter



# ANNUAL REPORT

OF THE U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

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# INTRODUCTION

On October 27, 2018, the International Religious Freedom Act (IRFA), which created the U.S. Commission on International Religious Freedom (USCIRF), reached its 20th anniversary. In the two decades since, a greater and more diverse number of actors across the globe are working to protect the fundamental freedom of thought, conscience, and religion as prescribed in the [Universal Declaration of Human Rights](#) and the [International Covenant on Civil and Political Rights](#). In fact, the U.S. Department of State’s 2018 [Ministerial to Advance Religious Freedom](#) became a fulcrum for change in these efforts—more foreign governments than ever before are taking action to uphold these rights in their own countries and around the world.

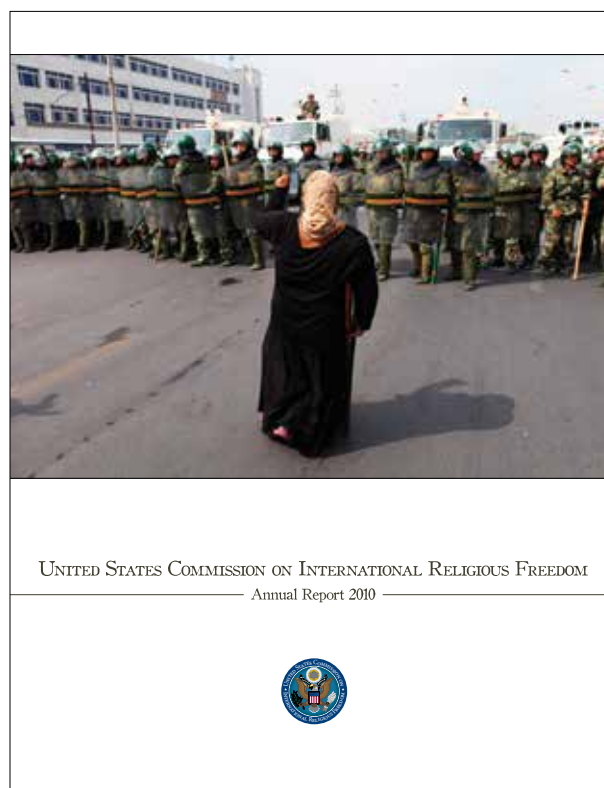
But the enduring story of the last 20 years is not about IRFA or USCIRF. Rather, it is the story of people who wish to live their lives as their conscience leads, who dream of raising their children so that they can make their own choice about what to believe or not believe freely and openly. Yet for some, the last 20 years have been a chronicle of a different kind, spanning a generation of cruel and unrelenting treatment because of their beliefs.

One such saga is currently unfolding in China where the government has been particularly pernicious toward religion and religious believers during the last 20 years—and increasingly so in recent years, including in 2018.

As a Tibetan, you may be forced to study Buddhism in a language that is not Tibetan, your native tongue, or detained for possessing a photo of your spiritual leader, the Dalai Lama. As a Christian, your Bible may have been rewritten by the Chinese government, your church shuttered or demolished, and your pastor imprisoned. As a Falun Gong practitioner, you may end up at a detention center where you are attacked with electric batons and forced to undergo medical and psychological experimentation. As a human rights defender who works to protect people targeted for their faith, you may be arrested, or worse, disappeared. And as a Muslim—particularly an ethnic Uighur Muslim—you may be forcibly sent to a concentration camp where you are held against your will and subjected to unspeakable acts of abuse and alleged torture, all while authorities pressure you to abandon your faith.

The cover of USCIRF’s 2019 Annual Report tells the story of abuses against Uighur Muslims in China, a tragedy that Secretary of State Michael R. Pompeo in March 2019 [called](#) “abhorrent.” Sadly, the atrocities predate both IRFA and USCIRF.

Twenty years ago—in June 1999—USCIRF selected three countries as the primary focus of the Commission’s [first-ever Annual Report](#), released in 2000: Russia, Sudan, and China. In that first report, USCIRF found that Uighur Muslims: “faced heightened repression of their religious and other human rights;” were subject to arbitrary arrests, torture, and extrajudicial executions; and were “imprisoned for their religious belief, association or practice.”



Ten years later, USCIRF’s [2010 Annual Report](#)—which covered events in 2009 and early 2010—featured on its cover a photograph of a Uighur Muslim woman facing down armed Chinese security forces, with a

defiant fist raised in protest to Chinese government repression. She was responding to authorities' disproportionate response to peaceful demonstrations in 2009 in Urumqi, the capital of the Xinjiang Uighur Autonomous Region where at least 10 million Uighur Muslims reside. The ensuing violence left an estimated 200 Uighur Muslims dead and more than 1,600 injured. Moreover, Chinese authorities carried out enforced disappearances of Uighur men and teenage boys and sentenced others to death.

Nearly 20 years later, Uighur Muslims are constantly surveilled, their phones confiscated and scanned, their skin pricked for blood samples to collect their DNA, their children prohibited from attending mosque. Even worse, the Chinese government has ripped entire families apart, detaining between 800,000 and two million adults in concentration camps and relegating some of their children to orphanages. Families cannot contact one another due to fear of government monitoring; thus, countless Uighur Muslims have no idea where their loved ones are or if they are even alive.

Although a handful of foreign governments—including the United States, Britain, and Turkey—have harshly condemned the Chinese government for these egregious abuses, China has faced few, if any, consequences. Despite years of escalating abuses, the wider international community has tragically missed the opportunity to prevent what is now happening to Uighur and other Muslims in China. Policy and practice now must focus on holding the responsible parties accountable, ceasing China's myriad abuses against all faith communities, and documenting the evidence of the atrocities that have occurred.

The U.S. government—and the international community—must swiftly and resolutely sanction Chinese officials and agencies that have perpetrated or tolerated severe religious freedom violations, including Chen Quanguo, Communist Party Secretary in the Xinjiang Uighur Autonomous Region and Politburo Member, among others. The U.S. and other governments must press the

Chinese government to immediately and unconditionally set Uighur and other Muslims free and also release prisoners of conscience like Uighur Muslims Gulmira Imin and Ilham Tohti, Tibetan Buddhists like the Panchen Lama and Tashi Wangchuk, Christians like Pastor Wang Yi and Hu Shigen, and human rights defenders like Gao Zhisheng. Also they must urge the Chinese government to cease detaining, arresting, and imprisoning believers and human rights defenders for their peaceful activities and stop interfering in the practice, instruction, and observance of their beliefs.

Unfortunately, China is only one of several countries where freedom of religion or belief remained in peril throughout 2018, as documented in USCIRF's 2019 Annual Report. Although some foreign governments have joined the fight to promote freedom of religion or belief, others brazenly suppress it. Some—like Sudan, Vietnam, and Tajikistan—do so under the guise of protecting “public order” or “national security,” frequently invoking real or perceived threats of public discontent or even terrorism to justify not just the restriction of rights, but the outright persecution of their own people. Some—like Russia, China, Eritrea, and Turkmenistan—expose their own insecurities by branding religious and ethnic minorities as “extremists,” in part because these governments believe these groups are under “foreign influence.”

In several countries where USCIRF found deteriorating religious freedom conditions it also found increased securitization and politicization of religion: for example, in countries like India, it is increasingly difficult to separate religion and politics, a tactic that is sometimes intentional by those who seek to discriminate against and restrict the rights of certain religious

communities. And the very governments perpetrating or tolerating these abuses often decry “interference in internal affairs” when they are rightfully admonished for their deplorable religious freedom and human rights records.

In 2018, both state and nonstate actors increasingly used religion as a

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*The U.S. government—and the international community—must swiftly and resolutely sanction Chinese officials and agencies that have perpetrated or tolerated severe religious freedom violations, including Chen Quanguo.*

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tool of exclusion to isolate, marginalize, and punish the “other” through discrimination and violence. For example, blasphemy and related laws in countries like Pakistan and Saudi Arabia—and also in countries with comparatively lesser challenges such as Indonesia and Egypt—were typically enforced against individuals belonging to a minority faith, following a faith not recognized by the state, or holding no faith at all. At times, when a government or nonstate actor deems actions and expressions blasphemous or insulting to religion, it is that declaration—and not the underlying alleged defamation—that incites hatred and violence. Nationalistic and ideological sentiment underpins some of these accusations, and can motivate state and nonstate actors to manipulate religion in a way that is detrimental to other, often minority, religious and ethnic groups, such as in Burma and Iran.

As USCIRF’s 2019 Annual Report concludes, despite two decades of tireless work to bring an end to religious-based discrimination, violence, and persecution,

innumerable believers and nonbelievers across the globe continued in 2018 to experience manifold suffering due to their beliefs.

On the one hand, it is the responsibility of governments to protect and uphold freedom of religion or belief and the related freedoms of expression, assembly, association, and press. No nonstate or state actor—not the Chinese government nor any other government—has the authority to command a person’s soul and beliefs. On the other, the international community is increasingly respon-

sible for allowing the Chinese government and other governments to get away with systematic, ongoing, egregious violations of religious freedom without consequence or accountability.

Across the globe, the collective voices of those fighting for freedom of religion or belief must consistently sound the alarm against state and nonstate actors who perpetrate and tolerate such abuses. These violators must be held accountable. The impunity must end now.

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*... despite two decades of tireless work to bring an end to religious-based discrimination, violence, and persecution, innumerable believers and nonbelievers across the globe continued in 2018 to experience manifold suffering due to their beliefs.*

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# 2019 ANNUAL REPORT OVERVIEW

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

The 2019 Annual Report documents religious freedom violations and progress during calendar year 2018 in 28 countries and makes independent recommendations for U.S. policy. The key findings, recommendations, and analysis for each country chapter reflected in this report—and each country’s Tier status—are based on a year’s work by USCIRF, including travel, meetings, briefings, and research, and are approved by a majority vote of Commissioners, with each Commissioner, under the statute, having the option to include a statement with his or her own individual views. In 2018 and early 2019, Commissioners and/or staff visited 10 countries to assess conditions: Bahrain (March 2018, March 2019), Bangladesh (January/February 2018), Egypt (March 2018, January 2019), Indonesia (October 2018), Iraq (March 2018), Kazakhstan (April 2018), Nigeria (May 2018, November 2018), Saudi Arabia (September 2018), Sudan (April/May 2018), and Thailand (August 2018). In the coming year, USCIRF also intends to hold hearings, pursuant to its statutory authority under IRFA.

USCIRF’s annual reports—and USCIRF’s mandate more broadly—are different from, and complementary

to, the State Department’s Annual Reports on International Religious Freedom. First, USCIRF’s annual reports have a refined focus on fewer than 30 countries, typically those that experience the most problematic religious freedom violations. The State Department’s reports cover every country in the world except the United States. Second, USCIRF’s annual reports unflinchingly describe violations of international religious freedom. Whereas the State Department must account for overall bilateral relationships in its reporting, USCIRF has the independence and objectivity to call out violations wherever and whenever they may occur. Third, USCIRF’s annual reports, unlike the State Department, analyze U.S. policy with respect to international religious freedom and make extensive policy

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recommendations, both to the Executive Branch and Congress. Fourth, USCIRF’s annual reports are timely: in its 20-year history, USCIRF has each year submitted its Annual Report to the White House, State Department, and Congress by its statutory May 1 deadline, conveying up-to-date analysis of current country conditions from the preceding calendar year. Finally, in addition to featuring select prisoners of conscience in individual country chapters, USCIRF’s annual reports also feature prisoners in the report appendices, putting a human face to the myriad religious freedom violations perpetrated and tolerated by state and nonstate actors.

The 2019 report is divided into three sections. The first section focuses on the U.S. government’s implementation of IRFA and provides recommendations to bolster U.S. efforts to advance freedom of religion or belief<sup>1</sup> abroad.

<sup>1</sup> In this report, USCIRF uses the terms “religious freedom,” “freedom of religion,” and “freedom of religion or belief” interchangeably to refer to the broad right to freedom of thought, conscience, and religion or belief, including the right to nonbelief, protected under international human rights law.

The second section highlights 16 countries USCIRF concludes meet IRFA’s standard for “countries of particular concern,” or CPCs, for the period covered by this report, which USCIRF refers to as Tier 1 countries. IRFA requires the U.S. government to designate as a CPC any country whose government engages in or tolerates particularly severe religious freedom violations, meaning those that are systematic, ongoing, and egregious.

**In 2019, USCIRF recommends that the State Department redesignate the following 10 countries as CPCs:** Burma, China, Eritrea, Iran, North Korea, Pakistan, Saudi Arabia, Sudan, Tajikistan, and Turkmenistan. **USCIRF also finds that six other countries meet the CPC standard and should be so designated:** Central African Republic, Nigeria, Russia, Syria, Uzbekistan, and Vietnam.

The State Department most recently made [CPC designations](#) in November 2018, naming 10 countries: Burma, China, Eritrea, Iran, North Korea, Pakistan, Saudi Arabia, Sudan, Tajikistan, and Turkmenistan. At the same time, the State Department named three countries—Comoros, Russia, and Uzbekistan—to its Special Watch List, a category created by the [Frank R. Wolf International Religious Freedom Act of 2016](#) (Frank Wolf Act) for governments that engaged in or tolerated severe violations but were deemed to not meet all the criteria of the CPC test. In the State Department’s [previous designations](#), in December 2017, Pakistan had been on the Special Watch List and Uzbekistan had been designated as a CPC.

The third section of the Annual Report highlights 12 countries USCIRF categorizes as Tier 2, defined by the Commission as nations in which the violations engaged in or tolerated by the government during 2018 are serious and characterized by at least one of the elements of the “systematic, ongoing, and egregious” CPC standard.

**In 2019, USCIRF places the following 12 countries on Tier 2:** Afghanistan, Azerbaijan, Bahrain, Cuba, Egypt, India, Indonesia, Iraq, Kazakhstan, Laos, Malaysia, and Turkey.

USCIRF’s 2019 Annual Report covers a select group of countries, but during the year, USCIRF monitored and had concerns about religious freedom conditions globally, including in countries not included in this report. The fact that other countries are not included in this report does not mean religious freedom issues do not exist in those countries or that concerns discussed in previous USCIRF annual reports have improved. Information on religious freedom conditions in all foreign countries may be found in the State Department’s annual [International Religious Freedom reports](#). USCIRF also issues publications throughout the year on a variety of countries and topics, which can be found at [www.uscifr.gov](http://www.uscifr.gov).

As USCIRF’s annual reports have long recognized, nonstate actors are among the most egregious violators of religious freedom. The Frank Wolf Act requires the U.S. government to identify nonstate actors engaging in particularly severe violations of religious freedom and designate them as “entities of particular concern,” or EPCs. The law defines nonstate actor as “a nonsovereign entity that exercises significant political power and territorial control; is outside the control of a sovereign government; and often employs violence in pursuit of its objectives.”

In 2019, USCIRF recommends five organizations for designation as EPCs based on their violations during 2018. USCIRF also continues to report, in various country chapters, on particularly severe violations of religious freedom perpetrated by nonstate actors that do not meet the Frank Wolf Act’s definition because, for example, they do not exercise significant political power and territorial control.

**In 2019, USCIRF recommends that the State Department designate the following five organizations as EPCs:** the Islamic State of Iraq and Syria (ISIS), the Taliban in Afghanistan, al-Shabaab in Somalia, Houthis in Yemen, and Hay’at Tahrir al-Sham (HTS) in Syria.

There were two sets of EPC designations in 2018. On March 5, 2018, the State Department [designated](#) eight nonstate actors as EPCs for particularly severe

religious freedom violations: “al-Nusra Front, al-Qa’ida in the Arabian Peninsula, al-Qa’ida, al-Shabab, Boko Haram, ISIS, ISIS-Khorasan, and the Taliban.” On November 28, 2018, the State Department [designated](#) nine entities as EPCs: the eight designated in March and the Houthis. Although USCIRF’s assessment of the

statutory requirement that EPCs “exercise significant political power and territorial control” differs from the State Department’s, the Commission is similarly concerned by these entities’ particularly severe religious freedom violations as defined by the December 2016 amendments to IRFA.

USCIRF 2019		
<p><b>CPC Recommendations (Tier 1):</b></p> <p>Burma*</p> <p>Central African Republic</p> <p>China*</p> <p>Eritrea*</p> <p>Iran*</p> <p>Nigeria</p> <p>North Korea*</p> <p>Pakistan*</p> <p>Russia**</p> <p>Saudi Arabia*</p> <p>Sudan*</p> <p>Syria</p> <p>Tajikistan*</p> <p>Turkmenistan*</p> <p>Uzbekistan**</p> <p>Vietnam</p> <p><small>* Designated as CPCs by the State Department on November 28, 2018</small></p> <p><small>** Designated as Special Watch List by the State Department on November 28, 2018</small></p>	<p><b>Tier 2 Countries:</b></p> <p>Afghanistan</p> <p>Azerbaijan</p> <p>Bahrain</p> <p>Cuba</p> <p>Egypt</p> <p>India</p> <p>Indonesia</p> <p>Iraq</p> <p>Kazakhstan</p> <p>Laos</p> <p>Malaysia</p> <p>Turkey</p>	<p><b>EPC Recommendations:</b></p> <p>The Islamic State of Iraq and Syria (ISIS)*</p> <p>The Taliban in Afghanistan*</p> <p>Al-Shabaab in Somalia*</p> <p>Houthis*</p> <p>Hay’at Tahrir al-Sham (HTS)</p> <p><small>* Designated as EPCs by the State Department on November 28, 2018</small></p>



# IMPLEMENTATION OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT

## KEY FINDINGS

In 2018, the administration of Donald J. Trump took action on the commitments to prioritize religious freedom it made in 2017. Samuel D. Brownback, who as a U.S. Senator was a sponsor of the [International Religious Freedom Act of 1998](#) (IRFA), assumed the position of Ambassador-at-Large for International Religious Freedom in February and energetically implemented his mandate. In July, the U.S. Department of State hosted the first-ever [Ministerial to Advance Religious Freedom](#), bringing together hundreds of government officials, international organization representatives, religious leaders, civil society actors, and victims of religious persecution. Key outcomes included a declaration and plan of action, new programs to respond to persecution and promote religious freedom abroad, and a commitment to hold a second ministerial in 2019.

In November, the State Department made the first new addition since 2016 to its list of “countries of particular concern,” or CPCs, under IRFA for particularly severe violations of religious freedom: Pakistan, which USCIRF had recommended for CPC designation since 2002. It also named three countries to its “Special Watch List” for severe violations, including Uzbekistan, which had been on the State Department’s CPC list since 2006, and Russia, which USCIRF had recommended for CPC designation since 2017. The State Department also made two sets of designations during the year of “entities of particular concern,”

or EPCs, citing nine nonstate groups for particularly severe violations. The State Department and U.S. Department of the Treasury actively used the Global Magnitsky Human Rights Accountability Act and a related executive order to impose targeted sanctions for corruption or human rights abuses, but only a few of these sanctions related to religious freedom violations.

During the year, the U.S. Agency for International Development (USAID) placed a new emphasis on humanitarian aid for religious groups targeted for persecution or genocide and programs to promote religious freedom, tolerance, and pluralism. The State Department worked to develop an online training course on international religious freedom for all foreign service officers, as required by the [Frank R. Wolf International Religious Freedom Act of 2016](#) (Frank Wolf Act). U.S. refugee resettlement decreased in 2018 and a special program for Iranian religious minorities stopped accepting new applicants; instead, the Trump administration focused on humanitarian assistance

for those displaced abroad and programs to help enable their return home. Longstanding flaws in the U.S. government’s processing of asylum-seekers at ports of entry and the border remained unaddressed. Throughout 2018, the Trump administration continued to prioritize

the case of Dr. Andrew Brunson, an American pastor unjustly imprisoned in Turkey. After sustained high-level pressure, Pastor Brunson was released in October and allowed to return to the United States.

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*In November, the State Department made the first new addition since 2016 to its list of “countries of particular concern,” or CPCs, [naming] Pakistan, which USCIRF had recommended for CPC designation since 2002.*

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## RECOMMENDATIONS TO THE ADMINISTRATION

- Appoint a Special Adviser to the President on International Religious Freedom within the National Security Council (NSC) staff, as outlined by IRFA;
- Develop a government-wide strategy for promoting religious freedom abroad;
- Prepare action plans for specific countries; and
- Establish an interagency working group to oversee implementation;
- Increase the use of targeted sanctions against specific officials, agencies, and military units for severe religious freedom violations, including visa denials under section 604(a) of IRFA ([section 212\(a\)\(2\)\(G\) of the Immigration and Nationality Act](#)) and visa denials and asset freezes under the [Global Magnitsky Human Rights Accountability Act](#) and [Executive Order 13818](#);
- Ensure that the State Department and USAID sponsor programs to assist countries in developing school textbooks, curricula, and teacher training materials that accurately portray religious groups; promote tolerance, pluralism, and respect for the human rights—including religious freedom—of all individuals; and do not contain language urging hatred, discrimination, or violence; and
- Allocate funding through the State Department’s Antiterrorism Assistance Program and relevant U.S. Department of Defense programs to train and equip local officials and communities to protect places of worship and other holy sites, especially in countries where such sites face a high risk of attack.

## RECOMMENDATIONS TO CONGRESS

- Hold annual oversight hearings on the implementation of IRFA and the Frank Wolf Act, as well as hearings on religious freedom issues, and raise religious freedom and cases of religious prisoners of conscience in country-specific hearings and ambassadorial confirmation hearings;
- Examine, during delegation trips abroad, conditions for persons of all faiths and beliefs or none, including by meeting with religious communities, religious freedom advocates, and prisoners held for their religion or belief or their religious freedom advocacy; and
- Participate in the [Tom Lantos Human Rights Commission’s Defending Freedoms Project](#), through which Members of Congress advocate on behalf of prisoners of conscience abroad, and the [International Panel of Parliamentarians for Freedom of Religion or Belief](#), an informal, global network of legislators working to counter persecution and promote religious freedom.

## LEGAL PROVISIONS

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

### Government Institutions

Inside the U.S. executive branch, IRFA created the position of Ambassador-at-Large (an appointee nominated by the president and confirmed by the Senate) to head a State Department office focused on religious freedom abroad: [the IRF Office](#). The law also urges the appointment of a special adviser dedicated to the issue on the White House NSC staff, although no administration since the law’s enactment has done so. The Frank Wolf Act reiterates this position’s importance. IRFA also created [USCIRF](#), an independent legislative branch agency mandated to independently assess and to accurately and unflinchingly describe threats to religious freedom

around the world, evaluate U.S. policy, and make policy recommendations to the president, secretary of state, and Congress.

### Monitoring and Reporting

IRFA mandates that the State Department prepare an annual report on religious freedom conditions in each foreign country ([the IRF Report](#)), in addition to the department’s annual human rights report. It also requires that USCIRF issue its own [annual report](#) setting forth its findings and providing independent policy recommendations, including whether or not efforts by the United States to advance religious freedom abroad are timely, appropriate to the circumstances, prudent, and effective. IRFA further requires the State Department to maintain country-by-country lists of prisoners and issues of concern for use by executive and legislative branch officials, and the Frank Wolf Act now requires



that USCIRF, to the extent practicable, make available online lists of prisoners and other victims of governments or nonstate actors the Commission recommends for CPC or EPC designation.

### Consequences for Violators

IRFA requires the president—who has [delegated](#) this power to the secretary of state—to designate CPCs annually and take action designed to encourage improvements in those countries. CPCs are defined as countries whose governments either engage in or tolerate “particularly severe” violations of religious freedom. A menu of possible actions is available, including negotiating a bilateral agreement, imposing sanctions, taking “commensurate action,” or issuing a waiver. The Frank Wolf Act amends this provision to add a “Special Watch List” category, in which the State Department is to place countries it deems to have engaged in or tolerated severe violations of religious freedom. The term “severe violations” is not defined. No specific actions are required or delineated for Special Watch List countries.

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

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

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

Laws other than IRFA also provide tools to sanction individual religious freedom abusers. Some of these apply to specific countries, such as the Comprehensive Iran Sanctions and Divestment Act (CISADA, [P.L.111-195](#)) and the Countering America’s Adversaries Through Sanctions Act (CAATSA, [P.L. 115-44](#)). More broadly, the 2016 [Global Magnitsky Human Rights Accountability Act](#) allows the president, who has [delegated](#) these authorities to the secretaries of treasury and state, to deny U.S. visas to and freeze the U.S.-based assets of any foreigner responsible for “extrajudicial killings, torture, or other gross viola-

tions of internationally protected human rights” against someone seeking to expose illegal government activity or to exercise or defend internationally protected rights. [Executive Order 13818](#), issued in December 2017 to

implement and build on the Global Magnitsky Act, authorizes visa bans and asset freezes against foreign persons involved in “serious human rights abuse,” providing an even more expansive basis for targeted sanctions.

### International Standards

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

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*CPCs are defined as countries whose governments either engage in or tolerate “particularly severe” violations of religious freedom.*

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## Programs and Training

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

## Refugee and Asylum Issues

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

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*In recognition that religious freedom violations can drive displacement, IRFA includes provisions on U.S. refugee and asylum policy . . .*

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## Additional Resources

For a more detailed discussion of IRFA’s legislative history, provisions, and first decade and a half of implementation, please see the 15th anniversary retrospective included in USCIRF’s [2014 Annual Report](#). For more information on the Frank Wolf Act’s provisions, please see the IRFA Implementation chapter of USCIRF’s [2017 Annual Report](#). To watch USCIRF’s April 2018 summit marking IRFA’s 20th anniversary, please click [here](#).

## DEVELOPMENTS IN 2018

### High-Level Commitment

During 2018, the Trump administration continued to emphasize its commitment to international religious

freedom through statements from high-level officials, as it had in 2017. For example, speaking at the July 2018 Ministerial to Advance Religious Freedom, Vice President Michael R. Pence [said](#) that “[t]he right to believe or not believe is the most fundamental of freedoms,” and that “America will always stand for religious freedom, and we will always speak out boldly wherever and whenever it’s threatened.” Secretary of State Michael R. Pompeo made similar [comments](#) at the ministerial, and published an [op-ed](#) in *USA Today* highlighting the importance of religious freedom. USAID administrator Mark Green also spoke at the ministerial, [stating](#) that “[a]t USAID, we see freedom of worship as an essential element in our pursuit of government that is citizen-centered and citizen-responsive.” In May, at the release

of the IRF Report, Secretary Pompeo [stated](#) that “[a]dvancing liberty and religious freedom advances America’s interests,” and that “protecting and promoting global respect for religious freedom is a priority of

the Trump Administration,” citing the administration’s December 2017 [National Security Strategy](#).

### Ambassador-at-Large and Related Positions

On February 1, 2018, [Sam Brownback](#) was sworn in as Ambassador-at-Large for International Religious Freedom. President Trump nominated him in July 2017 and the Senate confirmed him in January 2018. Ambassador Brownback, who previously served as the governor of Kansas, is the fifth Ambassador-at-Large for International Religious Freedom in IRFA’s 20-year existence. As a U.S. senator from 1996 to 2011, he was a key sponsor of IRFA and a cochair of the Congressional Human Rights Caucus. During 2018, Ambassador Brownback energetically implemented his mandate, including through public speeches, travel, meetings with the nongovernmental organization (NGO) [IRF Roundtable](#) and other stakeholders. Pursuant to IRFA, the Ambassador-at-Large also serves ex officio as a nonvoting USCIRF Commissioner, and USCIRF welcomed Ambassador Brownback’s [nomination](#) and [confirmation](#).

Under IRFA, the Ambassador-at-Large is to be a “principal adviser to the President and the Secretary

of State regarding matters affecting religious freedom abroad” and, under the Frank Wolf Act, is to report directly to the secretary of state. In previous administrations, the Ambassador-at-Large reported to the assistant secretary for democracy, human rights, and labor, not the secretary, although some Ambassadors-at-Large were given informal access. During 2018, consistent with the Frank Wolf Act, the Ambassador-at-Large reported to the secretary. The IRF Office remained housed in the Bureau of Democracy, Human Rights, and Labor (DRL).

Over the years, various administrations and Congress created other State Department positions with overlapping or related mandates, such as special representatives or envoys on religion and global affairs, to Muslim communities, to the Organization of Islamic Cooperation (OIC), and to monitor and combat anti-Semitism, as well as a special advisor for religious minorities in the Near East and South and Central Asia. The only one of these positions that was filled during 2018 was [the special advisor on religious minorities in the Near East and South and Central Asia](#). In February 2019, after the reporting period, Secretary Pompeo named [Elan Carr](#) to be special envoy to monitor and combat anti-Semitism, an appointment USCIRF [welcomed](#).

## Ministerial to Advance Religious Freedom

On May 29, 2018, Secretary Pompeo [announced](#) at the release of the IRF Report that the United States would hold the first-ever Ministerial to Advance Religious Freedom. Its purpose was to bring together representatives of likeminded governments, international organizations, religious communities, and civil society to highlight the importance of freedom of religion or belief for all and identify ways to fight persecution and promote religious freedom.

The [ministerial](#) took place at the State Department on July 24–26. Attendees included officials from 84 governments; representatives of the European Union, Organization of American States, Organization for Security and Cooperation in Europe,

and United Nations; more than 400 NGO representatives and religious figures; and survivors of persecution from Burma, China, Iran, Iraq, Nicaragua, North Korea, Pakistan, Sudan, and Vietnam, representing a range of religious groups including Christians, Muslims, Jews, Yazidis, Baha’is, Ahmadis, and Buddhists. Alongside the sessions at the State Department, USCIRF [hosted](#) an event marking the 20th anniversary of IRFA and a [training session](#) for NGOs on how to apply for U.S. government grants. Numerous NGOs also hosted separate events on a variety of countries and topics throughout the entire week.

At the ministerial, the United States released the [Potomac Declaration and Plan of Action](#) to stress the importance of promoting religious freedom for all and propose activities for the international community. Groups of country delegations signed [statements of concern](#) on Burma, China, Iran, blasphemy and apostasy laws, counterterrorism as a pretext for repression, and violations by nonstate actors. The U.S. government announced two new programs—the [International Religious Freedom Fund](#), for the United States and likeminded partners to fund efforts to protect and support religious freedom worldwide, and the Genocide Recovery and Persecution Response Program, for the State Department and USAID to partner with faith and community leaders to quickly deliver aid to persecuted communities, beginning with Iraq—as well as a special accelerator workshop, [Boldline](#), to support innovative public-private partnerships. Vice President Pence and Secretary Pompeo announced that a ministerial on

religious freedom would be an annual event, other governments offered to host regional conferences, and civil society organizations expressed interest in creating NGO religious freedom roundtables in a variety of countries. Just before or after the ministerial, several governments, including the United Kingdom, Germany, Mongolia, Bahrain, and Taiwan, created new ambassador-level positions on religious

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*[The Ministerial’s] purpose was to bring together representatives of likeminded governments, international organizations, religious communities, and civil society to highlight the importance of freedom of religion or belief for all and identify ways to fight persecution and promote religious freedom.*

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freedom, joining the existing ones from the United States, Norway, Denmark, and the European Union.

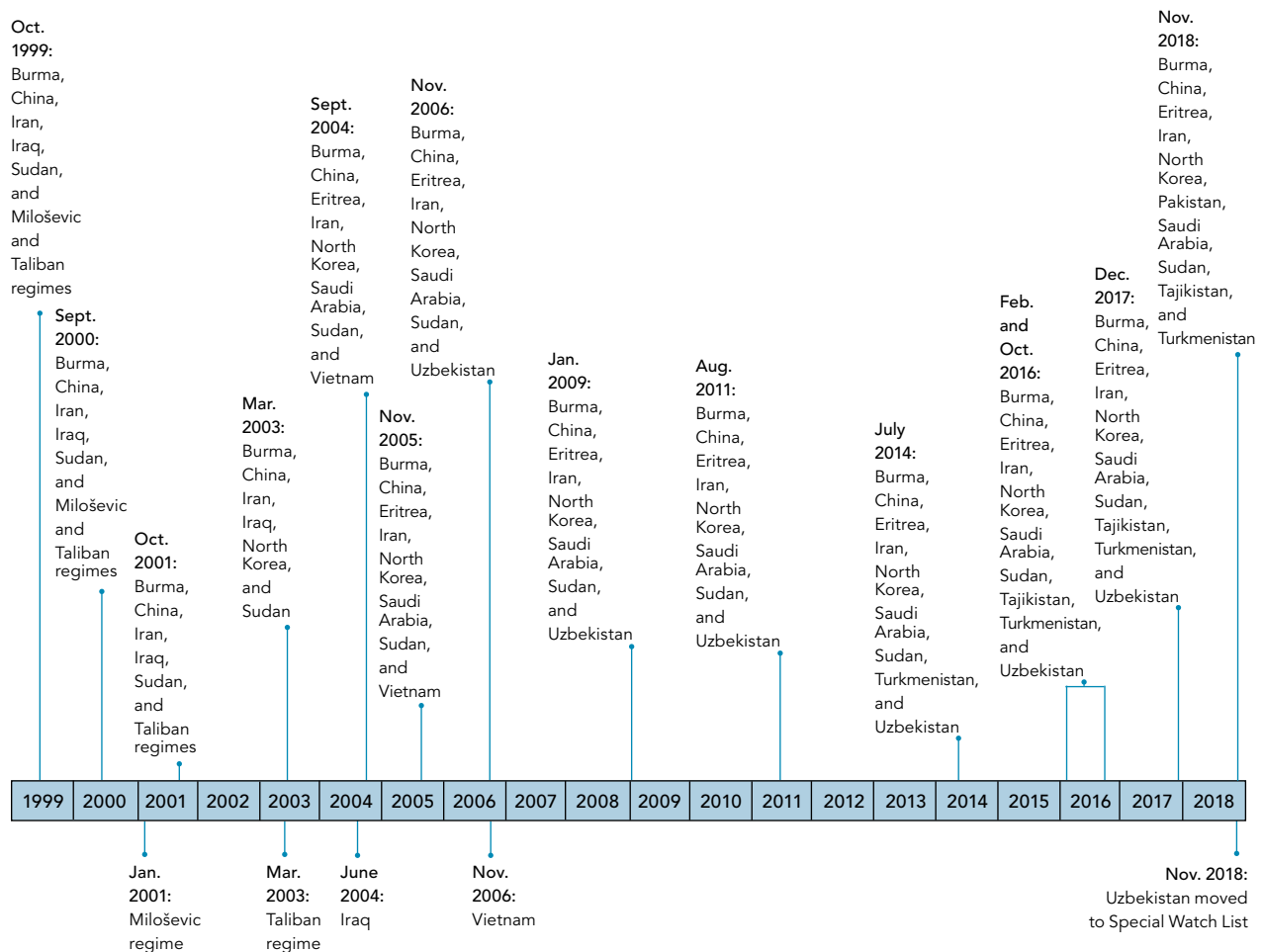
On January 26, 2019, after the reporting period, Secretary Pompeo [announced](#) that the United States would host the second Ministerial to Advance Religious Freedom on July 16–18, 2019, in Washington, DC.

### CPC and Special Watch List Designations

On November 28, 2018, Secretary Pompeo [designated](#) 10 countries as CPCs for engaging in or tolerating particularly severe religious freedom violations: Burma, China, Eritrea, Iran, North Korea, Pakistan, Saudi Arabia, Sudan, Tajikistan, and Turkmenistan. This was the State Department’s 14th set of CPC designations over IRFA’s 20-year existence. Pakistan was a new designee, the first addition to the State Department’s CPC list since Tajikistan in February 2016.

On the same date, Secretary Pompeo named Comoros, Russia, and Uzbekistan to the State Department’s Special Watch List, the Frank Wolf Act’s category for countries that engaged in or tolerated severe violations of religious freedom. The Special Watch List is a level below the CPC threshold, but neither IRFA nor the Frank Wolf Act more explicitly define “severe violations.” Uzbekistan had been on the State Department’s CPC list since 2006, but made some improvements in response to U.S. concerns. This was the first time the State Department removed a country from its CPC list due to diplomatic activity since its lifting of Vietnam’s CPC designation in 2006. USCIRF [welcomed](#) the November 28 designations, particularly regarding Pakistan and Russia, but questioned whether Uzbekistan had improved enough to be moved from the CPC list to the Special Watch List.

## STATE’S DESIGNATIONS OF COUNTRIES AND REGIMES AS CPCs



## STATE’S REMOVALS OF COUNTRIES AND REGIMES FROM CPC LIST

Source: GAO analysis of Department of State information, updated by USCIRF

The Frank Wolf Act requires the State Department to make its CPC and Special Watch List designations annually, not later than 90 days after the issuance of the IRF Report. The IRF Report covering 2017, on which these designations were based, was issued on May 29, 2018, meaning that the CPC and Special Watch List designations made on November 28 should have been issued by August 27.

For the nine countries that were redesignated as CPCs on November 28, the same presidential actions that had been imposed in December 2017 were continued. For Pakistan, the new designee, a waiver was put in place “in the important national interest of the United States.” The 2018 presidential actions are shown in the table below. Of the 10 CPC designees, six are subject to preexisting or “double-hatted” sanctions, and four have waivers. Successive administrations have relied on such an approach, and while the statute permits it, USCIRF has long expressed concern that using preexisting sanctions or indefinite waivers provides little or no incentive for CPC-designated governments to reduce or halt egregious religious freedom violations.

The Frank Wolf Act requires the State Department to notify Congress of CPC designations not later than 90 days after they are made and to provide justifications for any waivers. This notification was due on February 26, 2019, but as of March 7 did not appear to have been made. Under the Frank Wolf Act, waivers are permitted to continue for 180 days; after that period, the law gives the president waiver authority if the president determines and reports to Congress that the foreign government has ceased violations or that the waiver is required in the important national interest of the United States.

### Individual Violators

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

## PRESIDENTIAL ACTIONS FOR 2018 CPC DESIGNATIONS (AS DESCRIBED IN THE FEDERAL REGISTER)

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

**For China**, the existing ongoing restriction on exports to China of crime control and detection instruments and equipment, under the Foreign Relations Authorization Act of 1990 and 1991 (Pub. L. 101-246), pursuant to section 402(c)(5) of the Act;

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

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

abuses, pursuant to section 402(c)(5) of the Act;

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

**For Pakistan**, a waiver as required in the “important national interest of the United States,” pursuant to section 407 of the Act;

**For Saudi Arabia**, a waiver as required in the “important national interest of the United States,” pursuant to section 407 of the Act;

**For Sudan**, the restriction in the annual Department of State, Foreign

Operations, and Related Programs Appropriations Act on making certain appropriated funds available for assistance to the Government of Sudan, currently set forth in section 7042(i) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (Div. K, Pub. L. 115-141), and any provision of law that is the same or substantially the same as this provision, pursuant to section 402(c)(5) of the Act;

**For Tajikistan**, a waiver as required in the “important national interest of the United States,” pursuant to section 407 of the Act; and

**For Turkmenistan**, a waiver as required in the “important national interest of the United States,” pursuant to section 407 of the Act.

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

Two newer accountability tools—the 2016 [Global Magnitsky Human Rights Accountability Act](#) and a related 2017 executive order, [E.O. 13818](#)—allow the secretaries of state and treasury to deny U.S. visas to or block the U.S.-based assets of foreigners involved in corruption or human rights abuses. As of December 2018, the U.S. government had sanctioned [101 foreign individuals and entities](#) under these authorities, including a few for religious freedom violations. The initial set of these sanctions, announced by the [State](#) and [Treasury Departments](#) in December 2017, included General Maung Maung Soe, who as then head of the Burmese Army’s Western Command oversaw atrocities against Rohingya Muslims. In addition, in August 2018, four Burmese military and border guard police officials and two Burmese military units were [sanctioned](#) for abuses against Rohingya Muslims. The same month, the U.S. government [sanctioned](#) the Turkish ministers of justice and interior over the detention of Pastor Brunson. Those sanctions were [lifted](#) in November, after Pastor Brunson’s October release.

The Frank Wolf Act requires the State Department to establish, maintain, and submit to Congress every 180 days “designated persons lists” of foreign individuals denied visas or subject to financial sanctions or other measures for particularly severe violations of religious freedom. No designated persons lists were made public in 2018.

## EPC Designations

The State Department made two sets of EPC designations during 2018. On March 5, then Secretary of State Rex Tillerson [designated](#) the following eight nonstate actors as EPCs for particularly severe religious freedom violations: “al-Nusra Front, al-Qa’ida in the Arabian Peninsula, al-Qa’ida, al-Shabab, Boko Haram, ISIS [the Islamic State of Iraq and Syria], ISIS-Khorasan, and the Taliban.” On November 28, Secretary Pompeo [designated](#) nine entities as EPCs: the eight designated in March and the Houthis.

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*The State Department made two sets of EPC designations during 2018.*

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## Programs

IRFA envisaged the funding of religious freedom programs, authorizing U.S. foreign assistance to promote and develop “legal protections and cultural respect for religious freedom.” For FY2018, USCIRF was funded at \$3.5 million for its operations, while the IRF Office was appropriated \$8.5 million for operating costs and \$25 million for programs on international religious freedom and on protecting, investigating abuses against, and providing justice to vulnerable and persecuted religious minorities.

During 2018, as part of the Trump administration’s prioritization of religious freedom, USAID placed a new emphasis on humanitarian aid for religious groups targeted for persecution or genocide and on programs to promote religious freedom, tolerance, and pluralism. Iraq was a particular focus, with the agency allocating [nearly \\$300 million](#) in assistance for northern Iraq and posting a special representative for minority assistance in Erbil, Iraq. USAID also sought to expand its partnerships with civil society and religious groups, including by signing a [memorandum of understanding](#) with the Knights of Columbus to work together to respond to genocide and persecution in the Middle East. More broadly, in his [remarks](#) at the Ministerial to Advance Religious Freedom, Administrator Green stated that USAID was supporting programs to address religious hate speech and interfaith conflict, strengthen laws protecting religious freedom, increase civil society capacity to advocate for freedom of religion or belief, and reinforce pluralism.

## Training

The Frank Wolf Act added a [provision](#) to the Foreign Service Act requiring the State Department to provide training on international religious freedom for all foreign service officers, including by covering the topic

in courses required for entry-level officers, for officers prior to postings outside the United States, and for ambassadors and deputy chiefs of mission (DCMs), as well as by

developing a specific curriculum. The State Department’s Foreign Service Institute (FSI) began including

religious freedom issues in its courses for entry-level officers and ambassadors and DCMs in 2017. During 2018, FSI and the IRF Office, with input from USCIRF, worked to develop a distance learning course on religious freedom to be required for all foreign service officers prior to assignments overseas, which they planned to roll out in early 2019.

## Refugee Resettlement

Under the United States Refugee Admissions Program (USRAP), the president sets a ceiling for how many refugees the United States will accept from abroad each year; under IRFA, religious persecution should be considered in this determination. Since 2001, the refugee admission ceiling has averaged 75,000 per year. After suspending the USRAP for part of FY2017 to put into place enhanced vetting procedures, the Trump administration resumed the program and set the ceilings for FY2018 and FY2019 at [45,000](#) and [30,000](#), respectively.

Actual refugee admissions in FY2018 totaled [22,491](#), the lowest in the program's history. Instead of resettlement, the Trump administration [focused on](#) aiding refugees and internally

displaced persons abroad through humanitarian assistance and programs to help enable their safe and voluntary return home. For example, the administration prioritized [assistance](#) to support vulnerable minority communities in Iraq.

During 2018, approximately 90 Iranians seeking refugee status in the United States under the Lautenberg Amendment—a special resettlement program for certain persecuted religious minority groups—had their applications denied or significantly delayed, an unusual situation about which [USCIRF](#) and [Members of Congress](#) expressed concern. Because of these issues, the Lautenberg program, which USCIRF has long supported as a lifeline for vulnerable Iranian minorities, stopped accepting new applicants. It had not resumed by the end of 2018.

## Asylum-Seekers in Expedited Removal

Under U.S. law, noncitizens who fear persecution or torture at home may apply for asylum if they arrive at, or are already in, the United States. As authorized by IRFA, USCIRF has examined the U.S. government's treatment of asylum-seekers in Expedited Removal, the process that allows Department of Homeland Security (DHS) officers to quickly deport, without immigration court hearings, noncitizens who arrive at U.S. ports of entry or cross the border without proper documents, unless they can establish a credible fear of persecution or torture. USCIRF's reports on the subject, released in [2005](#), [2007](#), [2013](#), and [2016](#), documented major problems that successive administrations have not addressed.

Specifically, USCIRF's monitoring over more than a decade revealed that DHS officials often fail to follow

required procedures to [identify](#) asylum-seekers and refer them for credible fear determinations, and that they [detain](#) asylum-seekers in inappropriate, prison-like conditions. Over the past few fiscal years, the percentage of individuals in Expedited Removal who say they fear return has been

[rising](#). As a result, the unaddressed flaws in the system placed even more asylum-seekers at risk of erroneous return. To ensure the fair and humane treatment of asylum-seekers while protecting U.S. borders, USCIRF has recommended that DHS (1) appoint a high-level official to coordinate refugee and asylum issues and oversee reforms, (2) improve quality assurance measures, (3) give officers additional training, (4) use non-prison-like detention facilities, and (5) increase funding for asylum officers and immigration courts to promptly and fairly adjudicate claims. USCIRF also has urged Congress to exercise oversight on these matters, including by requesting the Government Accountability Office to assess whether noncitizens removed to their home countries under Expedited Removal have faced persecution or torture upon return.

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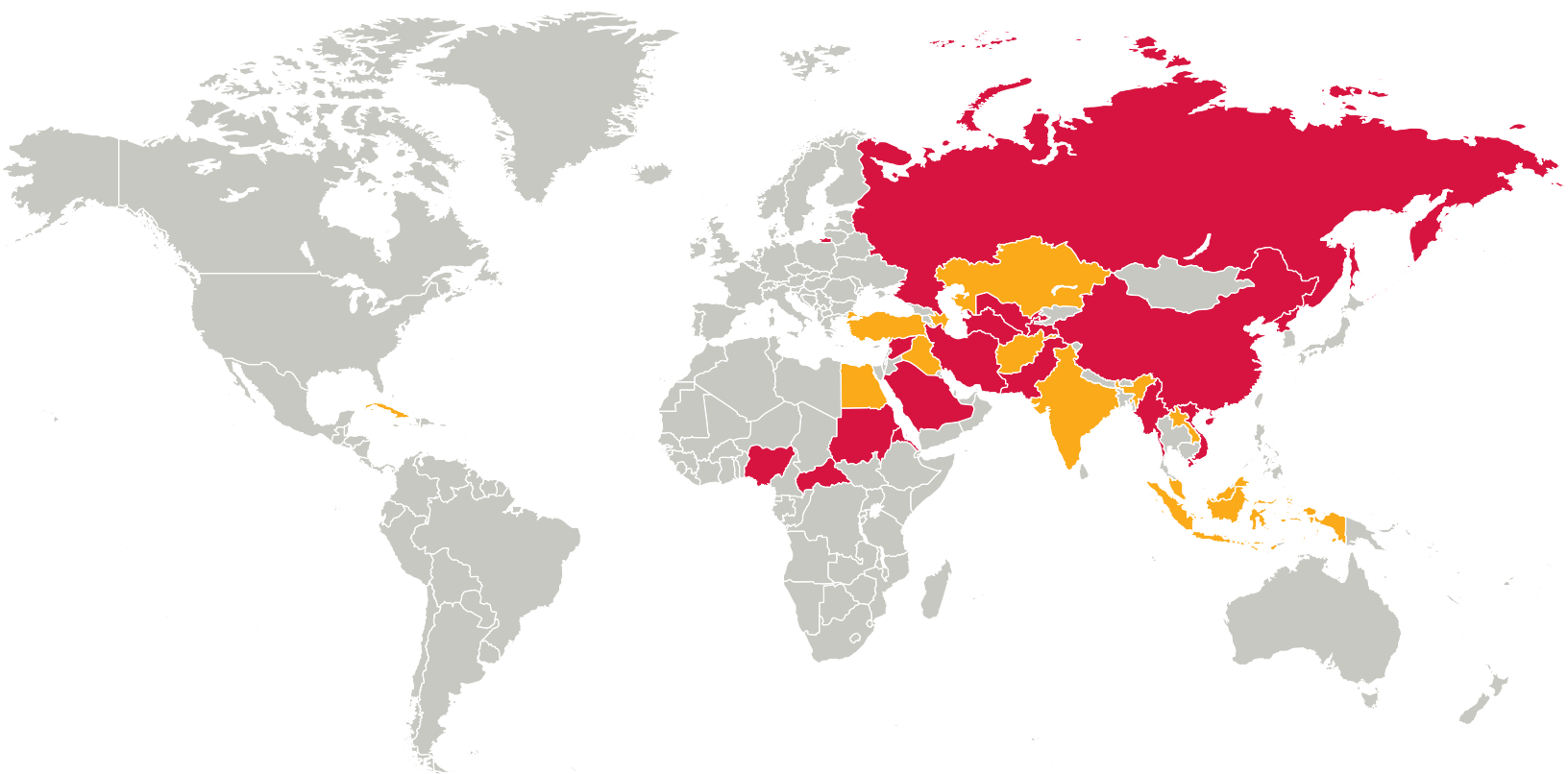
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## Prisoners

During 2018, the Trump administration continued to prioritize seeking the release of American citizens unjustly imprisoned abroad. One of these cases, that of [Pastor Brunson](#) in Turkey, was also a high priority for USCIRF, and was part of USCIRF's [Religious Prisoners of Conscience Project](#). After significant U.S. advocacy and pressure, including the imposition of Global Magnitsky sanctions on two Turkish cabinet ministers, Pastor Brunson was [released](#) in October 2018 and allowed to return to the United States. A Turkish court convicted Pastor Brunson on the unfounded charge of aiding terrorism but ruled that his two-year detention and good conduct counted as serving the imposed sentence of imprisonment for three years and one month. USCIRF Commissioner Tony Perkins was at the final court hearing and accompanied Pastor and Mrs. Brunson home.



# 2019 COUNTRIES



## ■ TIER 1 COUNTRIES OF PARTICULAR CONCERN

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

## ■ TIER 2 COUNTRIES

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

### KEY FINDINGS

In 2018, religious freedom conditions in Burma trended negatively, particularly for Rohingya Muslims. Despite the fact that Burma's government, military, and nonstate actors have denied responsibility and largely evaded accountability for widespread atrocities, the United States and its allies have imposed a handful of targeted sanctions against military actors "for their involvement in ethnic cleansing in Burma's Rakhine State and other widespread human rights abuses in Burma's Kachin and Shan States." Victims of severe human rights and religious freedom violations have little hope for justice; this includes Rohingya and other Muslims, Buddhists, Christians, and Hindus, as well as ethnic Kachin, Shan, Karen, Rakhine, and Chin. As of January 2019, just after the reporting period, 911,000 mostly Rohingya Muslims resided in refugee camps in Bangladesh; more than 700,000 of these refugees fled Burma (also known as Myanmar) because of massive military crackdowns in Rakhine State in October 2016 and August 2017. In January 2018, a USCIRF delegation [visited](#) Bangladesh to meet with Rohingya Muslim refugees and discuss their plight with the government of Bangladesh. For the Rohingya Muslims who remained in Burma, their deprivation of rights and ongoing humanitarian crisis has been catastrophic. In November 2017, the United States labeled the atrocities as ethnic cleansing, but only with respect to the crisis in Rakhine State. However, others—including an independent commission created by the United Nations (UN)—who have examined

the available evidence not just in Rakhine State, but also in other areas heavily targeted by Burma's military such as Kachin and northern Shan states, concluded that crimes against humanity and even genocide have occurred. Burma's military and nonstate actors continued to target with discrimination and violence other religious and ethnic minorities in addition to Rohingya Muslims, such as Christians. Moreover, decades of growing suspicion and depleted trust across religious and ethnic groups have in recent years been amplified by the proliferation of social media platforms to spread rumors, cultivate intolerance, and incite violence. In 2018, Burma's government tapped into increasing nationalist fervor by continuing to target critics—both domestically and internationally—including by vilifying both peaceful expression and the media, exemplified by seven-year prison sentences for two Reuters journalists who reported on atrocities against Rohingya Muslims.

Based on the systematic, ongoing, egregious violations of religious freedom occurring in the country, in 2019 USCIRF again finds that Burma merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). The U.S. Department of State has designated Burma as a CPC since 1999, most recently in November 2018. USCIRF recommends that the State Department redesignate Burma as a CPC under IRFA and maintain the existing, ongoing arms embargo referenced in 22 CFR 126.1 of the International Traffic in Arms Regulations.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Reinstating the designation of a National Emergency with respect to Burma—terminated by [executive order](#) in October 2016—pursuant to the International Emergency Economic Powers Act, [50 U.S.C. 1701-1706](#), in response to the ongoing and severe atrocities and multiple humanitarian crises occurring in the country, including particularly severe violations of religious freedom, and refocus efforts to definitively and publicly conclude whether such atrocities meet the legal definition of crimes against humanity and/or genocide;
- Support efforts to collect, preserve, and analyze evidence of the crimes and atrocities committed in Rakhine State, Kachin State, northern Shan State, and other areas, and to hold perpetrators accountable by:
  - Continuing to impose targeted sanctions on members of Burma's military, security forces, and nonstate actors for severe human rights and religious freedom violations;
  - Actively supporting and cooperating with the UN's Independent Investigative Mechanism for Myanmar;
  - Pursuing with international partners a tribunal for both state and nonstate actors accused of serious crimes under international humanitarian and human rights law; and
- Bringing a case before the International Court of Justice based on Burma's violations of the 1948 Convention on the Prevention and Punishment of Genocide; and
- Working with the government of Burma, representatives from all religious communities (including leaders and laypersons), and other relevant stakeholders to combat intolerance and promote inclusivity and nondiscrimination in the spirit of the [Rabat Plan of Action](#) on the prohibition of advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence.



## COUNTRY FACTS

### FULL NAME

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

### GOVERNMENT

Parliamentary Republic

### POPULATION

55,622,506

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Buddhism, Christianity, Islam, Hinduism, and Animism

### RELIGIOUS DEMOGRAPHY

87.9% Buddhist  
 6.2% Christian  
 4.3% Muslim (mostly Sunni)  
 0.8% Animist  
 0.5% Hindu  
 0.2% Other (including traditional Chinese and indigenous religions, Jews, and others)  
 0.1% None

\*Estimates compiled from the CIA World Factbook and the U.S. Department of State

## BACKGROUND

In 2018, Burma's government continued to perpetrate, tolerate, and deny its role in religious- and ethnic-based discrimination and violence against vulnerable communities. The country's democratic form of government is aspirational, with a constitution that advances Buddhism as the de facto state religion and longstanding institutionalized discrimination against anyone not belonging to the majority Bamar ethnic group or the majority Buddhist faith.

The ruling National League for Democracy (NLD) government faced mounting criticism in 2018 not only for its silence and inaction about multiple human rights and humanitarian crises, including against Rohingya Muslims in Rakhine State, but also for its actions in Kachin and northern Shan states. For de facto leader State Counsellor Aung San Suu Kyi, the criticism came to a head during the year when several organizations within the international community rescinded awards and honors previously bestowed upon her, including the United States Holocaust Memorial Museum. Its complex relationship with the military—which still controls many important governing levers—is often misunderstood. Some observers characterized the NLD's win of only seven of 13 seats contested in the November 2018 by-elections as a harbinger of the party's chances in

the upcoming 2020 general elections. While political considerations alone do not explain the calculations that the NLD, the opposition Union Solidarity and Development Party, and the military make in response to human rights concerns, they do contribute to their posturing vis-à-vis one another.

During the year, there were reports that the Ministry of Religious Affairs and Culture issued orders restricting the instruction of Islam and Christianity to government-approved houses of worship and limiting such instruction to the Burmese language, which is not the first language of many religious and ethnic minorities. Additional reports suggested that the General Administration Department (GAD), the body within the military-controlled Ministry of Home Affairs in charge of the vast civil service apparatus, similarly ordered restrictions on Islamic teaching.

In addition to examining conditions in Rakhine State, the UN actively monitored developments countrywide throughout 2018. In her February 2018 [end-of-mission statement](#), UN Special Rapporteur on the situation of human rights in Myanmar Yanghee Lee stressed the themes of belonging and equality for ethnic minorities and noted the military's history of attacks on places of worship. In April 2018, the UN secretary-general [appointed](#) Swiss diplomat Christine Schraner Burgener

as special envoy on Myanmar; she made her first visits to Burma and Bangladesh in that role in June. The UN's Independent [International Fact-Finding Mission on Myanmar](#)—whose mission included Kachin, Rakhine, and Shan states—released preliminary findings in August 2018 and its full report in September, concluding that Burma's top military leaders should be investigated and prosecuted for genocide, noting circumstances suggesting their "genocidal intent."

In December 2018, the UN General Assembly overwhelmingly approved a [resolution](#) regarding human rights in Burma, which noted the situation of minority communities and the "statelessness, disenfranchisement, economic dispossession, marginalization, deprivation of livelihood and restrictions on freedom of movement for persons belonging to the Rohingya community, including the confinement of approximately 120,000 people in camps for internally displaced persons, the majority of whom rely entirely on foreign aid." (Several thousand of those interned in Rakhine State are believed to be ethnic Kaman Muslims, one of the country's 135 officially recognized ethnic groups.)

## RELIGIOUS FREEDOM CONDITIONS 2018

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

August 2018 marked one year since authorities in Burma began their second brutal campaign terrorizing, sexually assaulting, and killing mainly Rohingya Muslims. Since the violence began—including the clearance operations that Burma's security forces first launched in October 2016—more than 700,000 Rohingya Muslims have fled to Bangladesh, whose refugee population in Cox's Bazar totaled 911,000 as of January 2019. In January 2018, a USCIRF delegation visited the Kutupalong and Nayapara refugee camps in Cox's Bazar, Bangladesh. In a poignant characterization of how Rohingya Muslims' plight has evolved, one refugee told USCIRF that whereas previously the authorities in Rakhine State restricted Rohingya Muslims' freedoms, since the October 2016 and August

2017 waves of violence "the authorities rape, burn, and kill them." Some of the refugees showed USCIRF their freshly healed wounds—from gunshots and burns—inflicted by Burma's military and security forces.

In June 2018, rainy season landslides proved deadly in the crowded refugee camps of Bangladesh; in one incident, at least a dozen women and children died and, [according to the UN](#), monsoon rains washed away at least 9,000 refugees' shelters. Refugees

also continued to battle malnutrition, unsanitary conditions, and disease. Conditions for Rohingya Muslims who remained in Burma continued to be dire, such as: blocked humanitarian aid resulting in shortages of food and medical supplies; restricted movement; and perpetual statelessness, including for those internally displaced in camps. What were once Rohingya villages in Rakhine State were bulldozed and replaced with military installations and, in some cases, makeshift camps to intern any returning Rohingya Muslim refugees. Thousands of Rohingya Muslims reportedly fled to a "no-man's land" along the border, trapped between a small canal on the Bangladesh side and barbed wire fencing on the Burma side. When in April 2018 a family of five Rohingya Muslims was reportedly repatriated back to Burma, the government of Bangladesh accused Burma of propaganda, alleging that the individuals hailed from no-man's land and had never left Burma. These conditions continued to prompt some Rohingya Muslims to attempt to flee Burma by boat.

Hundreds of thousands of Rohingya Muslims and other victims uprooted from their homes, families, and communities also faced lifelong damage, including post-traumatic stress, the stigma of giving birth to or being a child conceived by rape, the disadvantage of undereducation, and diminishing cultural, linguistic, and religious traditions. This includes the scores of Rohingya Muslim women and girls whom international groups have thoroughly documented as victims of systematic mass rape and other forms of sexual and gender-based violence. Their ongoing vulnerability to

*[A UN-commissioned report concluded] that Burma's top military leaders should be investigated and prosecuted for genocide, noting circumstances suggesting their "genocidal intent."*

exploitation includes trafficking, human smuggling, and forced labor—including prostitution; Burma’s military has long used these tactics as “weapons of war” against multiple religious and ethnic communities.

When in March 2018 Zeid Ra’ad al-Hussein, then UN High Commissioner for Human Rights, called for the perpetrators of atrocities against Rohingya Muslims to be brought before the International Criminal Court (ICC), Burma’s national security advisor claimed that what happened in Rakhine State could not possibly be genocide because Rohingya Muslims still lived there. After the Burmese government initially blocked a visit by representatives from the UN Security Council in February 2018, in late April and early May the representatives [visited](#) Burma and met with State Counsellor Aung San Suu Kyi and Senior General Min Aung Hlaing and also traveled to Rakhine State and the refugee camps in Bangladesh. Members of the Security Council reportedly requested to investigate human rights abuses in Rakhine State, but the military denied there was anything to investigate. In July 2018, UN Secretary-General António Guterres publicly [recounted](#) his experience meeting with Rohingya Muslim refugees in Bangladesh, calling their suffering a “pattern of persecution” and “ethnic cleansing.”

In June 2018, the European Union (EU) and Canada imposed sanctions on seven military officials and one police commander for their role in committing crimes and atrocities against Rohingya Muslims. Australia sanctioned five military officials in October. Several of the individuals also appeared on the United States’ list for sanctions and in the UN-commissioned report. Also in June, the Office of the UN High Commissioner for Refugees (UNHCR) and the UN Development Programme (UNDP) signed a memorandum of understanding (MOU) with the governments of Burma and Bangladesh about the return of Rohingya Muslims to Burma. The full details of the MOU were never made public—something Rohingya advocacy groups criticized along with the fact that the process did not include any Rohingya Muslim representatives in the negotiations and it also failed to address the root causes of the crisis.

During 2018, both governmental and nongovernmental actors researched and reported the atrocities in Rakhine State; several of them concluded that the attacks on Rohingya Muslims were not a spontaneous response to insurgency violence, but rather were planned in advance. USCIRF [learned](#) during a November 2017 visit to Burma and a January 2018 [visit](#) to Rohingya Muslim refugee camps in Cox’s Bazar,

*... attacks on Rohingya Muslims were not a spontaneous response to insurgency violence, but rather were planned in advance.*

Bangladesh, that mosques had been closed or burned in Rakhine State, children were unable to attend madrassas, and the military interfered with religious practices, including by threatening Rohingya Muslims

with arrest or physical assault to prevent them from worshipping in their homes. Echoing many of USCIRF’s findings, in September 2018, the State Department publicly issued [documentation](#) concerning atrocities in Rakhine State based on more than 1,000 interviews, but made no legal determinations beyond its 2017 announcement of ethnic cleansing. (For more information about the State Department’s report, see the U.S. Policy section below.)

Burma’s government and military, though broadly denying and distorting the facts of the Rakhine crisis, displayed some nuance in their responses. In a rare admission of responsibility, in January 2018 the military acknowledged that security forces and civilians massacred 10 Rohingya Muslims in Inn Din in September 2017. In April 2018, seven members of the military were sentenced to 10 years’ imprisonment with hard labor. Ironically, it was the investigative reporting about the Inn Din massacre by Reuters journalists Wa Lone and Kyaw Soe Oo that resulted in their imprisonment. During the year, the government again attempted to quell international requests to properly investigate crimes and atrocities in Rakhine State by assigning another commission. However, this latest effort was criticized by international rights advocates for its lack of transparency and credibility, and by Burmese nationalists for the inclusion of foreigners on the panel. On the one hand, the government failed to provide safe and dignified conditions to which Rohingya Muslims could

safely return, including by attempting to force Rohingya Muslims to accept ID cards that neither recognize them as Rohingya nor grant them citizenship; on the other, it facilitated the resettlement of some Hindu families in Rakhine State. Hindu civilians were among the many other communities ensnared in the violence that gripped Rakhine State in 2016 and 2017.

On September 6, 2018, the ICC—specifically the Pre-Trial Chamber I—decided that it “may exercise jurisdiction over the alleged deportation of the Rohingya people from Myanmar to Bangladesh,” after which ICC prosecutor Fatou Bensouda [opened](#) a preliminary examination. Unsurprisingly, Burma’s government rejected the ICC’s ruling.

Although discrimination and violence against Rohingya and other Muslims is not always religious in nature, it has impacted their ability to teach and practice their faith. Five years after the March 2013 violence between Buddhists and Muslims in Meiktila, several of the mosques that were closed in the aftermath remained shuttered. Over three days in 2013, armed mobs, which included some Buddhist monks, burned more than 1,500 Muslim homes, damaged or destroyed three Islamic schools and more than a dozen mosques, displaced thousands of people, and killed more than 100 people. Following a 2017 incident in which police apprehended several Muslims for organizing prayers outside after authorities closed two madrassas in Thaketa Township, in April 2018 a court sentenced seven Muslim men to three-month prison terms. In January 2019, after the reporting period, USCIRF received reports that officials closed madrassas and a mosque in Ayeyarwady Region.

### Discrimination and Abuses Targeting Christian Minorities

While some Christians in Burma have little to no trouble practicing their faith, others are targeted with discrimination and violence because of their religious beliefs. For

example, beginning in late 2017 and continuing into 2018, intensified fighting between Burma’s military and ethnic armed organizations in parts of Kachin and

northern Shan states displaced thousands of civilians, many of whom were Christians. These fresh displacements were in addition to the more than 100,000 people internally displaced in camps in Kachin State and northern Shan State, triggered by the collapsed 2011 ceasefire agreement between the military and Kachin Independence Army; some of these individuals have been displaced multiple times. The longstanding conflicts, while not religious in nature, have deeply impacted Christian and other faith communities, and the military’s blockades on humanitarian assistance continued to restrict civilians’ access to food, shelter, health care, and other basic necessities for long periods of time. In 2018, USCIRF received information that the military targeted houses of worship and religious leaders, accusing them of working with ethnic armed organizations. In 2018, two examples of religious structures damaged by military gunfire and explosives included May attacks on a Baptist mission school in Sumpra Bum Township and a Roman Catholic church in Hpakant Township, both in Kachin State. Moreover, the military blocked humanitarian aid, held civilians hostage in their villages, and blocked journalists from entering conflict zones.

Furthermore, USCIRF received information that in recent years, more than 30 churches were destroyed in Kachin State, most by heavy weapons attacks. By some estimates, there are more than 100 churches in Kachin State at which parishioners can no longer worship. In 2018, USCIRF also received reports that local mobs, which included some Buddhist monks, physically assaulted Christian pastors and parishioners in Rakhine State; in at least one instance, Christians were too afraid for their safety to attend church services.

Ethnic armed organizations were not blameless in the protracted conflict. Beginning in September 2018, the China-backed United Wa State Army (UWSA), considered Burma’s most powerful ethnic armed organization, tar-

geted religious institutions and leaders in Wa-controlled territory in northern Shan State. Under the guise of rooting out alleged “religious extremism,” particularly

*... intensified fighting between Burma’s military and ethnic armed organizations in parts of Kachin and northern Shan states displaced thousands of civilians, many of whom were Christians.*

among missionaries, UWSA soldiers interrogated and detained clergy, closed religious schools, destroyed unauthorized churches and banned new church construction, and forcibly recruited Bible students to join their ranks. The UWSA held hostage 100 ethnic Wa Christians and approximately 100 ethnic Lahu Christians; both groups were released by the end of 2018, and churches in the area were allowed to reopen.

Christians beyond Kachin and northern Shan states similarly experienced threats. In June 2018, UNHCR announced that Chin refugees from Burma were no longer in need of international protection, a decision that could rescind their refugee status. The decision affected tens of thousands of Chin refugees and asylum-seekers residing in Malaysia and India. UNHCR contended that Chin are no longer fleeing Burma, but they are also not returning to their homes. (In March 2019, after the reporting period, UNCHR [announced](#) that “Chin refugees may still have ongoing international protection needs” and that it would be “maintaining their refugee status.”) International human rights advocates remain concerned about ongoing human rights violations in Burma; for instance, USCIRF received reports that both state and nonstate actors continued in 2018 to intimidate and harass Chin Christians—including to compel them to convert to Buddhism under threat of eviction—and various administrative discriminations prevented them from obtaining land to use for religious purposes. Also, during 2018 and early 2019 the ongoing conflict between the military and the Arakan Army, an ethnic armed organization, prompted some Chin to flee and deterred others who were internally displaced—primarily Buddhists and Christians—from returning to their home villages. The situation in and around Chin State remained precarious enough that in January 2019, shortly after the reporting period, the U.S. Embassy in Burma updated its [travel advisory](#), recommending, among other things, that individuals not travel to Paletwa Township in Chin State “due to civil unrest and armed conflict” and noting overall civil unrest in Chin State.

*In Burma, some observers have noted that the rapid rise of false information through social media may be a precursor to genocide.*

## Intolerance, Nationalism, and the Role of Social Media

In 2018, some governmental and societal actors continued to push back against the discriminatory, intolerant words and actions of nationalists and chauvinists who directed their vitriol at religious and ethnic minorities. In February 2018, Minister of Religious Affairs and Culture U Aung Ko recommended to the State Sangha Maha Nayaka Committee—Ma Ha Na, the official monk-led association that manages Burma’s Buddhist clergy—that it monitor and discipline Buddhist monks’ behavior so as not to malign Buddhism. In August 2018, Buddhist nationalists protested in Rangoon following Ma Ha Na’s July decision to ban the Buddha Dhamma Parahita Foundation (once called Ma Ba Tha, but in May 2017 Ma Ha Na ordered it to cease using that name and remove all signage).

Despite these encouraging actions, Burma’s longstanding challenges with hatred and violence directed at religious and ethnic minorities continued in 2018. Over the last decade in Burma, the rapid rise of internet penetration, mobile phone usage, and in particular the ubiquity of Facebook as the primary source of news and information—as well as other social media platforms—catapulted the country into the digital age. At a time when Burma itself was also rapidly opening, the influx of information not choreographed by state propaganda was overwhelming, on the one hand creating new communication channels, and on the other providing

people the tools to quickly spread rumors that had deadly consequences. In Burma, some observers have noted that the rapid dissemination of false information through social media may be a precursor to genocide.

In March 2018 remarks at the UN Human Rights Council, Marzuki Darusman, chairperson of the Independent International Fact-Finding Mission (IFFM) on Myanmar, [stated](#), “Hate speech and incitement to violence on social media is rampant, particularly on Facebook. To a large extent, it goes unchecked.” The IFFM’s [detailed findings](#) released in September 2018 also noted that nationalists used Facebook and other materials in hate campaigns that incited anti-Muslim,

in particular anti-Rohingya, sentiment, and the military used Facebook to make unsupported claims about alleged insurgent-led violence in Rakhine State. (The FFM paid particular attention to Facebook, noting that it “is clearly by far the most common social media platform in use in Myanmar.”) Moreover, Burma’s government has used Facebook—and state-run media—in ways that violated human rights:

in January 2018, the government’s Information Committee, created in 2016 purportedly to release news about Rakhine State, posted on its Facebook page the names and photos of more than 1,300 Rohingya Muslims it deemed “terrorists”; [according to the chair of the FFM](#), the post included children and was done “without any form of due process.”

In the past, the government of Burma has blocked Facebook in an attempt to stop the spread of false information that could lead to violence. However, government and military authorities and offices regularly use Facebook accounts in an official capacity to disseminate information that is discriminatory and even factually incorrect, often to the detriment of religious and ethnic minorities, particularly Rohingya Muslims. At multiple times during 2018, Facebook banned Ma Ba Tha’s presence on the site and blocked pages run by nationalist monks and members of the military—including fire-brand monk U Wirathu and Senior General Min Aung Hlaing, respectively; several of the individuals whose pages were removed were also sanctioned by the United States, the EU, Canada, and Australia. In an October 2018 human rights impact assessment commissioned by Facebook, nonprofit Business for Social Responsibility (BSR) reported that Facebook removed accounts “to prevent [the account holders] from using Facebook to further inflame ethnic and religious tension.”

### Arrests and Imprisonments

As of December 2018, the Assistance Association for Political Prisoners (Burma) calculated 327 political prisoners in the country, including those currently serving sentences and those awaiting trial both inside and outside prison, a 39 percent increase from December 2017.

During the year, various forms of arbitrary arrest and detention continued, particularly in Rakhine, Kachin, and Shan states, and some detainees have described ill treatment at the hands of the military based on their religious and ethnic identity.

In September 2018, a court sentenced two Reuters reporters from Burma—Wa Lone and Kyaw Soe Oo—to seven years in prison with hard labor under the colonial-era Official Secrets Act for their groundbreaking investigation into the December 2017 massacre of 10 Rohingya Muslims in Inn Din Village in Rakhine State.

*... some detainees have described ill treatment at the hands of the military based on their religious and ethnic identity.*

Lawyers filed appeals on their behalf, but at the end of the reporting period, both remained in prison. A former police captain was released from prison in January 2019, just after the reporting period, after being sentenced to a year in prison following his admission in court that the Reuters journalists were framed; he subsequently lost his job and his family was evicted from their home.

In December 2018, a court sentenced Kachin activists Lum Zawng, Nang Pu, and Zau Jat to six months in prison for allegedly defaming the military while peacefully protesting the military’s actions earlier in the year trapping civilians—many of them Christians—in a conflict zone and cutting them off from humanitarian assistance during ongoing fighting with the Kachin Independence Army.

In a positive development, on April 17, 2018, Burma’s president granted amnesty to more than 8,500 prisoners, several of whom were political and religious prisoners, including two Kachin Baptist leaders. Dumdaw Nawng Lat and Lang Jaw Gam Seng—both members of the Kachin Baptist Convention—were serving prison sentences for allegedly supporting the Kachin Independence Army after they assisted local journalists following a 2016 military airstrike on St. Francis Xavier Catholic Church in Mong Ko.

### U.S. POLICY

The U.S. government provides financial aid to Burma on a number of fronts; since the August 2017 violence in Rakhine State, the amount of humanitarian assistance



reached new levels. In September 2018, then Ambassador to the UN Nikki Haley [announced](#) \$185 million in additional funding, the majority for Rohingya Muslim refugees and host communities in Bangladesh. The influx of aid brought total U.S. assistance in addressing the Rakhine State crisis to nearly \$389 million since 2017. In April 2018, Ambassador-at-Large for International Religious Freedom Samuel D. Brownback [visited](#) Cox's Bazar, Bangladesh, to meet with Rohingya Muslim refugees and Bangladeshi officials, and in May 2018, U.S. Agency for International Development administrator Mark Green [traveled](#) to Burma and Bangladesh to meet with stakeholders impacted by the crisis. At the July 2018 [Ministerial to Advance Religious Freedom](#) held in Washington, DC, participating delegations issued a [Statement on Burma](#) about the discrimination that religious minorities “including Muslims, Christians, and Hindus” face because of their beliefs.

In August 2018, the U.S. Department of the Treasury [sanctioned](#) four Burmese commanders and two military units “for their involvement in ethnic cleansing in Burma’s Rakhine State and other widespread human rights abuses in Burma’s Kachin and Shan States.” The sanctions, pursuant to Executive Order 13818, are in addition to the December 2017 sanctioning of Burmese general Maung Maung Soe—who was subsequently fired—and came two months after Canada and the EU sanctioned eight military, police, and border guard commanders.

In September 2018, the State Department released a [report](#) documenting atrocities in northern Rakhine State. The report revealed systematic abuses against Rohingya Muslims—including a pattern of violence leading up to the October 2016 and August 2017 crackdowns—and stated that the military’s operations in Rakhine State were “well-planned and coordinated” and “explicitly targeted Rohingya, [leaving] neighboring non-Rohingya sites (e.g., Buddhist stupas)” untouched.

The State Department’s interviews with Rohingya Muslims indicated that “perpetrators of the violence singled out community or religious leaders as their targets in some areas,” and some respondents described “the military’s desecration of sacred texts” and “soldiers burning or urinating on [Qur’ans].” Military personnel raped women and girls in mosques and madrassas, as well as in other structures. To the dismay of many human rights advocates, the State Department did not label the abuses against Rohingya Muslims as genocide or crimes against humanity despite robust supporting evidence.

In November 2018, Vice President Michael R. Pence met with Burma’s state counsellor, Aung San Suu Kyi, in Singapore and [said](#) that the “violence and persecution by military and vigilantes that resulted in driving 700,000 Rohingya to Bangladesh is without excuse.”

In 2018, both chambers of Congress advanced legislation that would have sanctioned Burma’s military for abuses against Rohingya Muslims, but that language ultimately was removed from the John S. McCain National Defense Authorization Act for FY2019 ([P.L. 115-232](#)). However, the Asia Reassurance Initiative Act of 2018 ([P.L. 115-409](#)) restricted U.S. funds from being used for military education and training and military financing programs in Burma. Also, the House of Representatives in December 2018 passed a resolution ([H.Res.1091](#)) that labeled the atrocities against Rohingya Muslims as both crimes against humanity and genocide, supported additional targeted sanctions on the perpetrators, and called for the release of the two Reuters journalists.

The State Department last redesignated Burma as a CPC in November 2018. In lieu of prescribing sanctions specific to the CPC designation, the State Department again applied “double-hatted” sanctions against Burma, in this case extending the existing arms embargo restrictions referenced in 22 CFR 126.1.

# CENTRAL AFRICAN REPUBLIC

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

## KEY FINDINGS

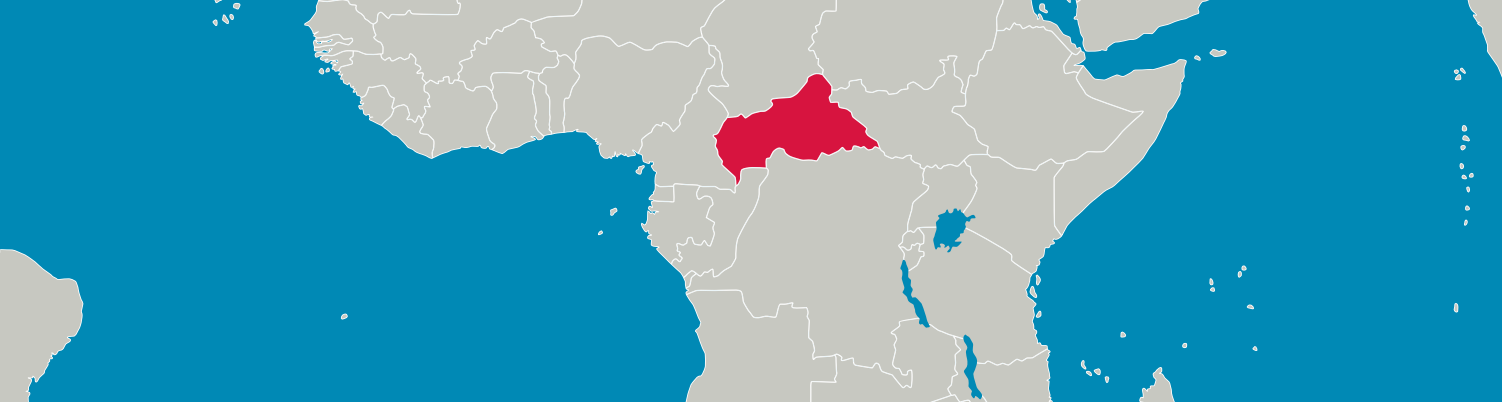
Religious freedom conditions in the Central African Republic (CAR) trended negatively in 2018. Armed actors continued to control an estimated 80 percent of the country, vying for resources and territory, and attacking civilians and communities based on their religious and ethnic identities, including mass attacks against places of worship. Infrastructure generally, and roads in particular are extremely poor, inhibiting the movement of security and aid actors to many towns across CAR. Government representatives also feared for their safety, lack funding, and are unable to reach many communities. In May 2018, at least 15 people were killed in an attack on the Notre Dame de Fatima church in Bangui, and in November, at least 112 civilians—including two priests—were killed when an armed group attacked a displaced persons camp near the Catholic Cathedral in Alindao. Also, in 2018, the government took no apparent action to rebuild or restore the hundreds

of mosques destroyed in the 2014 sectarian violence. Marginalization of Muslims continued, as well as limitations to Muslims' free movement and unequal representation in government. Justice and reconciliation efforts also remain stalled, and an ongoing culture of impunity for human rights and religious freedom violations threatens efforts toward long-term stability and reconciliation. The CAR government has failed to acknowledge religious freedom issues and has lacked the will to address them in areas within its capacity to reach and work.

Given the systematic, ongoing, egregious violations of freedom of religion, USCIRF again recommends in 2019 that CAR be designated as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA), as it has done every year since 2015. The U.S. Department of State has not designated CAR as a CPC.

## RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Increase engagement with CAR authorities, the United Nations (UN), and international donors to ensure that issues related to ending sectarian violence and impunity, increasing interfaith reconciliation, and affirming the rights of religious freedom and religious minorities are supported and raised in all engagements with relevant parties;
- Increase efforts to achieve accountability for human rights violations, including through:
  - Assisting the UN Security Council in sanctioning armed actors responsible for organizing and/or engaging in sectarian violence, ethnic cleansing, and crimes against humanity; and
  - Funding programs to reestablish and professionalize CAR's judiciary and to support the Special Criminal Court (SCC);
  - Press CAR authorities to undertake initiatives to ensure that Muslims have a future in the country by:
    - Rebuilding destroyed Muslim mosques and properties;
    - Ensuring Muslim participation in government administration, security forces, and police units;
- Safeguarding sustainable returns of Muslim refugees and internally displaced persons (IDPs) to their homes; and
- Expanding reconciliation programs and interfaith dialogue to rural areas; and
- Increase funding for peace and security initiatives; bolster humanitarian assistance for refugees, IDPs, and returnees, and rebuilding projects; and collaborate with humanitarian actors to collect data on religious demographics to more effectively protect religious freedom and minorities.



## COUNTRY FACTS

### FULL NAME

Central African Republic

### GOVERNMENT

Presidential Republic

### POPULATION

5,745,062

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

N/A

### RELIGIOUS DEMOGRAPHY\*

35% Indigenous Beliefs

25% Protestant

25% Roman Catholic

15% Muslim

(Animist beliefs are also integrated into Christian and Muslim practices.)

\*Estimates compiled from the CIA World Factbook

## BACKGROUND

The Central African Republic (CAR) ranks at the bottom of the United Nations (UN) Human Development Index (188 out of 189), and extremely poor infrastructure inhibits development in education, security, and the economy. CAR also ranks last on the Global Hunger Index (119 out of 119), and a majority of the population live below the international poverty line. CAR has struggled with a series of coups and governance and security challenges since independence in 1960, with one of the biggest crises beginning in late 2012 and leading to an escalation in violations of human rights, including religious freedom. Around 50 percent of the population are Christian—nearly evenly split between Protestants and Roman Catholics, and 15 percent are Muslim. However, religious identities in CAR are syncretic in many ways, with people throughout the country integrating other indigenous beliefs into the ways they practice their faith and live their lives. Although people identify most closely with their ethnic and tribal groups, religious identity is important to many Central Africans, and religious leaders wield significant influence in society.

For decades, ethnic and religious resentments have been exacerbated by and closely interlinked with economic and political grievances. These issues were heightened in 2013 when the mostly Muslim Séléka militias overthrew then President Francois Bozize, a

Christian. Following the atrocities committed against the mainly non-Muslim populations during the coup, including by Chadian and Sudanese mercenary fighters, mostly Christian anti-balaka (anti-machete) groups formed and conducted reprisal attacks on civilians perceived to be Muslim or of an ethnic group aligned with the Séléka. Since then, the armed groups known as “ex-Séléka,” “anti-balaka,” or “self-defense groups” have evolved and conducted attacks against communities and places of worship based on their religious identity. The sectarian conflict heightened already hostile interreligious relations and rhetoric, displaced more than one million people, killed thousands, and led to the destruction of 417 out of 436 mosques in the country. In December 2014, the [UN Commission of Inquiry on the Central African Republic \(COI\) issued a report](#) that found a “pattern of ethnic cleansing committed by the anti-balaka in the areas in which Muslims had been living,” and UN officials warned of the risk of genocide. In some cases, Muslims were forced to convert to Christianity or hide their religious identity to be safe from anti-balaka attacks. In response to the crisis, in 2014 the UN deployed the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic, or [MINUSCA](#), which had more than 14,000 personnel posted in the country at the end of the reporting period. In 2015, under transitional president

Catherine Samba-Panza, the Special Criminal Court (SCC) was also established in order to address grievous human rights abuses committed since 2003. The Bangui Forum on National Reconciliation paved the way toward the 2016 election of current president Faustin-Archange Touadéra. In 2016, CAR adopted a new constitution, which enshrines freedom of religion and belief and prohibits religious fundamentalism and intolerance. Nevertheless, respect for the rule of law and judicial accountability remain core challenges.

A total of 2.5 million people are estimated to be in need of humanitarian assistance. According to the UN, there were [640,969](#) IDPs in CAR at the end of 2018, as well as hundreds of thousands of refugees in neighboring Cameroon, the

Democratic Republic of the Congo, and Chad.

Updated religious demographic data are sensitive and remain largely unavailable, including statistics on the numbers of Muslims who have returned to CAR, or figures of displaced Muslims and Christians in the IDP camps.

In addition to the UN, several external actors have intervened in CAR, including the African Union, France, and Russia, in furtherance of various peace and security goals. After the reporting period, on February 6, 2019, armed group leaders signed a new peace deal in Sudan, which mentioned a commitment to religious freedom and human rights.

## RELIGIOUS FREEDOM CONDITIONS 2018

### Religious Sectarian Violence and Ethnic Cleansing

In 2018, leaders of armed groups, as well as some government officials, continued to manipulate ethnic and religious identity issues and deliberately foment further conflict along religious lines to serve their political and economic interests. At the same time, the conflict continued to be very complex, and religion remained just one of several drivers. Due to the competition for control over the rich mineral resources and territory, it was not always clear whether attacks were intended to target

certain communities and locations based on ethnic and religious identity or for other reasons. International and domestic nongovernmental organizations (NGOs) also warned about the impact of hate speech and incitement to violence in CAR dividing communities along religious lines. For the first time, in January 2018, the UN Security Council also added the potential for sanctions designations of individuals and entities that commit “acts of incitement to violence, in particular on an ethnic or religious basis” in its extension of the [existing sanctions](#) regime on CAR.

While armed actors coalesced in 2013 and 2014 along religious lines, many allegiances have since shifted: some groups have merged across religious lines, and fighting

between factions with the same religious identity has also occurred. Nevertheless, during the past year there was another escalation in attacks on civilians targeted based on religious identity. Armed actors frequently attacked civilians and IDP camps in reprisals or based on

the belief that a camp was harboring enemy fighters. In March, Catholic priest Father Joseph Desire Angbabata was killed, reportedly while trying to protect refugees at his church compound in Bambari. In May, in the capital Bangui, at least 15 people—including a priest—were killed in an attack on the Notre Dame de Fatima church and associated fighting after the attack. Civilians reportedly carried the body of the priest toward the presidential palace afterward in demonstration. In July, the vicar general of Bambari was killed, reportedly by members of the Union for Peace in the Central African Republic (UPC), the predominantly Muslim ex-Séléka militia.

On November 15, UPC fighters and Muslim civilians attacked, burned, and ransacked an IDP camp located at the Catholic mission in Alindao. Alindao has faced recurring sectarian conflict over the past seven years, and Christians and Muslims remained separated throughout 2018. MINUSCA forces failed to protect the camp and reportedly allowed anti-balaka fighters to operate there, putting the IDPs at greater risk. Human rights and humanitarian actors initially

*For the first time . . . the UN Security Council added the potential for sanctions designations of individuals and entities that commit “acts of incitement to violence, in particular on an ethnic or religious basis” . . .*

reported between 70 and 100 people—including two priests—were killed in the massacre, and more than 18,000 people were impacted by the destruction of the camp. [MINUSCA investigated](#) the incident and reported at least 112 civilians were killed. In December, an IDP camp at the Catholic church in Ippy was also attacked. During the year, sectarian violence also occurred in Bambari, Batangafo, and Bria, among other locations, causing additional deaths, destruction of property, and displacement of thousands of civilians.

### Harmful Practices and Sectarian Conflict

In recent years, children in CAR have also been targeted because of their perceived religion or community affiliation; in 2018, they continued to experience brutal violence and forced recruitment and enslavement by armed groups.

In 2018, abuses of individuals accused of practicing witchcraft continued to be a serious concern. Individuals who are accused of practicing witchcraft or sorcery may be buried alive or otherwise killed by fellow citizens, or arrested by authorities and formally prosecuted. At the Bimbo prison for women outside of Bangui, at least 20 women were reportedly detained in 2018 for practices of charlatanism and sorcery. Anti-balaka fighters have also targeted civilians suspected of practicing witchcraft. Women, children, the pygmy population, and the elderly are most commonly the victims of abusive witchcraft accusations in CAR.

### Discrimination against Muslims

In 2018, Muslims continued to face marginalization, discrimination, and limitations to free movement around the country. Since the displacement and killing of most of the minority Muslim population from CAR over the past four years, it is unknown how many Muslims remain in the country. Muslims historically faced societal and structural discrimination, receiving low representation in government and diminished access to health care, education, and identity documents.

Muslim populations often reside in separate enclaves, such as in Bangui where most Muslims live in the PK5 neighborhood. In Bangassou, where Muslims remained trapped in the Catholic church compound since a 2017 attack by anti-balaka fighters, religious leaders have played a key role in protecting civilians. In April 2018, two of the most influential religious leaders in CAR—Cardinal Dieudonné Nzapalainga, the archbishop of Bangui, and Imam Oumar Kobine Layama, president of the Islamic Community of the Central African Republic (an NGO)—mediated an agreement between armed actors to ensure civilians' ability to move safely outside of the compound.

During USCIRF's [visit](#) to CAR in 2017, senior officials were dismissive of Muslims' safety concerns and acknowledged neither the religious dynamics of the conflict nor that it has resulted in gross violations of religious freedom. Reports from NGOs suggest that in 2018, the

government took few steps to address these concerns.

*. . . children in CAR have also been targeted because of their perceived religion or community affiliation [and] in 2018 they continued to experience brutal violence and forced recruitment . . . by armed groups.*

### Peace, Justice, and Reconciliation

In 2018, some progress was made toward ending impunity and building justice and peace in CAR. The African Union has taken the lead on peace

processes, but parallel efforts have arisen in light of failures of past agreements. Armed actors continued to meet and negotiate in 2018. The latest iteration resulted in a [peace agreement signed](#) in February 2019—after the reporting period—in Khartoum, Sudan, giving rise to new optimism. The agreement identified the destructive role that political manipulation of ethnic and religious identities has had on the country, and signatories reiterated their commitment to respecting fundamental freedoms, including religious freedom and related human rights. However, the agreement quickly faced setbacks. Religious leaders also continued to engage in other fora for the promotion of peace between religious groups and the cessation of violence. They wield political influence and significant authority among the population, and have had success in some local peacebuilding efforts.

The SCC, the hybrid court established in 2015, was not fully staffed until 2017, and investigations into human rights abuses did not begin until October 2018. Prior to the start of SCC operations, anti-balaka leader Rodrigue Ngaibona was convicted in January 2018 in the Bangui Criminal Court—the first such conviction since the start of the current war. In 2018, MINUSCA also arrested militia members accused of human rights violations.

In November 2018, anti-balaka commander Alfred Yékatom, known as “Rambo,” was arrested in CAR and transferred to the International Criminal Court (ICC). [His arrest warrant](#) and charges relate to systematic and widespread attacks on civilians and property based on religious identity, and reference Yékatom’s use of “violent and inflammatory rhetoric,” orders of subordinates to “kill Sélékas and Muslims” and “destroy the Muslims houses so they will go back to their country,” and other orders to attack mosques and torture and kill. This was only the second arrest of an anti-balaka leader by the ICC. Human rights groups continued to call for greater justice and accountability.

## U.S. POLICY

The United States maintains diplomatic relations with CAR, but for the majority of the reporting period the ambassador post was vacant; Lucy Tamlyn was

nominated in July 2018 as the U.S. ambassador to the Central African Republic and confirmed in January 2019, after the reporting period. The United States continued to provide assistance for peacekeeping operations and security sector reform, and is the largest donor of humanitarian funding for CAR. The United States supported the renewal of MINUSCA’s mandate in December. In 2018, the United States also provided support to peacebuilding and natural resource management projects, such as the U.S. Agency for International Development’s (USAID) funding for the [Central African Interfaith Peacebuilding Partnership](#) and other initiatives that specifically address religious divisions and

hate. The United States continued its support for the African Union-led peace initiative.

In May 2018, the White House released a [press statement](#) on religious violence against civilians and urged

officials and security forces to provide security for all citizens regardless of faith. On May 10, 2018, President Donald J. Trump [declared](#) that the national emergency related to security issues in CAR, as begun by [Executive Order \(EO\) 13667 in 2014](#), would continue for an additional year. EO 13667 imposes sanctions on individuals contributing to the conflict in CAR, including any persons responsible for attacks on religious sites, or locations where civilians are seeking refuge.

*In November 2018 anti-balaka commander Alfred Yékatom . . . was arrested in CAR and transferred to the International Criminal Court.*



### KEY FINDINGS

In 2018, religious freedom conditions in China trended negative after the new Regulations on Religious Affairs—implemented on February 1, 2018—effectively banned “unauthorized” religious teachings and required religious groups to report any online activity. Moreover, the Chinese government continued to persecute all faiths in an effort to “sinicize” religious belief, a campaign that attempts not only to diminish and erase the independent practice of religion, but also the cultural and linguistic heritage of religious and ethnic communities, particularly Tibetan Buddhists and Uighur Muslims. During the summer, reports emerged that the government had detained 800,000 to possibly more than two million Uighur and other Muslims in Xinjiang. It also deployed one million party cadres to live with Uighur Muslim families and report on any signs of “extremist” religious behavior. The Chinese government continued to use advanced surveillance technology and other measures to repress Tibetan Buddhists. In September, the Vatican reached a provisional agreement with China that would allow the government a role in the appointment of new bishops; nevertheless, repression of the underground Catholic

Church increased during the latter half of the year. The government also raided or closed down hundreds of Protestant house churches, including Zion Church, Rongguili Church, and Early Rain Covenant Church. Meanwhile, more than 900 Falun Gong practitioners were arrested during the year simply for practicing their beliefs or distributing literature about the Falun Gong. In March 2018, jurisdiction over religious affairs was transferred from the government to an organ of the Chinese Communist Party (CCP), further eroding the barrier between religion and party.

Based on the Chinese government’s systematic, ongoing, egregious violations of religious freedom, USCIRF again finds that China merits designation in 2019 as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA). The U.S. Department of State has designated China as a CPC since 1999, most recently in November 2018. USCIRF recommends that the State Department redesignate China as a CPC under IRFA and maintain the existing, ongoing export restrictions under the Foreign Relations Authorization Act of 1990 and 1991 (P.L. 101-246).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Integrate religious freedom and related human rights diplomacy into ongoing trade negotiations, the U.S.-China Diplomatic and Security Dialogue, and all other levels of the U.S.-China bilateral relationship, and devise messaging tailored to specific religious communities in China;
- Prioritize funding for programs that seek to preserve the cultural and linguistic heritage and identity of religious and faith communities in China and to document the experiences of refugees and asylum-seekers from China who have suffered particularly severe violations of religious freedom;
- Coordinate with U.S. allies and partners, especially in Asia, on targeted sanctions, visa restrictions, public diplomacy, and other actions taken in response to China’s crackdown on religious freedom;
- Direct the State Department to work with foreign governments and the United Nations (UN) High Commissioner for Refugees to prevent the refoulement of individuals from China seeking asylum on the basis of religious persecution; and
- Work with U.S. businesses, non-governmental organizations, and academic institutions to counter Chinese government influence in the United States that are designed to suppress information about or advocacy in response to violations of religious freedom in China.

The U.S. Congress should:

- Support legislation that would increase restrictions on the export to China from the United States of advanced technology—including surveillance and biometric equipment—that has enhanced the Chinese government’s capacity to monitor and harass religious and ethnic communities; and raise the profile of religious freedom in the U.S.-China relationship.



## COUNTRY FACTS

### FULL NAME

People's Republic of China

### GOVERNMENT

Communist State

### POPULATION

1,384,688,986

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

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

### RELIGIOUS DEMOGRAPHY\*

18.2% Buddhist

5.1% Christian

1.8% Muslim

21.9% Folk Religions

52.2% Unaffiliated

### OTHER GROUPS

Taoist, Hindu, Jewish, and others

\*Estimates compiled from the CIA World Factbook

## BACKGROUND

Article 36 of China's constitution grants citizens "freedom of religious belief" and directs the government to protect "normal religious activities." However, this freedom is limited by the requirement that religious activities cannot "disrupt public order, impair the health of citizens or interfere with the educational system." The constitution also bans religious organizations that are "subject to any foreign domination," a provision the government has used to crack down on Uighur and other Muslims, Tibetan Buddhists, Christians, and other religious groups.

In 2018, President Xi Jinping continued to consolidate power; in March, the National People's Congress voted to abolish presidential term limits, effectively allowing Xi to serve as president for life, and added "Xi Jinping Thought" to the national constitution. Throughout 2018, the government continued to crack down on human rights defenders and religious freedom advocates. For example, Gao Zhisheng, a prominent human rights lawyer known for defending religious minorities, remained disappeared in 2018 with no information available about his whereabouts and wellbeing. On February 26, 2018, Dr. Li Baiguang, a human rights lawyer who represented Chinese pastors and others targeted for exercising their right to freedom of reli-

gion, unexpectedly passed away. Also during the year, judicial authorities revoked or suspended the licenses of more than a dozen human rights lawyers, including those who represented defendants prosecuted for their religious activities. As of October 11, 2018, the U.S. Congressional-Executive Commission on China (CECC) counted at least 1,422 prisoners of conscience in Chinese prisons (not including the mass detention of Muslims in Xinjiang). Of those, approximately 700 prisoners—including 145 monks, priests, or other religious leaders—were detained, at least in part, for engaging in religious practices that the Chinese government deemed "unauthorized." The government also arrested dozens of journalists and contributors to news websites, including some who were charged with "divulging state secrets" for their coverage of religious freedom violations.

On February 1, the new Regulations on Religious Affairs came into effect, institutionalizing President Xi's policy on religion. The regulations detail strict registration criteria for religious organizations. Although registering allows religious groups to apply for status as legal persons, many groups refuse to register because doing so requires submitting to the direction of state-sanctioned patriotic religious associations. The regulations ban "unauthorized" religious teaching and expand the role of local authorities in controlling

religious activities. As a consequence, any religious activity conducted online must be reported to local religious affairs departments. Religious groups must also report any donations that exceed 100,000 yuan (\$15,900). The regulations effectively ended the legal gray area that had existed for independent religious activity since the early 1980s.

In March 2018, the Chinese government announced that it was transferring jurisdiction over religious affairs from the State Administration of Religious Affairs (SARA)—a government institution—to the United Front Work Department (UFWD), an organ of the CCP. For many religious groups, this meant the end of working relationships they might have had with SARA officials and the removal of a buffer—however limited—between religion and party. In September, the UFWD launched its first nationwide program to monitor the implementation of religious policies in provinces and municipalities across the country.

International criticism of China increased during the latter half of 2018 as the scale of the government’s crackdown on religious freedom and related human rights became more widely publicized. In August 2018, the UN Committee on the Elimination of Racial Discrimination (UN CERD) [criticized](#) the Chinese government’s repressive policies in Xinjiang and Tibet. In September, the UN High Commissioner for Human Rights [called on](#) China to allow UN investigators to visit Xinjiang and other locations in China (this had not happened by the end of the reporting period). On November 6, 2018, the Chinese government went before the UN Human Rights Council for its [Universal Periodic Review](#). Representatives from 24 nations asked the Chinese government about religious freedom issues, but the Chinese delegation dismissed their questions as “not factual” and “politically driven.” At the end of the reporting period, several Muslim-majority countries—including Indonesia and Malaysia—had all publicly expressed concerns to the Chinese government about the mass incarceration of Uighur and other Muslims.

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*. . . the Xinjiang Uighur Autonomous Region (XUAR) government . . . has detained 800,000 to possibly more than two million Uighur . . . and other Muslims in internment camps.*

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## RELIGIOUS FREEDOM CONDITIONS 2018

In 2018, the Chinese Communist Party (CCP) became increasingly hostile toward religion and what it deemed to be “foreign” influences on certain religious groups. At a conference in April, President Xi told party cadres that religious adherents must “subordinate themselves to, and serve, the highest interests of the country” and “actively practice socialist core values.” The government-affiliated Chinese Christian Council and Chinese Islamic Association announced five-year plans to “sinicize” Christianity and Islam, respectively. However, even followers of Mahayana Buddhism and Taoism (also spelled Daoism), faiths that the government generally has viewed as part of China’s “traditional cultures,” experienced greater restrictions on their religious activity. In 2018, local authorities also closed or demolished dozens of Buddhist and Taoist temples, as well as statues of the Buddha and Lao-Tzu.

### Uighur and Other Muslims

According to the State Department, since April 2017 the Xinjiang Uighur Autonomous Region (XUAR) government under Communist Party Secretary Chen Quanguo has detained 800,000 to possibly more than two million Uighur (also spelled Uyghur), Kazakh, Kyrgyz, and other Muslims in internment camps. The Chinese government initially denied the existence of the camps,

but later defended them as a means to combat terrorism and provide vocational training. However, the detention of prominent doctors, professors, businessmen, and other professionals belied the government’s justification for the camps.

According to Uighur human rights groups, among the detainees were at least 242 Uighur public intellectuals, including artists, journalists, and university professors, as well as 96 students. Most of the detainees have not been charged with a specific crime, but rather were detained for religious behavior deemed “extremist,” such as having an “abnormal” beard, wearing a veil, accessing religious materials online, or participating in other “illegal” religious activities. According to

former detainees, those in the camps were required to renounce Islam and swear loyalty to the CCP. Detainees routinely faced harsh treatment and unhygienic conditions in overcrowded facilities, leading to several reported deaths. Some were forced to work in privately owned, state-subsidized factories.

Outside the camps, the Chinese government continued to use intrusive measures to create an “open-air prison” in Xinjiang, including discriminatory profiling at armed checkpoints and police stations; travel restrictions both within and outside of China; and Global Positioning System (GPS) tracking systems, facial and iris recognition, DNA sampling, and voice pattern sampling to monitor Muslims. The regional capital Urumqi also banned stores from using halal (Muslim dietary laws) labels for nonfood products and services, and in October launched a campaign against halal food and restaurants. Thousands of mosques have been shuttered or destroyed. In November 2018, a Chinese court sentenced Abdughapar Abdurusul, a prominent Uighur businessman and philanthropist, to death for taking an unsanctioned pilgrimage to Mecca. Starting in December 2017, the Xinjiang UFDW launched the “Pair Up and Become Family” program, which deployed more than one million local government workers to live in Muslim households for at least five days every two months to assess each family’s ideological views and report on any religious activity. In an unprecedented level of intrusiveness, these “relatives” attended private family functions such as weddings and funerals, shared meals, posed in family photographs, and even slept in the same beds as their hosts. USCIRF received credible reports that Chinese security services and their affiliates attempted to harass and intimidate Uighur Muslims living overseas, including in the United States.

Gulmira Imin, a Uighur Muslim who was a local government employee at the time of her arrest, continued to serve a life sentence for her alleged role organizing protests in the regional capital, Urumqi, in July 2009—an allegation she denies. Throughout the year, USCIRF advocated on behalf of Ms.

Imin as part of the Commission’s [Religious Prisoners of Conscience Project](#).

Hui Muslims—a diverse group of around 10 million Chinese Muslims—have not experienced the same scale of repression as Uighur Muslims, but they did face increased restrictions on religious activities during the year. In December 2018, local authorities shut down three mosques in Yunnan Province, claiming they had conducted “illegal religious education.” In some cases, police physically attacked worshippers who protested the mosque closures. Authorities in Ningxia Hui Autonomous Region had planned to demolish the newly built Weizhou Grand Mosque in August, but were forced to postpone the demolition after hundreds of Muslims protested. In Ningxia and Gansu provinces, local authorities removed Arabic signs from buildings and forcibly closed Arabic-language schools. Meanwhile, there were reports of anti-halal groups harassing Muslims and damaging halal restaurants. In December, Gansu and six other provinces abolished local halal food-identification standards, making it more difficult for Muslims to identify which foods are halal. In November, officials from Ningxia went to Xinjiang to study the internment camps and signed a “counter-terrorism co-operation” agreement with the XUAR government.

### Tibetan Buddhists

In 2018, the Chinese government continued to pursue a strategy of forced assimilation and suppression of Tibetan Buddhism throughout Tibet. Authorities controlled monastic education, decided if religious venues could be built or repaired, and restricted religious gatherings. In

*In some parts of the Tibetan Autonomous Region . . . local authorities banned schoolchildren from attending religious festivals . . .*

some parts of the Tibetan Autonomous Region (TAR), local authorities banned schoolchildren from attending religious festivals during their holidays. In February 2018, the TAR Public Security Bureau published a list of “organized crimes,” which

effectively banned civil society initiatives to promote Tibetan language and culture. In August, the government introduced a policy requiring monks and nuns to demonstrate “political reliability,” “moral integrity,” and

willingness to “play an active role at critical moments”—a phrase human rights groups believe would require monks to oppose antigovernment protests. The government also selected a group of monks and nuns to attend a three-day training session during the summer to prepare them to conduct propaganda campaigns in their monasteries. On February 17, a large fire damaged Jokhang Temple in Lhasa, a [UNESCO \(United Nations Educational, Scientific and Cultural Organization\) world heritage site](#) that contains important Tibetan Buddhist relics. Citing satellite imagery, human rights groups alleged that the Chinese government suppressed information about the extent of the damage.

The Chinese government continued to accuse the Dalai Lama of blasphemy and “splittism,” and cracked down on anyone suspected of so-called “separatist” activities. Monks and nuns who refused to denounce the Dalai Lama or pledge loyalty to Beijing have been expelled from their monasteries, imprisoned, and tortured. The Chinese government protested foreign officials meeting the Dalai Lama. Authorities also tightened control over passports issued to Tibetans and blocked Tibetan pilgrims attempting to travel to Tibetan exile communities in India and Nepal. Several hundred Tibetans who attended teachings given by the Dalai Lama in Bodhgaya, India, had their Chinese passports confiscated and destroyed upon their return. Because of the Chinese government’s policies, the number of Tibetans from China who attended the Dalai Lama’s teachings in 2018 was estimated to have decreased significantly from previous years.

One prisoner whose whereabouts have been a secret for more than two decades is Gedhun Choekyi Nyima. Selected by the Dalai Lama at the age of six as the 11th Panchen Lama, Gedhun holds the second-highest position in Tibetan Buddhism. Throughout the year, USCIRF advocated on behalf of the Panchen Lama as part of the Commission’s [Religious Prisoners of Conscience Project](#). Dialogues between Beijing and the Dalai Lama have been stalled since January 2010. In protest of repressive government policies, at least 157 Tibetans have self-immolated since February

2009, including Drugkho, a former monk at Kirti Monastery, who set himself on fire on December 8, 2018, while chanting for the return of the Dalai Lama. Meanwhile, Chinese authorities harassed and arrested Tibetans who peacefully advocated for the protection of their religion and culture. In May 2018, renowned Tibetan language advocate Tashi Wangchuk was sentenced to five years’ imprisonment connected to his March 2016 arrest and January 2017 indictment on alleged separatism charges; he remained in prison at the end of the reporting period.

In other parts of Tibet, the Chinese government maintained tight control on Tibetans and religious and educational centers focused on the study of Tibetan Buddhism. In recent years, authorities forcibly evicted thousands of monks, nuns, and laypersons living in the monastic communities of Larung Gar and Yachen Gar in Sichuan Province and forced many of them to attend “patriotic reeducation classes” for up to six months. In October 2018, Chinese authorities banned Larung Gar from holding the Dechen Shedrub festival—a major Tibetan prayer event—for the third year in a row. In December, authorities in Qinghai Province banned monasteries from teaching Tibetan language classes to children (previously, such restrictions applied only to schools in the TAR).

### Christians

On September 22, 2018, the Vatican and China reached a provisional agreement under which the pope would rehabilitate seven bishops from the state-run Chinese Catholic Patriotic Association (CCPA) who had been excommunicated, in return for a veto over any future appointments by the Chinese government. The deal was controversial among Chinese Catholics, particularly because the Chinese government cited it as justification for pressuring clergy and members of the underground

church to join the CCPA (an estimated half of China’s Catholics worship in underground churches). In 2018, at least two underground bishops were replaced by government-approved bishops.

In October and November, four priests from an underground church in Hebei were taken into police custody

*In 2018, at least two underground bishops were replaced by government-approved bishops.*

and forced to meet with CCPA bishops, who attempted to persuade them to join the state-run church. On November 9, local authorities in Zhejiang Province detained Bishop Peter Shao Zhumin without charge; he was released 14 days later, along with Father Lu Danhua of Lishui, who was arrested in December 2017. In addition, there were widespread reports of Chinese authorities closing underground Catholic churches, destroying crosses, confiscating Bibles and other religious materials, and otherwise restricting or interfering in religious activities. The crackdown has been especially severe in Henan Province, where churches received notices stating that children under 18 were forbidden from attending services such as Sunday school.

The Chinese government also intensified its crackdown on Protestant groups that refused to join the state-run Three-Self Patriotic Movement (an estimated half to two-thirds of Protestants worship in unregistered house churches). According to religious freedom advocates, more than 5,000 Christians and 1,000 church leaders were arrested in 2018 because of their faith or religious practices (most of these arrests were short-term detentions that did not lead to criminal charges). Authorities closed down or demolished thousands of churches or religious sites, including Zion Church in Beijing; the Golden Lampstand Church in Shanxi Province; and the Bible Reformed Church, House of David Church, and Rongguili Lane Church in Guangdong Province. On December 9, police officers raided the Early Rain Covenant Church in Chengdu, Sichuan Province, and arrested Pastor Wang Yi and more than 100 congregants.

Some of the congregants who were later released claimed that police had beaten them and forced them to sign a pledge renouncing the church. In

December 2018, Pastor Wang and his wife were charged with inciting “subversion of state power”; at the end of the reporting period, they remained in secret detention while awaiting trial.

Even house churches that were not shut down faced increased restrictions on their ability to conduct religious activity, and in April, the government banned

online sales of the Bible. There were numerous reports throughout 2018 of authorities attempting to replace crosses, pictures of Jesus, and other symbols of the Christian faith with images of Xi Jinping. In Henan Province, local authorities required churches to remove the first commandment from lists of the Ten Commandments on the grounds that it placed loyalty to God above loyalty to the CCP.

Hu Shigen, a church leader and religious freedom advocate, who was sentenced in 2016 to a 7.5-year sentence for “subversion of government power,” remained in prison. Throughout the year, USCIRF advocated on behalf of Mr. Hu as part of the Commission’s [Religious Prisoners of Conscience Project](#).

### Falun Gong and Xie Jiao Groups

The persecution of the Falun Gong was initiated in 1999 by then President Jiang Zemin, who also created the infamous 610 Office, an extrajudicial security apparatus wholly designed to eradicate the Falun Gong. The Chinese government has classified the Falun Gong as *xie jiao*, translated as either “evil cults” or “heterodox teachings.” Under article 300 of the Chinese Criminal Code, belonging to one of these groups is punishable with three to seven years’ imprisonment or more. Throughout 2018, authorities harassed, detained, and intimidated Falun Gong practitioners simply for practicing their beliefs. There were reports that many of the detainees suffered physical violence, psychiatric abuse, sexual assault, forced drug administration, and sleep

deprivation. According to Falun Gong advocates, the government imprisoned at least 931 Falun Gong practitioners in 2018. During the summer, several Falun Gong practitioners were arrested for sending pro-Falun mes-

... several Falun Gong practitioners were arrested for sending pro-Falun messages over social media and for distributing Falun Gong pamphlets ...

sages over social media and for distributing Falun Gong pamphlets in a marketplace. In September, the Henan Province Department of Education issued a document instructing universities to intensify the anti-*xie jiao* campaign and required students to take an online test about *xie jiao* misconduct. Although the Chinese government claimed that as of January 1, 2015, it had ended

the practice of harvesting organs from prisoners (many of whom are believed to be Falun Gong practitioners), in 2018, human rights advocates, medical professionals, and investigative journalists presented additional evidence that the practice continued on a significant scale. In November, the Justice Bureau of Changsha, Hunan Province, suspended for six months the law licenses of two attorneys who defended Falun Gong practitioners because they “denied the nationally recognized nature of a cult organization” in court. Meanwhile, in 2018, the Chinese government harassed and arrested thousands of followers of other *xie jiao* groups, including the Church of Almighty God. Many of those detained during the year—whom the Church of Almighty God estimates to be in the thousands—suffered torture and other abuses, in some cases resulting in deaths or unexplained disappearances while in custody.

### Forced Repatriation of North Korean Refugees

The Chinese government routinely violates its obligations under the 1951 UN Refugee Convention and its 1967 Protocol by forcibly returning individuals to North Korea without evaluating their cases to determine if they qualify for refugee status. Some of these individuals fled in part because of the North Korean government’s repression of religion and related human rights. After the new Regulations on Religious Affairs went into effect in February, there were reports that Chinese authorities had closed down several churches frequented by North Korean defectors and deported South Korean missionaries.

### U.S. POLICY

In 2018, tensions between the United States and China escalated over concerns about Beijing’s [trade practices](#), [cybertheft](#) of U.S. intellectual property and national security secrets, and [military activities](#) in the region. In September 2018, the United States [announced](#) plans to levy tariffs of 10 percent on \$200 billion worth of Chinese goods, with an additional increase to 25 percent by the end of 2018. However, at the G20 Summit in December, the United States and China [reached](#) a temporary truce in the trade war and began trade negotiations that remained ongoing at the end of the reporting period. Meanwhile, the U.S. Navy continued

to conduct freedom-of-navigation operations in the South China Sea. On December 1, Canadian authorities [detained](#) Huawei’s chief financial officer at the request of the U.S. government, allegedly because the company had violated U.S. sanctions against Iran. U.S. officials also became increasingly concerned about Chinese government influence operations in the United States; in February 2019, after the reporting period, the Government Accountability Office released a [report](#) about Confucius Institutes at U.S. academic institutions.

Throughout 2018, U.S. government officials voiced concern about deteriorating religious freedom conditions in China. On May 23, Secretary of State Michael R. Pompeo [raised](#) the issue of religious freedom when Chinese state councilor Wang Yi visited Washington, DC. A State Department spokesperson also condemned the Chinese government’s [conviction](#) of Tashi Wangchuk and its [harassment](#) of the Early Rain Covenant Church. At the July 2018 [Ministerial to Advance Religious Freedom](#) held in Washington, DC, participating delegations issued a [Statement on China](#) concerning the government’s “significant restrictions on religious freedom.” In an October 2018 [speech](#), Vice President Michael R. Pence warned that “a new wave of persecution is crashing down on Chinese Christians, Buddhists, and Muslims.” In November, the United States also [expressed concern](#) about the Chinese government’s lack of adherence to its international obligations on religious freedom at the second U.S.-China Diplomatic and Security Dialogue.

Also in November, during the UN Universal Periodic Review of China, the U.S. delegation [called upon](#) the Chinese government to release all Uighur Muslims held in arbitrary detention; release any human rights defenders currently imprisoned, including Tashi Wangchuk, Ilham Tohti, Huang Qi, and Wang Quanzhang; and cease interference in the selection and education of Tibetan religious leaders. The United States also asked about the Falun Gong and Christian church closures in [written questions](#) submitted in advance.

Congress continued to criticize China’s crack-down on religious freedom in 2018. In December, Congress passed the Asia Reassurance Initiative Act ([P.L. 115-409](#)), which mandated appropriations for U.S. government efforts to counter China’s strategic influence and expressed “grave concern” about constraints

on religious freedom. Also in December, Congress passed the Reciprocal Access to Tibet Act ([P.L. 115-330](#)), which requires the State Department to report on the level of access Chinese officials granted U.S. diplomats, journalists, and tourists to Tibetan areas, and to deny U.S. travel visas to Chinese officials involved in denying such access. In November, the House of Representatives and the Senate both introduced the Uyghur Human Rights Policy Act of 2018 ([H.R.7123 / S. 3622](#)), which would have required the secretary of state to appoint a special coordinator for Xinjiang and to consider imposing sanctions on individual Chinese officials; neither bill received a vote before the end of the 115th Congress, though both bills were reintroduced in early 2019, after the reporting period.

The State Department last redesignated China as a CPC in November 2018. At the same time, Secretary Pompeo extended the existing sanctions related to restrictions on exports of crime control and detection equipment.

### INDIVIDUAL VIEWS OF CHAIR TENZIN DORJEE

If there is one country in the world that epitomizes CPC designation it is China. Religious freedom only exists in name but not in reality in China. China has sinicized and securitized religions for a political agenda. The worst cases are in Tibet and the Xinjiang Uighur Autonomous Region. In Tibet, China has sinicized and politicized the reincarnation system and micro-managed the study of Buddhism in monasteries that are central to Tibetan Buddhism. Ironically, Chinese government officials assert the right to choose reincarnations of all Living Buddhas of Tibet only to serve their political agenda and domination. In this regard, China forcibly disappeared Panchen Gedhun Choekyi Nyima for decades and installed Gyaltsen Norbu for control and showcase. In a most recent interview with Reuters, His Holiness the Dalai Lama said his next reincarnation could come from “here” (India)—a free country. According to His Holiness, China appears to be more worried about his reincarnation than he is and nobody will actually trust and respect China’s selection, and that would be solely China’s problem. In the recent past, His Holiness mused that first China needs to subscribe to Buddhism and the reincarnation system, then find reincarnations of Chairman Mao and

Deng Xiaoping before it gets involved in finding his next reincarnation. Unlike the Panchen Lama, China cannot control the next reincarnation of the Dalai Lama because he will reincarnate in a free country as long as Sino-Tibetan issues persist. The winning card is in the hand of His Holiness the Dalai Lama and the Tibetan people. Thus, the Sino-Tibetan conflict will persist. In its separate rating, Freedom House’s 2018 Report found the religious and human rights conditions in Tibet second to Syria and worse than even North Korea. Uighurs and Tibetans are the two most oppressed minorities in China today.

In Xinjiang, as many as two million Uighurs are estimated to have been detained in detention camps. China has been using state of the art technology to monitor social movement and religious activities of Uighurs and Tibetans, including children. China called the detention camps for Uighurs re-education camps, and also, in its new white paper on Tibet, called systematic and egregious violations of religious freedom and human rights in Tibet democratic reform in 60 years of ruling Tibet. I ask China to respect religious freedom, free all the Uighurs in detention camps, and call for the immediate release of Panchen Lama, Tashi Wangchuk, Gulmira Imin, and all prisoners of conscience. As required by the Reciprocal Access to Tibet Act, the State Department recently released its first “well-documented” report on reciprocal access restrictions to Tibet and also pushed back on China’s criticism of the report. The Foreign Correspondents’ Club of China released its position paper calling for unfettered access to the Tibet Autonomous Region and other Tibetan areas to gather accurate information on human rights conditions in those areas. I strongly recommend the U.S. government utilize the Global Magnitsky Human Rights Accountability Act and the Reciprocal Access to Tibet Act.

### INDIVIDUAL VIEWS OF COMMISSIONER JOHNNIE MOORE

My personal opinion is that one of the most alarming incidents as it relates to religious freedom in the entire year was the decision by the Vatican to negotiate a diplomatic relationship with China that resulted in the recognition of government appointed bishops and which also—in effect—deposed prominent Chinese

religious leaders who had persevered through horrific persecution in previous generations in China, including China's most well-known Catholic leader.

Literally, within days of the Vatican negotiating its deal, the Chinese used it as cover to embark upon the closure of several of the nation's largest and most prominent unregistered church communities. That has continued. Being that the Vatican is both a Church and a State, it is my opinion that the Vatican now bears a significant moral and legal responsibility to help solve the problem which it helped created—albeit inadvertently—by providing China license to viciously crack down on Christian communities (as cited in this report), and by providing the Chinese government further cover to continue its incomprehensible, inexcusable and inhumane abuses of Muslim citizens in the western part of the country.

While I am entirely for direct engagement on these issues, including with the most severe violators in the world, that engagement must not result in these types of unintended consequences, as has been the case in China. The Vatican made a terrible mistake, which it must take seriously. This debacle must be dealt with urgently and seriously.





### KEY FINDINGS

In 2018, religious freedom conditions in Eritrea trended the same as in previous years, in spite of hopes raised with the historic July 2018 Eritrea-Ethiopia peace deal and again with the September 2018 signing of a second peace agreement in Saudi Arabia. The agreement led to the opening of border crossings in September 2018, and trade, commercial flights, and phone calls between the two countries resumed. However, with no improvement in religious freedom and other human rights conditions in Eritrea, the opening enabled a surge in Eritrean refugees freely crossing into Ethiopia. Only four religions are officially recognized in Eritrea: the Eritrean Orthodox Church, Sunni Islam, the Roman Catholic Church, and the Evangelical Church of Eritrea. But even these official religious groups are unable to practice their faith freely because the Eritrean government regulates and interferes in their affairs. The government does not allow any other religious groups to register and treats them as illegal. It also continues to forcibly conscript Eritreans and deny their rights to practice their religion or belief while in civil or military service.

Conscientious objection to service is prohibited, ultimately denying the religious freedom of Jehovah's Witnesses and others. The government continues to arrest and detain individuals who disagree with its actions, including Patriarch Abune Antonios of the Eritrean Orthodox Church, who has been under house arrest since 2007. U.S. and United Nations (UN) officials estimate that hundreds of people are currently imprisoned for their religious beliefs, but in the extremely secretive and closed-off society there are no official figures.

In light of these violations, USCIRF again finds in 2019 that Eritrea merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). The U.S. Department of State has designated Eritrea as a CPC repeatedly since 2004, most recently in November 2018. USCIRF recommends that the State Department redesignate Eritrea as a CPC under IRFA and maintain the existing, ongoing arms embargo referenced in 22 CFR 126.1 of the International Traffic in Arms Regulations.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Use bilateral and multilateral diplomatic channels to urge the government of Eritrea to:
  - Release unconditionally and immediately detainees held on account of their peaceful religious activities, including Patriarch Antonios;
  - End religious persecution of unregistered religious communities, register such groups, and grant full citizenship rights to Jehovah's Witnesses; and
  - Extend an official invitation for unrestricted visits by the UN Special Rapporteur on the situation of human rights in Eritrea, the UN

- Special Rapporteur on freedom of religion or belief, the UN Working Group on Arbitrary Detention, and the International Red Cross;
- Seek a meeting for U.S. Embassy officials with Patriarch Antonios; and
  - Encourage the African Union to establish an accountability mechanism to investigate, prosecute, and try individuals accused of committing crimes against humanity in Eritrea, as recommended in 2016 by the UN Commission of Inquiry on Human Rights in Eritrea and the UN Human Rights Council.

The U.S. Congress should:

- Contribute to the international community's information-gathering efforts about Eritrea by:
  - Requiring a report from the State Department on the United States' relationship with Eritrea and to evaluate efforts to address religious freedom and other human rights issues; and
  - Sending a congressional delegation to Eritrea to focus on religious freedom and other human rights issues.

## COUNTRY FACTS

### FULL NAME

State of Eritrea

### GOVERNMENT

Presidential Republic

### POPULATION\*

5,970,646

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

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

### RELIGIOUS DEMOGRAPHY\*\*

48–50% Christian

48–50% Muslim

\*Estimate compiled from the CIA World Factbook

\*\*Estimates compiled from the U.S. Department of State

## BACKGROUND

The Eritrean government highly regulates religious practice, and there is little to no freedom of religion or belief for people outside of the four officially recognized faith communities: the Eritrean Orthodox Church, Sunni Islam, the Roman Catholic Church, and the Evangelical Church of Eritrea. President Isaias Afwerki, leader of the only political party permitted in the country—the Popular Front for Democracy and Justice (PFDJ)—vigorously suppresses dissent and has ruled Eritrea with absolute authority since its independence from Ethiopia in 1993. Policies toward religious communities are made with the purported goals of avoiding conflict between religious groups and secularizing society; but in effect the government harshly represses religious freedom. Individuals who protest government actions or follow unapproved religious beliefs may be reported on by their neighbors, dismissed from their jobs, have their bank accounts closed, and be arrested, tortured, or forcibly disappeared. Also, freedom of the press, assembly, association, and speech are as restricted as the freedom of religion or belief. While the constitution, in text, guarantees these rights, it has not been applied in practice since its ratification in 1997. Thousands of Eritreans are imprisoned without formal charges; the 2015 and 2016 reports of the [UN Commission of Inquiry on Human Rights in Eritrea \(COI-E\)](#) describe extensive use of torture and forced labor of prisoners.

Since breaking from Ethiopia in 1993, the Eritrean government has required indefinite national service of all physically and mentally capable adults between 18 and 70 years old. The COI-E and human rights organizations have deemed this service equivalent to slavery. Religious practice is prohibited in the military, and conscripts are punished for possessing religious materials or participating in religious gatherings. President Afwerki's government has justified this service as necessary due to the state of conflict with Ethiopia.

In July 2018—a few months after Abiy Ahmed was confirmed as Ethiopia's new prime minister—Eritrea and Ethiopia celebrated a historic shift in relations toward peace in the Horn of Africa and made a Joint Declaration of Peace and Friendship. Signing the peace agreement resolved the border conflict and opened crossing points between Ethiopia and Eritrea in September 2018. Many Eritreans and international actors became hopeful that the peace would naturally obligate the end of indefinite national service, but this and other key reforms had not yet occurred by the end of the reporting period. Indefinite national service, in addition to other human rights abuses, is a primary driver of mass emigration from Eritrea. According to the UN Refugee Agency, in the first month after the opening there was an immediate surge in Eritreans crossing into Ethiopia; around 10,000 new refugees arrived, the majority of whom applied for asylum. By

the end of the reporting period, Ethiopia was hosting at least 173,000 Eritrean refugees, and at least 118,000 were reported in Sudan. Without a significant effort to halt human rights violations, steady migration flows are likely to continue.

Following the signing of peace agreements in July in Asmara and in Jeddah, Saudi Arabia, in September the UN Security Council unanimously voted to lift arms embargoes and targeted sanctions on Eritrea. Eritrea rapidly changed its reclusive and closed status and began repairing diplomatic relations with Somalia and Djibouti.

## RELIGIOUS FREEDOM CONDITIONS 2018

### Registration

The government uses difficult registration requirements as a tool to limit the freedom of religion or belief and to control messages and narratives that do not favor the party in power. The government of Eritrea requires all religious group to apply for registration, but only the four approved communities—the Eritrean Orthodox Church, Sunni Islam, the Roman Catholic Church, and the Evangelical Church of Eritrea—are allowed to operate since the policy change in 2002, and even then within certain restrictions. President Afwerki is reportedly a member of the Orthodox Church, and has only supported the recognition of more established faith groups. Other religious communities, including Baha'is, the Presbyterian Church, the Methodist Church, and the Seventh-day Adventists, have submitted applications in the past. Without formal registration, other faith groups' rights are denied; they are prohibited from building or owning houses of worship or engaging in religious practices such as praying in groups. In 2018, the government did not approve any additional religious groups and continued its repression of nonofficial religious groups, including Muslims and Christians.

### Arbitrary Detention and Torture of Religious Prisoners of Conscience

Individuals, including children, are regularly arrested and detained for their religious beliefs and practices

and not afforded due process under the law. Members of approved religions are regularly arrested for protesting government interference in their activities, and members of unregistered religious groups can be arrested if found to be observing the illegal religion. In March 2018, the honorary president of the Al Diaa Islamic School in Asmara died in detention, having been arrested and detained in 2017 along with other colleagues for opposing government interference in the school. Muslims protested following his arrest as well as upon his death, and hundreds were reportedly arrested and remained in detention at the end of the reporting period.

In prison, praying aloud, singing, preaching, and possessing religious books are also banned. Arrested individuals have reported being asked to sign documents certifying that they renounce their faith or that they join or return to the Eritrean Orthodox Church, and if they do not, face transfer to worse conditions. First-hand accounts documented by the [UN](#) and human rights groups describe physical abuse, sexual violence, and torture as normal and ongoing

*In 2018, the government did not approve any additional religious groups and continued its repression of nonofficial religious groups, including Muslims and Christians.*

practices. Authorities neither inform family members when someone is arrested, nor provide cause of arrest, access to the prisoner, or information on their health. Prisoners are often denied medical treatment and many have

died in prison due to severe human rights abuses. Many prisons, including Mai-Serwa, reportedly use metal shipping containers to hold large numbers of people. The Meitir Prison Camp is notorious for subjecting prisoners to cruel and inhumane treatment. Because of extensive government secrecy and suppression of access to information, accurate numbers of prisoners are unknown. Worshippers are arrested in waves each year and it is unknown how many remain detained or have been released. International religious and human rights groups work to independently and discreetly verify the location and number of prisoners. In 2018, reports offered various estimates of imprisonments, ranging from 300 to more than 1,000 religious leaders and laity imprisoned.

## Pentecostals and Evangelicals

In 2018, the Eritrean government took extreme measures to address its perceived fears of social discord, international religious and political interference in the country, and potential growth of religious fundamentalism. It vigorously and systematically suppressed freedom of religion or belief of groups outside of the approved and controlled four. This included Pentecostal and Evangelical communities, which have been heavily targeted and reportedly comprise the majority of religious prisoners of conscience.

Authorities have not provided information on conditions or charges of the estimated hundreds of Christians detained

through door-to-door searches in 2017. Security forces continued to arrest Pentecostals and Evangelicals for participating in prayer meetings and religious ceremonies. In

March 2018, authorities reportedly arrested 32 Christians. In July, after flights resumed between Ethiopia and Eritrea, Ethiopian Pentecostal preacher Suraphel Demissie traveled to Asmara to meet with Evangelicals and was seen preaching publicly. Security forces arrested more than 40 Christians whom they believed to be greeting or meeting with the preacher. Also in July, 35 Christians belonging to unapproved denominations were reportedly released. The Christians had been detained for at least four years and were forced to sign promises that they would no longer attend meetings or worship services of their churches.

Many Evangelicals and Pentecostals have been detained for more than 13 years, including several pastors: Pastor Kidane Weldou (since 2005) and Reverend Haile Naizghi (since 2004) of the Full Gospel Church, Pastor Kiflu Gebremeskel of the Southwest Full Gospel Church (since 2004), and Pastor Meron “Million” Gebreselasie of the Massawa Rhema Evangelical Church (since 2004). In June, Pastor Ogbamichael Teklehaimanot of the Kale Hiwot Church was released after being detained since 2005.

## Jehovah’s Witnesses

Since 1994, Jehovah’s Witnesses have been denied both basic citizenship rights and religious freedom. In

a report to the African Charter on Human and People’s Rights (ACHPR) released in 2018, the government attempted to justify its treatment of Jehovah’s Witnesses, alleging that the community causes discord and politicizes their religion. Upon coming to power, President Afwerki quickly revoked citizenship for all Jehovah’s Witnesses because of their political neutrality during the war for independence and the 1993 referendum and for their continued conscientious objection to military service. As a result, Witnesses have been denied government identity documents, business and marriage licenses, and land purchases. In addition, Witnesses reportedly do not register for the 12th-grade due to the

requirement that high school students complete that year of education in tandem with military training, and are therefore unable to complete their education.

Witnesses have been arrested without charge for practicing aspects of their religion, such as holding religious services or Bible study meetings in private homes, and have been detained in poor conditions and denied fair representation or public trial. Witnesses’ family members of different faiths have also been arrested and allegedly tortured. Three Witnesses have been in prison since 1994. According to Jehovah’s Witnesses, of all prisoners for whom they have accounted, only one has ever been tried in court and sentenced. In January and March 2018, Witnesses Habtemichael Tesfamariam and Habtemichael Mekonen, respectively—both of whom authorities arrested 10 years prior—died while imprisoned at the Mai-Serwa Prison, where all but two Jehovah’s Witnesses are known to be held.

*Many Evangelicals and Pentecostals have been detained for more than 13 years, including several pastors . . .*

## Recognized Religious Communities

The Eritrean government does not respect the religious freedom of the officially permitted religious denominations and strictly controls their administration and activities. Most Christian Eritreans are part of the Eritrean Orthodox Tewahedo Church (part of the Oriental Orthodox church family), which estimates a global membership of two million. Eritrea’s Muslim population is predominantly Sunni, and the government does not

recognize other forms of Islam. Much of the government's justification for controlling Islam—including religious education—is based on fears of any religious expression changing or challenging the state, or of religious fundamentalism.

The government appoints leaders to key positions and closely monitors their activities both in Eritrea as well as in the Eritrean diaspora religious communities, although the Eritrean government denies interfering in religious institutions and hierarchies. The Eritrean government has appointed the patriarch of the Eritrean Orthodox Church and the mufti of the Eritrean Muslim community, as well as other lower-level religious officials. Patriarch Antonios, who was replaced for not complying with government interference, has been held under house arrest since 2007 and has not been seen in public

since 2017. His case has been highlighted by USCIRF's [Religious Prisoners of Conscience Project](#). The incident resulted in a split among church members, with some aligning to the newly appointed church leadership and others remaining loyal to Patriarch Antonios.

In addition, the government tightly controls their interaction with international groups and members have been denied travel abroad to participate in religious education or events sponsored by international religious organizations. Foreign travelers to Eritrea are required to obtain special permission to visit religious institutions. When Eritrean clergy abstain from joining indefinite military service, the government has reportedly retaliated with additional collective restrictions on the group. Protests of government appointments and other interferences have been met with mass arrests, and security forces routinely fire live ammunition on demonstrators. An unknown number of Muslims and Christians remain in detention for protesting the government appropriation of their institutions.

In 2017, the government began another crackdown on religious educational institutions based on a 1995 proclamation that government should control all social services. The 1995 proclamation was also made following the closure of Islamic schools and organizations as

well as the arrests of teachers, based on the government's claims the schools were promoting fundamentalism. In a purported effort to prevent exclusionist teachings or discrimination based on religion, the government sent a letter in September 2017 to heads of Orthodox, Catholic, and Islamic schools stating the schools must report to the public school administration and comply with the state education system. Some private Christian and Islamic schools were reportedly closed either at the end of 2017 or early 2018, while others were forced to become public or change religious teachings and policies, such as being closed on a holy day. Along with the letter, the govern-

ment also demanded lists of students and directed schools to remove religious symbols, such as wearing the hijab by Muslims or crosses by Christians. Authorities arrested many school officials and students for

protesting these changes as a violation of their schools' and students' freedom of religion or belief. Leaders of the Al Diaa Islamic School, including honorary president Hajji Musa Mohamed Nur, resisted the transformation of their school and were arrested in October 2017. Hundreds of people protested these arrests, and were in turn also arrested. In March 2018, Nur's body was delivered to his family—he died in detention and no cause of death was provided. According to human rights groups and the UN, more than 800 people, including children, were arrested following his funeral.

## U.S. POLICY

Relations between the United States and Eritrea remained poor in 2018. Eritrea and the United States have not exchanged ambassadors since 2010. The United States provides no security or development assistance to Eritrea, and the government of Eritrea expelled the U.S. Agency for International Development (USAID) in 2005. Eritrea remains extremely closed off to international actors, and access to information is extremely limited; U.S. Embassy officials are highly restricted in their movements within the country. Eritrea has frequently accused the United States of smearing its reputation, spreading fabricated

*An unknown number of Muslims and Christians remain in detention for protesting the government appropriation of their institutions.*

information about its human rights situation, and being responsible for UN sanctions on the country.

Due to Eritrea's longstanding security and border issues in the region, the United States has endorsed a variety of UN resolutions and sanctions on the government and key individuals. These include: [UN Security Council Resolution \(UNSCR\) 1907 \(2009\)](#), which imposed an arms embargo and sanctions on individuals due to Eritrean support for armed opposition groups and incitement of instability in the region; targeted sanctions of Eritrean officials under [Executive Order 13536](#); and [UNSCR 2023 \(2011\)](#) condemning destabilizing activity by Eritrea and expanding the mandate of the UN Monitoring Group on Somalia and Eritrea (SEMG). Until 2018 the United States consistently maintained support for the arms embargo and the work of the SEMG, although the SEMG was prevented from fulfilling its mandate and was unable to visit Eritrea for eight years due to Eritrean government barriers.

However, the 2018 peace negotiations between Eritrea and Ethiopia caused a major shift in international relations, with Ethiopia and other actors supporting the lifting of sanctions on Eritrea. Although the United States originally expected to—but did not—see Eritrea make progress on human rights issues as a precondition, it ultimately agreed to the lifting of UN sanctions. On November 14, [UNSCR 2444 \(2018\)](#) passed unanimously, lifting sanctions on Eritrea and ending the mandate of the SEMG. Many Member States supported this resolution on the basis that the original conditions for sanctions—including support for al-Shabaab and regional conflict—were no longer evident.

The United States first designated Eritrea as a CPC in September 2004, and when redesignating Eritrea as such in September 2005 the State Department announced specific restrictions under IRFA. The State Department most recently redesignated Eritrea as a CPC on November 28, 2018, and continued the associated arms embargo.

### KEY FINDINGS

In 2018, religious freedom conditions in Iran trended in a negative direction relative to 2017, with the Iranian government heightening its systematic targeting of Muslims (particularly Sunni Muslims and Sufis), Baha'is, and Christians. The government arbitrarily detained, harassed, and imprisoned Baha'is based on their religion and continued its long-term practice of egregious economic and educational persecution of the community. Hundreds of Sufis were arrested and scores were sent to solitary confinement and beaten in prison. Christians faced a dramatic uptick in arrests from previous years, and Muslim converts to Christianity continued to face severe persecution. Sunni Muslims experienced discrimination in employment and political leadership, and had difficulty obtaining permission to build mosques. A senior member of Iran's government led an anti-Semitic conference in Tehran accusing Jews of manipulating the global economy and exaggerating the Holocaust. Shi'a Muslim reformers and dissenters faced prolonged detention

and the threat of execution. While President Hassan Rouhani in 2016 signaled his intent to address some religious freedom violations, these promises have yet to be implemented; meanwhile, the number of individuals imprisoned for their beliefs continued to climb.

Based on these severe religious freedom violations, USCIRF again finds in 2019 that Iran merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). Since 1999, the U.S. Department of State has designated Iran as a CPC, most recently in November 2018. USCIRF recommends that the State Department redesignate Iran as a CPC under IRFA and maintain the existing, ongoing travel restrictions in section 221(c) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (TRA) for individuals identified under section 221(a)(1)(C) of the TRA in connection with the commission of serious human rights abuses.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Speak out publicly and frequently at all levels about the severe religious freedom abuses in Iran, and highlight the need for the international community to hold authorities accountable in specific cases;
- Identify Iranian government agencies and officials responsible for severe violations of religious freedom, freeze those individuals' assets, and bar their entry into the United States, as delineated under the [Comprehensive Iran Sanctions, Accountability, and](#)

[Divestment Act](#) (CISADA), the [Global Magnitsky Human Rights Accountability Act](#), and related executive orders, citing specific religious freedom violations;

- Press for and work to secure the release of all prisoners of conscience, including Youcef Nadarkhani, Golrokh Ebrahimi Iraee, and Mohammad Ali Taheri;
- Work with European allies to use advocacy, diplomacy, and targeted sanctions to pressure Iran to end religious freedom abuses, especially

leading up to Iran's 2019 Universal Periodic Review; and

- Develop and utilize new technologies to counter censorship and to facilitate the free flow of information in and out of Iran.

The U.S. Congress should:

- Reauthorize and ensure implementation of the Lautenberg Amendment, which aids persecuted Iranian religious minorities seeking refugee status in the United States.



## COUNTRY FACTS

### FULL NAME

Islamic Republic of Iran

### GOVERNMENT

Theocratic Republic

### POPULATION

83,024,745

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

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

### RELIGIOUS DEMOGRAPHY\*

99.4% Muslim (90–95% Shi'a, 5–10% Sunni)

<1% Other (includes Baha'is, Christians, Jews, Sabeen-Mandaeans, Zoroastrians, and Yarsanis)

\*Estimates compiled from the CIA World Factbook and U.S. Department of State

## BACKGROUND

The Islamic Republic of Iran is a theocratic authoritarian state with elements of restricted political participation. The Jaafari (Twelver) school of Shi'a Islam is the official religion of the country. Iran is governed under the doctrine of *Velayat-e Faqih* or rule of the jurist. Its supreme leader, Ayatollah Ali Khamenei, is a religious scholar appointed by the 88-member Assembly of Experts. Iran's constitution stipulates that followers of five other schools of thought within Islam—Maliki, Hanafi, Shafi'i, Hanbali, and Zaydi—should be accorded respect and permitted to perform their religious rites. The constitution recognizes Christians, Jews, and Zoroastrians as protected religious minorities, free to perform their rites “within the limits of the law.” There are two Hindu temples in Iran, one each in the cities of Bandar Abbas and Zahedan, and Buddhism has historic influences in Iran despite the confiscation of Buddha statues in recent years. Iran holds elections for parliament every four years, but candidates must be approved by the Guardian Council, a group of 12 Muslim scholars appointed either directly by Ayatollah Khamenei or nominated for parliament approval by the head of the judiciary, who is in turn appointed by Ayatollah Khamenei. Five of the parliament's 290 seats are reserved for these groups—two for Armenian Christians and one each for Assyrian/Chaldean Christians, Jews, and Zoroastrians.

All of Iran's laws and regulations are based on unique Jaafari Shi'a Islamic interpretations. Under Iran's Penal Code, *moharebeh* (“enmity against God”) is vaguely defined and often used for political purposes. Both *moharabeh* and *sabb al-nabi* (“insulting the prophet”) are capital crimes. Apostasy is not codified as a crime in the Penal Code but detainees are still tried as apostates because the constitution specifies that Shari'ah be applied to any cases not explicitly addressed by the law.

In December 2016, President Rouhani publicly released a nonbinding Charter on Citizens' Rights that promised, among other rights, recognition of all religious identities and nondiscriminatory legal protection. However, since his reelection in May 2017, religious minorities in Iran have seen little change based on this document. Instead, growing numbers of religious minorities, dissident Shi'a and Sunni Muslims (especially Sunni Muslim Kurds), and human rights defenders have been subject to harassment, arrest, and execution for exercising rights nominally protected by the charter. These arrests have intensified in the wake of a wave of protest activity that started in December 2017 and continued through 2018. Initial protests sparked by economic grievances expanded to include political issues including corruption, involvement in regional conflicts, unchecked power in the religious establishment, and restrictions on women's rights justified on

religious grounds. These protests have resulted in the deaths of approximately 30 Iranians.

## RELIGIOUS FREEDOM CONDITIONS 2018 Muslims

Over the past few years, Iranian authorities have charged many reformers within the Shi'a Muslim community of "insulting Islam," criticizing the Islamic Republic, and publishing materials that allegedly deviate from Islamic standards. In March 2018, the Iranian Intelligence Services (*Itila'aat*) arrested cleric Hossein Shirazi, the son of detained senior cleric Ayatollah Sadegh Shirazi. Iran's Special Clergy Court charged him with criticizing Iran's leadership and its system of rule of a single jurist.

The Sunni Muslim population in Iran is concentrated in underdeveloped areas and experiences discrimination in employment. Repeated requests—including some made in 2018—by Tehran's Sunni Muslim community to build an official mosque have been refused. While the Iranian government claims Sunni Muslims in Tehran have nine mosques at which to pray, most Sunni Muslim sites in Tehran are "prayer houses," which—unlike mosques—have no imam, budget, or religious instruction. Most Sunni Muslim worship in Tehran occurs in private homes or large rooms in other buildings. In August 2018, police blocked the entrances to prayer houses in four districts of Tehran during the Eid al-Adha holiday. Sunni clerics were also the targets of violence in Iran in 2018. In July, gunmen assassinated a Sunni cleric in southeastern Iran, and in November a Sunni cleric was shot four times with a hunting rifle on his way home from a mosque.

Sunni Muslim Kurds face particular discrimination since they are neither Shi'a nor Persian, and are often targeted by Iranian authorities. Iran executed approximately 53 Kurds in 2018. These include Zeinab Sekaanvand, a child bride who was allegedly beaten and forced into confessing to her husband's murder; she was executed in October 2018. Approximately 100 Kurds now remain on death row, including those who were accused of crimes as minors.

Nonetheless, criticism of Sunni Muslims is also a punishable offense in Iran. In May 2018, forces from the Islamic Revolutionary Guard Corps arrested Persian literature Professor Hameed Samsam for insulting Sunni Muslims in a video clip posted online.

Adherents to Sufi orders, which emphasize mystic elements of Islam, are targeted by the government for "following a deviant sect" that does not conform to the state's official interpretation of Islam. Members of Iran's largest Sufi order, the Nematollahi Gonbadi, face a range of abuses. In February 2018, Iranian police, security, and intelligence agents surrounded the house of Sufi leader Noor Ali Tabandeh, leading to clashes with protestors. At the end of the reporting period, Tabandeh remained under house arrest without an official explanation from Iran's government. Iran has also targeted members of the Sufi community itself. During Sufi protests in February 2018, five security officers and one other person were killed and reports indicate 300 protestors were arrested. Mohammed Salas, a Sufi Iranian, was accused of driving a bus into security officers, killing three of them, during these protests. Following his arrest, Salas was denied access to his chosen lawyer, allegedly tortured into a confession, convicted by Tehran Appeals Court judge Mohammed Shahriari in March 2018, and executed at Raji Shahr Prison in June. Throughout 2018, Sufi prisoners at Great Tehran Prison and Shapour Detention Center conducted hunger strikes protesting Salas' execution and torture by prison guards.

In August 2018, Iran's revolutionary courts sentenced a group of 208 Sufis held at Fashafuyeh and Qarchak prisons to prison terms ranging from four months to 26 years, flogging, internal exile, a ban on travel, and a prohibition on participation in certain

*In August 2018, Iran's revolutionary courts sentenced . . . 208 Sufis . . . to prison terms . . . In some cases, trials for these individuals lasted no longer than 15 minutes.*

social and political groups in the country. In some cases, trials for these individuals lasted no longer than 15 minutes, and charges and evidence against the defendants were not made publicly available. That same month, six administrators

of the popular Sufi website Majzooban Noor were also sentenced in absentia by Judge Abolqasem Salvati, head

of the 15th branch of the Islamic Revolutionary Court in Tehran, to prison time (three received a seven-year sentence, two received a 12-year sentence, and one received a 26-year sentence), 74 lashes, two years of internal exile, and a two-year ban on journalistic activity. Mistreatment also occurred while approximately 300 Sufi Muslims served prison terms during the year. In August 2018, prison guards beat detainees on a sit-in strike over the detention and physical abuse of four Sufi women incarcerated at Qarchak Prison. In late August, eight Sufi Muslims were sent to solitary confinement at Great Tehran Penitentiary as punishment for their participation in a prison protest that turned violent. In November, three Sufi women were beaten at Qarchak Prison and eight Sufi Muslims at Great Tehran Penitentiary were sent into solitary confinement.

## Baha'is

There are more than 300,000 Baha'is in Iran, who together constitute the largest non-Muslim religious majority in the country. Iran's government considers the Baha'i faith a heretical "deviant sect" whose members are de facto apostates. Despite promises by President Rouhani to end religious discrimination, Baha'is are not recognized by the state and are denied political, economic, cultural, and social rights on this basis. Since 2014, more than 26,000 pieces of anti-Baha'i media have aired on official or semi-official Iranian television channels.

Over the past 10 years, more than 1,000 Baha'is have been arbitrarily arrested on the basis of their faith. Arrest orders come from revolutionary courts that were set up following the 1979 Islamic revolution, and are executed by both security forces and agents of Iran's Ministry of Intelligence. In February 2018, security forces arrested seven Baha'is in Bushehr, and five additional Baha'is were sentenced by the Revolutionary Court of Mashhad. In September 2018, Iran's Ministry of Intelligence escalated its crackdown on the Baha'i community when its agents, along with security forces, arrested six Baha'is in Karaj, eight in Baharestan, and six in Shiraz. Shiraz city councilman Mehdi Hajati was

arrested on the order of the Shiraz Revolutionary Court after criticizing the arrests of Baha'is in his city. He was released 10 days later with a bail of \$47,500 (200 million tomans) but forced out of his council seat in October 2018. That same month, intelligence and security forces arrested two additional Baha'is in Karaj.

All seven of the high-profile Baha'i leaders known as the "Friends of Iran," or *Yaran*, were released from prison by the end of 2018 after serving 10-year sentences. Three of the seven *Yaran* were released in 2017, and four additional members were released in 2018: Saeid Rezaei, Vahim Tizfahm, Jamaloddin Khanjani, and Afif Naemi. Nonetheless, more than 70 Baha'is remained in prison in Iran at the end of 2018.

Although the Iranian government maintains publicly that Baha'is are free to attend university, the de facto policy of preventing Baha'is from obtaining diplomas continued in 2018. At least 60 Baha'i students were prevented from beginning university studies despite passing national university entrance examinations on the pretense of having incomplete files or not being registered. In other cases, Baha'i students had their examination scores invalidated by the National Organization for Educational Testing. Other Baha'is were expelled by their university security office or prevented from receiving diplomas despite having completed, or nearly completed, their studies.

Throughout 2018, Baha'i places of business were also targeted. Security forces shut down Baha'i businesses in Abadan and Maku, and the Ministry of Intelligence closed a business in Tabriz. In July, Mazandaran Province county supervisor Esmail Hossein Zadeh ordered restrictions on Baha'i businesses in Sari. Twenty-four Baha'i-owned businesses in Urmia shut down in 2017 by the Office of Public Places remained closed at the end of the reporting period. Security forces also prevented the burial of two deceased Baha'i individuals in a Baha'i cemetery in Kerman after it was sealed in March 2018. In October, the body of a deceased Baha'i woman was exhumed four days after her burial and abandoned in a desert area outside the town of Jaban.

*Baha'is are not recognized by the state and are denied political, economic, cultural, and social rights on this basis.*

## Christians

Iran has nearly 300,000 Christians, including traditional Armenian and Assyrian/Chaldean ethnic churches and newer Protestant and evangelical churches. The government monitors members of the historical churches and imposes legal restrictions on constructing and renovating houses of worship. Christians have been sentenced to prison terms for holding private Christmas gatherings, organizing and conducting house churches, and traveling abroad to attend Christian seminars. Evangelical Christian communities face repression because many conduct services in Persian and proselytize to those outside their community. Pastors of house churches are often charged with national security-related crimes and apostasy.

In 2018, Iran drastically escalated its arrests of Christians. Whereas 16 Christians were arrested in Iran in 2017, at least 171 were arrested in 2018. While Iran often arrests Christians ahead of Christmas, arrests in 2018 began earlier and took place in a wider set of cities and towns than usual. A total of 114 Christians were arrested in Iran during the first week of December 2018 and more than 150 were arrested between November and December 2018. Christians arrested in Iran are often treated and charged

as enemies of the state, and lawyers who take on their cases face the threat of detention. In September 2018, for example, Iran revolutionary court judges Mashallah Ahmadzadeh and Ahmad

Zargar affirmed sentences leveled in 2017 against Saheb Fadaie and Fatemeh Bakhteri on the charge of “spreading propaganda against the regime.”

Iran has specifically targeted the family of Assyrian Christian pastor Victor Bet-Tamraz on spurious charges of acting against national security. In 2017, Bet-Tamraz was sentenced to 10 years in prison and continues to appeal the sentence. In January 2018, Judge Mashallah Ahmadzadeh of Branch 26 of the Tehran Revolutionary Court sentenced Bet-Tamraz’s wife, Shamiram Isavi, to five years in prison on national security charges. In July 2018, the judge sentenced their son, Ramil, to four months in prison, also for “acting against national

security.” Converts to Christianity in Iran also face persecution. Two converts to Christianity from Islam, Hadi Asgari and Amin Afshar-Naderi, awaited verdicts at the end of the reporting period from appellate courts on extensive prison sentences for “conductive evangelism” and “illegal house church activities.”

Pastor Youcef Nadarkhani, a prisoner for whom USCIRF advocates as part of its [Religious Prisoners of Conscience Project](#), is a convert from Islam to Christianity who leads the Evangelical Church of Iran and has been arrested several times. In 2017, Judge Ahmadzadeh sentenced Nadarkhani to 10 years in prison and two years in internal exile for “promoting Zionist Christianity.” After several failed appeals, he was rearrested in July 2018 by plainclothes agents, beaten, and taken to a quarantine ward in Evin Prison.

## Other Religious Minorities

Iran is home to between 15,000 and 20,000 Jews, and the capital city Tehran hosts 13 synagogues. Although government-driven anti-Semitic sentiment in 2018 was not as pronounced as in previous years, the government continued to propagate and tolerate anti-Semitism. In October 2018, Ali Reza Soltan-Shahi, an Iranian gov-

ernment official from the Office of the Iranian Presidency, organized an anti-Semitic conference in Tehran that accused Jews of manipulating the global economy and exploiting the Holocaust. Jews in Iran do not hold senior government or military

positions and many are believed to be under government surveillance. Iranian officials and clerics regularly call for the elimination of the state of Israel, and members of the Jewish community have been targeted on the basis of real or perceived ties to Israel. In December 2018, a group of evangelical Christians were also arrested and charged with promoting “Zionist Christianity.”

In 2018, members of Iran’s Zoroastrian community, which numbers between 30,000 and 35,000 people, faced ongoing discrimination. However, a ban imposed on a Zoroastrian member of the Yazd city council in 2017 was lifted by Iran’s Expediency Council in July 2018 after

*114 Christians were arrested in Iran during the first week of December 2018 and more than 150 were arrested between November and December.*

protests by Iranian deputy speaker Ali Motahari. President Rouhani also expressed support for the council member in June 2018.

While the Iranian government considers followers of the Yarsan faith to be Shi'a Muslims who practice Sufism, members of the faith identify as a distinct and separate religion known as *Ahl-e Haqq*, or People of Truth, whose numbers are estimated at more than one million. Members of the Yarsani community face discrimination in education, employment, and running for political office. During crackdowns on protests against the house arrest of Iran's Sufi spiritual leader in February 2018, police and Basij forces arrested a Yarsani woman, Shokoufeh Yadollahi, beating her so hard that her skull cracked and some of her ribs broke; at Shapour Detention Center she was denied access to medical treatment for dizziness and high blood pressure and eventually lost her sense of smell.

Mohammad Ali Taheri, another USCIRF-adopted [prisoner of conscience](#), university professor, and founder of a spiritual movement (*Ergan-e Halgheh* or Spiritual Circle), remains in prison. In 2015, Taheri was sentenced to death before the Iranian Supreme Court overturned his death sentence. In August 2017, he was retried and once more sentenced to death for "spreading corruption on Earth." His death sentence was overturned in March 2018 and Taheri was instead given an additional five-year sentence by Judge Abolqasem Salavati of Branch 15 of the Tehran Revolutionary Court for "insulting religious sanctities." In January 2019, Taheri announced his intention to give up his Iranian citizenship, citing "comprehensive injustice" at the hands of Iran's government.

## Women and Religious Freedom

In 2018, Iran's government violated the freedom of women and girls on religious grounds. In December 2018, Iran's Parliamentary Committee for Judicial and Legal Affairs rejected a bill to ban marriage for girls under the age of 13. The bill would have banned marriage for boys between the ages of 16 and 18 as well.

Opponents to the bill, including the Basij Student Union and senior clerics, appealed to justifications in Shari'ah as the basis for their opposition. Statements from other senior religious clerics, such as Grand Ayatollah Naser Makarem Shirazi, opposed child marriage.

Since May 2017, Iranian women have participated in "White Wednesdays" in protest of Iran's mandatory hijab laws justified on the basis of religion. In February 2018, Iran arrested 29 women for protesting the law without wearing hijab. These arrests included activist Shaparak Shajarizadeh, who removed her headscarf in public at a May 2018 protest in Kashan. Shajarizadeh was charged by Tehran prosecutor Abbas Jafari Dolatabadi with "inciting corruption and prostitution" and was sent to solitary confinement at Shahr-e Rey Prison where she was allegedly tortured. In July 2018, Branch 1089 of Tehran's Criminal Court sentenced Shajarizadeh to serve 20 years in prison, though 18 of these years were suspended from the sentence. Shajarizadeh fled the country soon thereafter and at the end of the reporting period continued to seek asylum in Canada.

Author and human rights activist Golrokh Ebrahimi Iraee, another USCIRF [prisoner of conscience](#), was convicted in 2016 of "insulting the sacred" based on her unpublished story in which a protagonist angered by stonings burns a Qur'an. In January 2018, Iraee faced additional charges for allegedly insulting Ayatollah Khamenei and reciting a political poem. After being beaten and moved to Qarchak Prison in January 2018, Iraee began a hunger strike. She was transferred back to Tehran's Evin Prison in May 2018 and remained there at the end of the reporting period.

## U.S. POLICY

Since President Donald J. Trump assumed office in January 2017, the U.S. government has significantly shifted its approach to relations with Iran, adopting a "maximum pressure" campaign that emphasizes accountability for Iran's nuclear activity and destabilizing activities in the region in addition to its egregious violations of human rights and religious

*Iran's Parliamentary Committee for Judicial and Legal Affairs rejected a bill to ban marriage for girls under the age of 13.*

freedom. Since 1999, the State Department has designated Iran as a CPC and has imposed travel restrictions under section 221(c) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (TRA) for individuals identified under section 221(a)(1)(C) of the TRA in connection with the commission of serious human rights abuses.

In May 2018, the Trump Administration [announced](#) a re-imposition of sanctions waived or lifted under the Joint Comprehensive Plan of Action (JCPOA) to occur over a 180-day wind-down period. The first of these re-impositions occurred on August 7, 2018, and the second occurred on November 5. By the end of the reporting period, the United States had fully re-imposed the sanctions on Iran that had been lifted or waived under the JCPOA.

During the year, the U.S. government increasingly highlighted the poor religious freedom situation in Iran. At the July 2018 [Ministerial to Advance Religious Freedom](#) held in Washington, DC, participating delegations from around the world issued a [Statement on Iran](#) concerning its mistreatment of religious minorities. Vice President Michael R. Pence also [spoke](#) about Iran's restriction on religious freedom and urged Iranians

to "press on with courage in the cause of freedom." In August 2018, the Iran Action Group at the State Department issued a [report](#) in which it detailed Iran's targeting of religious minorities, noting "Baha'is, Christians, Jews, Zoroastrians, and Sunni and Sufi Muslims face widespread persecution, discrimination, and unjust imprisonment." In December, the House of Representatives passed [H.Res.274](#), which condemns the persecution of Baha'is in Iran.

On November 28, 2018, the secretary of state redesignated Iran as a CPC. The secretary also designated the following presidential action for Iran: "The existing ongoing travel restrictions in section 221(c) of the [TRA] for individuals identified under section 221(a)(1)(C) of TRA in connection with serious human rights abuses, pursuant to section 402(c)(5) of the Act."

## INDIVIDUAL VIEWS OF COMMISSIONER ANURIMA BHARGAVA

Iran raises a multitude of political and human rights concerns. My view is that the Commission should not raise concerns about Iran's relationship with Israel or other countries unless that relationship has a direct impact on religious freedom in Iran.



### KEY FINDINGS

Religious freedom conditions in Nigeria trended negatively in 2018. The Nigerian government at the national and state levels continued to tolerate violence and discrimination on the basis of religion or belief, and suppressed the freedom to manifest religion or belief. Religious sectarian violence increased during the year, with Muslims and Christians attacked based on their religious and ethnic identity. The Nigerian federal government failed to implement effective strategies to prevent or stop such violence or to hold perpetrators accountable. Boko Haram and the Islamic State of Iraq and Syria-West Africa (ISIS-WA) continued to perpetrate attacks against civilians and the military throughout the year, despite the government's claims of progress in defeating them. In addition, members of the military and the civilian joint task force, a local vigilante group supporting official forces, were accused of human rights violations against civilians displaced by conflict. The Nigerian military and government continued to violate the religious freedom and human rights of the Shi'a members of the Islamic Movement in Nigeria (IMN). IMN leader Sheikh Ibrahim Al

Zakzaky remained in detention, along with his wife and hundreds of other members; state governments continued to ban the group's activities; and in October 2018, soldiers and police reportedly killed more than 45 IMN members during religious processions and protests in Abuja. Finally, other religious freedom abuses continued at the state level, including coercive official or societal actions to enforce particular religious norms. USCIRF delegations visited Nigeria in May and November 2018 to examine religious freedom concerns.

Based on continued systematic, ongoing, and egregious violations of freedom of religion or belief, USCIRF again finds that Nigeria merits designation in 2019 as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA), as it has found since 2009. The U.S. Department of State has never designated Nigeria as a CPC, but in 2017 and 2018 designated Boko Haram as an Entity of Particular Concern, or EPC, for its particularly severe religious freedom violations as defined by December 2016 amendments to IRFA.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Enter into a binding agreement, as authorized under section 405(c) of IRFA, with the Nigerian government, and provide associated financial and technical support to obligate the Nigerian government to take substantial steps to address violations of religious freedom, including but not limited to:
  - Advise and support the Nigerian government in the development of counter-radicalization and deradicalization programs;
  - Enhance training for officials, the military, and police officers on international human rights standards, including countering hate speech based on religious identity; responding to sectarian violence; reporting on violence against Muslim and Christian communities; and ensuring security officers accused of excessive use of force and other human rights abuses are investigated and held accountable;
- Allocate funding through the State Department, U.S. Agency for International Development, or U.S. Department of Defense for programs to train and equip officials and communities to protect places of worship and other holy sites; and
- Increase conflict resolution programming and research—in partnership with local and traditional leaders and other parts of civil society—to counter hate speech and incitement to violence based on religious identity;
- Press the Nigerian government to acknowledge the significant threats posed by Boko Haram and ISIS-WA, to prioritize greater support to both military and nonmilitary efforts to counter the insurgency, and to protect the rights of the Nigerian press to report on the continuing war;
- Hold a session of the U.S.-Nigeria Bi-National Commission to discuss further actions to end sectarian violence, address land and water concerns, hold perpetrators accountable, and reconcile communities; and
- Urge the Nigerian government to pursue justice for IMN members, allow U.S. Embassy officials to meet with detained IMN leader Sheikh Al Zakzaky, review all cases of detained IMN members and release those held wrongfully or without charge, and develop an independent judicial commission of inquiry (COI) to investigate the Nigerian security forces' killing of IMN members in October 2018.



## COUNTRY FACTS

### FULL NAME

Federal Republic of Nigeria

### GOVERNMENT

Presidential Republic

### POPULATION

203,452,505

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

N/A

### RELIGIOUS DEMOGRAPHY\*

51.6% Muslim (majority Sunni; also Sufi orders, Shi'a, and other sects and approaches to Islam)

11.2% Roman Catholic

35.7% Other Christian (including Anglican, Baptist, Evangelical, Methodist, Pentecostal, Presbyterian, The Church of Latter-day Saints, Jehovah's Witnesses, and other denominations)

1.5% Indigenous beliefs, Other, or Unspecified (including Jews, Baha'is, atheists, and other beliefs)

\*Estimates compiled from the CIA World Factbook and the State Department. Population statistics are highly controversial and disputed in Nigeria.

## BACKGROUND

Nigeria has one of the fastest-growing populations in the world and the largest economy in Africa. Its population includes more than 300 ethnic and linguistic groups, with the Hausa-Fulani, Yoruba, and Igbo representing a majority. The religions and beliefs practiced in Nigeria are highly diverse, although historically the population has been about evenly divided between the largely Muslim north and more Christian south. Other groups include atheists, Baha'is, Jews, Hindus, Buddhists, and indigenous traditions that may incorporate other religious practices; however, USCIRF observed a low level of awareness among interlocutors of such smaller religious communities. Smaller religious communities and human rights groups report that the dominant two religions suppress other beliefs and practices, including the widespread syncretic traditions in the country.

The 1999 Constitution of Nigeria includes provisions protecting freedom of religious belief and prohibiting religious discrimination, and there is no official state religion. However, in 12 Muslim-majority northern Nigerian states, federalism has allowed the adoption of Islamic Shari'ah law in the criminal codes. The Nigerian constitution also establishes the roles of customary law and Shari'ah courts for Islamic personal law, family

law issues, and other areas as may be determined by the state. Religious police, which are sometimes state funded, are also used to enforce Shari'ah, often focusing on family issues and "moral" behavior.

For decades, the Nigerian government has struggled to manage conflict resulting from competition between groups over political access, land rights, and fears that one ethnic or religious group will dominate another. When the government in 1996 established the Federal Character Commission, it intended the body to enforce the country's "federal character" principle. While this principle was intended to be helpful and protective, it is applied through a controversial "indigene" concept, whereby certain groups are considered native to a particular area ("indigenes") and others nonnative ("settlers"); indigenes often are afforded more benefits and privileges, and settlers have been denied equal citizenship rights. Additionally, across Nigeria traditional rulers and religious leaders wield significant influence in politics and governance. For example, religious leaders may advise politicians or attempt to influence who contests elections. Religious and traditional leaders are some of the most highly respected individuals in society and can also influence followers to support different policies and candidates.

Sectarian violence between rural farmer and herder communities is prevalent in more than a dozen states, primarily in the broadly defined “Middle Belt” region of the country. Ethnic and religious identity—and consequently ethnic and religious conflict—are often intertwined, especially when the majority of one ethnic group practices the same religion (Fulani, for example, are predominantly Muslim and are often identified with both markers). The dynamic of the religious and ethnic violence—and where and how religion and ethnicity overlap—is highly localized. Inflammatory media reports that generalize the parties to a conflict or polarize people along ethnic and religious lines have increased tensions. In 2018, rural violence escalated, and violent conflict in urban areas continued. Many community members conveyed that they did not understand the reasons for the escalation in attacks during 2018, citing a history of peaceful living between their communities. Sectarian violence has resulted in mass displacement, destruction of property, and the deaths of thousands.

Attacks by the terrorist groups Boko Haram and ISIS-WA continued in spite of the Nigerian government’s progress in its counterinsurgency efforts. Through its violent jihadi-driven campaign in Nigeria and the Lake Chad Basin, since 2009 Boko Haram has killed tens of thousands, kidnapped hundreds, and displaced nearly two million Nigerians. A culture of impunity for perpetrators has been a

major issue in both sectarian violence and violence by security forces against civilians. In camps for internally displaced persons (IDPs), the Nigerian military has been accused of human rights violations against civilians. The Nigerian military continued to repress and use excessive force against the IMN.

USCIRF traveled to Nigeria in May and November 2018 to learn from government officials, religious communities, and other civil society members about religious freedom conditions throughout the country as well as sectarian violence in the Middle Belt. A Commissioner-led delegation traveled to Abuja, Jos, and Lagos in November, and USCIRF staff visited Abuja, Kaduna, and

Zaria in May. USCIRF visited sites of religious sectarian violence and places of worship.

## RELIGIOUS FREEDOM CONDITIONS 2018

### Religious Sectarian Violence

Violence targeting groups and individuals due to their religious identity continued in 2018. Across the country, sectarian conflict caused at least 2,000 deaths, with rising numbers of fatalities in Benue, Plateau, Taraba, Adamawa, and Nasarawa states in particular. During USCIRF’s visits to Nigeria in 2018, civil society representatives and government officials offered diverse and overlapping reasons for the burgeoning and complex intercommunal violence: religious, ethnic, and tribal identity; clashes between farmer and herder communities; land and water disputes; and longstanding regional, local, and ethnic divisions. Given the myriad ways that religious, ethnic, and tribal identities are intertwined, it can be difficult to determine the basis or catalyst for violence: violence stemming from disputes over land or water, for example, can become immersed in and exacerbate religious difference. Similarly, clashes between farmer and herder communities can also take place

across—or be perceived to be due to—religious and ethnic divides, as herders are primarily Muslim, and farmers Christian.

The violence is exacerbated by the proliferation of and easy access to arms, polarizing media coverage, and

the failure of security services to address the violence effectively and prevent it from recurring. High rates of unemployment and drug use were also identified as contributing factors. During the year, the decline of personal and community security and administration of public affairs presented a serious threat to religious freedom. Both Muslims and Christians stated that they did not feel protected by security services. Police are either unresponsive or untimely in their response, lack capacity, fail to arrest (or prosecute) perpetrators, and do not properly collect data and document incidents of violence or subsequent investigations, nor do they effectively communicate results of investigations to the

*Attacks by the terrorist groups Boko Haram and ISIS-WA continued in spite of the Nigerian government’s progress in its counterinsurgency efforts.*

public. Vigilante groups often fill the security gaps. In many cases, the military has deployed to restore order, though troops have faced criticism for using excessive force, harming civilians, fostering mistrust of authorities and among religious groups, and tacitly encouraging vigilante responses. The pervasiveness of vigilante groups and the continuous and disproportionate role of military operations around the country are evidence of a serious need for reform of police and security services. Human rights groups, journalists, and religious communities are often relied upon for documentation. Journalists may report on violent incidents and estimates of deaths, injuries, and property damage, but often do not follow up on arrests and outcomes of trials.

USCIRF gathered information on numerous incidents of religious sectarian violence that occurred in 2018. In an April 24 attack in Benue State, gunmen believed to be Fulani herders attacked a church, killing 19 people, including two priests, and destroyed more than 50 homes. In retaliation, an angry mob reportedly killed 11 Muslims and raided two mosques. In June, suspected Fulani herders killed an estimated 80–200 people in multiple attacks on villages in Plateau State. Also in June, Berom youth reportedly set up checkpoints on the main highway in Plateau State and stopped and killed travelers they believed to be Muslim or Fulani. In July, an unknown ethnic militia reportedly attacked five Fulani communities in Adamawa State. In October, at least 55 people died in clashes between Muslim and Christian youth in Kaduna State.

Christian interlocutors reported ongoing fears that their communities were being targeted in ethnic cleansing campaigns. Religious communities in many areas remain highly polarized.

In some cities, people are afraid to go into neighborhoods of the other religion or refuse to sell land to individuals from the other faith. Civil society members reported to USCIRF an ongoing problem with

hate speech on the basis of religious and ethnic identity, including from clerics and clergy, as well as the spread of misinformation, which at times incites people to violence and reprisals. Numerous nongovernmental

organizations (NGOs) have developed radio programs to build trust and dialogue between Muslims and Christians and to encourage young people to use nonviolent methods to resolve issues.

In November 2018, USCIRF visited an Evangelical Church Winning All church building that lies on the border between Muslim and Christian neighborhoods in Jos. Members of the church brigade showed USCIRF fire damage inside the building and described an attack on the church on September 28–29, 2018, in which between 10 and 20 people were killed, allegedly by Muslim youth militia. Following that attack, Muslim community members reported that their houses were attacked and burned on October 1 and 2. The brigade men informed USCIRF that congregants planned to continue worshipping in the church in spite of the ongoing tensions and risks. Following these violent incidents, the Dutse Uku Muslim Community wrote a letter to the Plateau State Police Command complaining that police did not protect them and that Christian militia did further damage in the presence of police.

### Boko Haram and ISIS-WA

The terrorist group Boko Haram—also known as Jama'atu Ahlus-Sunnah Lidda'Awati Wal Jihad—and its ISIS-supported faction—known as ISIS-West Africa (WA)—continued to commit attacks in northeast Nigeria in 2018. In 2015, Boko Haram leader Abubakar Shekau pledged allegiance to ISIS. In 2016, Boko Haram split, with one faction supporting Shekau and another supporting Abu Musab Al-Barnawi, whom ISIS endorsed. The Barnawi faction, ISIS-WA, has focused on targeting military forces and bases. Since 2009, Boko Haram has

inflicted mass terror on civilians, killing at least 37,000 Nigerians, kidnapping thousands, and displacing more than two million. The group has killed and harmed people for being “nonbelievers,” including prominent

religious leaders. Civilians have been abducted and subjected to forced marriage, forced conversion, sexual abuse, and torture. Increasingly, Boko Haram has turned to suicide attacks and has used women and children to

*In some cities, people are afraid to go into neighborhoods of the other religion or refuse to sell land to individuals from the other faith.*

launch them. In May 2018, Boko Haram reportedly conducted twin suicide bombings at a mosque and nearby market in the city of Mubi, killing at least 27 people.

In February 2018, ISIS-WA abducted an estimated 110 schoolgirls from Dapchi, in Yobe State. Five girls died during the abduction. One month later, the remaining girls were released, except for the only reported Christian student, Leah Sharibu. Her freed classmates reported that she was not released because she refused to convert to Islam. As of the end of 2018, Sharibu remained captive. In 2018, the militants executed other female hostages whom they accused of being apostates. Of the 276 schoolgirls abducted by Boko Haram from Chibok in 2014, at least 100 girls remain missing, as do an unknown number of other women, girls, and boys kidnapped by the terrorist group. In April 2018, the Nigerian Army reported freeing 149 women and children from a Boko Haram hideout in Borno State.

There was little accountability for human rights violations in the northeast—both by Boko Haram members as well as by the processes used to seek justice. In October 2017 and February 2018, the Nigerian military conducted secret trials of more than 2,300 Boko Haram suspects. According to reports, at least 468 were ordered to participate in deradicalization programs. Human rights groups reported numerous flaws in the justice process, such as witnesses and victims not being permitted to provide testimony and defendants not being allowed access to lawyers. During its November 2018 visit, USCIRF learned that judges generally serve as their own court reporters and take notes by hand, and that criminal justice reform—more broadly—is also needed to better protect religious freedom. In October 2017, the Nigerian Army opened a new office in Maiduguri to deal with military human rights abuses, and reportedly began new human rights protection training in May 2018.

### Repression of the Islamic Movement in Nigeria

The IMN, the country's largest Shi'a Muslim group, was formed by Sheikh Zakzaky in the northern city of Zaria in Kaduna State in the 1980s and 1990s. Originally

inspired by the 1979 Iranian revolution, and maintaining photos of Ayatollah Ruhollah Khomeini and Ayatollah Ali Khamenei in tribute on its website, the IMN also supported the establishment of an Islamic government in Nigeria. The IMN has since become the target of violence by the Nigerian government, which classifies the IMN as a “violent group” and uses excessive force to repress IMN members and activities.

More than three years since the most violent crackdown on the IMN—the December 2015 mass killing and burial of 347 IMN members by the Nigerian Army in Zaria—and despite the 2016 Kaduna State COI finding the army responsible and recommending prosecutions, no Nigerian Army officers have been held to account.

In 2018, Nigerian police continued to detain hundreds of IMN members—including, most prominently, Sheikh Zakzaky and his wife Malama Zeenah Ibrahim, who have been held without charges since December 2015, despite an order from the Federal High Court in Abuja on December 2, 2016, that they be released within 45 days. Authorities arrested at least 15 IMN members in 2018.

Throughout 2018, IMN members staged protests around the country advocating for Sheikh Zakzaky's release. In Kaduna and Sokoto, state-level officials maintained bans on IMN activities, including religious processions. The IMN and news sources reported that force used to disperse protests was at times excessive, causing both injuries and deaths.

Between October 28 and November 1, Shi'a Muslims marched around the country for Arbaeen—an annual religious procession observed by Shi'a Muslims

globally to commemorate the death of Imam Hussein in the seventh century. Hundreds of IMN followers reportedly marched in Abuja both to honor the religious occasion and to protest for Sheikh Zakzaky's release.

*The Nigerian Army fired indiscriminately into [IMN] crowds, killing at least 45 people, according to human rights groups.*

Although the Nigerian Army said protestors threw rocks at security services, there was no evidence of any violent provocation by the IMN. The Nigerian Army fired indiscriminately into crowds, killing at least 45 people, according to human rights groups. There was no official

statement from the Nigerian government condemning this excessive use of force on peaceful protestors. The Nigerian Army initially tweeted a defense of soldiers' actions, but then deleted it.

### State-Level Religious Governance and Policing

Twelve states in northern Nigeria are governed by forms of Shari'ah law, and some utilize religious police to supplement the regular police force or provide social services. State enforcement of Shari'ah and the use or funding of religious police (known as *Hisbah*) varies by location, as does public perception of their value or impact. In some states, vigilante or informal police and neighborhood watches, including *Hisbah*, are regulated and defined by law. Some state governments, such as Kano and Zamfara, also fund and equip *Hisbah*. In Plateau and Kaduna states, some neighborhood watch groups are organized along religious lines and have religious leadership. In 2018, *Hisbah* police continued to arrest and detain, seize or destroy the property of, and enforce punishments on individuals who violated local and state religious and morality codes, including arrests for possession and consumption of alcohol. *Hisbah* as well as other police also arrested people on charges of homosexuality, on the basis of religious laws.

### Women, Marriage, and Religious Freedom

Women are uniquely impacted by religion-based laws, policing, and discrimination. The revival of Islamic law in 1999 led to both positive and negative impacts on women's rights in the north. In July 2018 in Kano State, *Hisbah* arrested five women for alleged immoral acts. Boko Haram has abducted thousands of women and girls, subjecting them to various forms of violence. Women and girls displaced by conflict continue to report sexual and gender-based violence by security officers in camps.

Some Nigerian religious and traditional beliefs allow, if not encourage, the harmful practice of female

genital mutilation (FGM). According to the United Nations (UN), 25 percent of women and girls aged 15–49 have undergone some form of FGM. FGM is most common in predominantly Christian states in the south but is also practiced by Muslims in the north.

Similarly, religious and traditional beliefs have justified child marriage, and activists have reported fierce opposition from Muslim groups on setting minimum age limits for marriage. According to the UN, [44 percent of Nigerian women between 20 and 24 years old were married before age 18, and 18 percent before age 15](#). Child marriage is particularly prevalent in northern Nigeria. Child marriage remains wide-

*Child marriage remains widespread despite the fact that the Child Rights Act of 2003 set the minimum age for marriage at 18; many state governments still do not enforce this provision.*

spread despite the fact that the Child Rights Act of 2003 set the minimum age for marriage at 18; many state governments still do not enforce this provision. At the same time, many religious and traditional leaders have opposed child marriage and are fighting to end

it. Polygyny (where a man is married to more than one woman) was reported as common for both Christians and Muslims, and is permitted under common law and Shari'ah law across the country. Under Islamic law, men are limited to marrying up to four wives. Nationally, the Same Sex Marriage Prohibition Act, as well as Shari'ah law, criminalize marriage between persons of the same sex and prohibit places of worship from solemnizing same-sex unions.

During USCIRF's November 2018 visit, interlocutors described issues around religious dress for female Muslim students in the south. In September in Lagos State, five female students were reportedly suspended from school for wearing the hijab.

### U.S. POLICY

Nigeria remains a key partner to the United States in Africa and is one of the biggest recipients of assistance in the region. In 2018, U.S. support to Nigeria included essential conflict resolution and violence prevention work, anticorruption efforts, and democracy and governance initiatives, including support of the Independent

National Electoral Commission and international observer missions to bolster the credibility of 2019 general elections. In December 2017, the [U.S. National Defense Authorization Act for Fiscal Year \(FY\) 2018](#) included a provision requiring the president to develop a strategy to improve defense institutions and security sector forces in Nigeria; submit to Congress a report assessing the threats from Boko Haram and ISIS-WA and the Nigerian government's efforts to protect civilians and human rights; and present a plan for the United States to work with Nigerian officials to investigate human rights violations by Nigerian security forces and improve detainee conditions. The report, submitted in 2018, thoroughly outlined U.S. support for Nigerian security forces, including in the area of human rights, such as efforts to improve the capacity of newly established human rights desks within the Nigerian Army and to urge accountability for violations against IDPs. The report noted that no army officers have yet been held accountable for the mass killing of IMN members in 2015, but did not identify whether and how the U.S. government has urged accountability for those events.

The U.S. government remains committed to supporting the fight against Boko Haram and ISIS-WA, and is the largest humanitarian donor to the Lake Chad region. In July 2018, U.S. Ambassador to Nigeria W. Stuart Symington [announced](#) an additional \$102 million in humanitarian assistance for populations affected by the Boko Haram insurgency. In FY 2018 the United States provided an estimated \$333 million in humanitarian support in Nigeria as well as broader support in the Lake Chad Basin. The United States has funded radio programs, such as one to counter Boko Haram's ideology and appeal to vulnerable populations. It also continued to provide funding to the regional Multi-National Joint Task Force to combat Boko Haram in the Lake Chad Basin. In November 2018, Secretary of State Michael R. Pompeo [redesignated](#) Boko Haram as an EPC under IRFA. It had been previously [designated](#) by the State Department as a Foreign Terrorist Organization (FTO) and as Specially Designated Global Terrorists (SDGT) in 2013. In February 2018, the State Department [designated](#) ISIS-WA as SDGT and an FTO.



# NORTH KOREA

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

### KEY FINDINGS

In 2018, religious freedom conditions in North Korea trended the same as in 2017. North Korea (also known as the Democratic People's Republic of Korea, or DPRK) is one of the most isolated and repressed societies in the world. The North Korean regime has an appalling human rights record and places unjust restrictions on its people's inherent right to freedom of religion or belief. The North Korean government maintains totalitarian control over society by espousing and brutally enforcing its own state-generated ideology known as *Juche*. This ideology is inherently self-serving and exists solely to empower the North Korean regime, which treats any expression of independent assembly or thought, including religious practice, as a threat to its very existence. Although the country is officially atheist, the government allows a small handful of state-backed houses of worship to operate. Defectors interviewed after fleeing North Korea often question the legitimacy of these institutions and caution that their congregations may be preselected for the role in order to maintain the illusion of religious freedom for international audiences. Any expression of religion outside this heavily regulated sphere happens in secret, and anyone caught practicing religion or even suspected of harboring religious views in private is subject to severe punishment. The government has been known to arrest, torture, imprison, and

even execute religious believers and their family members, whether or not they are similarly religious. There are an estimated 80,000–120,000 political prisoners currently languishing in North Korea's notoriously harsh labor camps, as many as 50,000 of whom may be Christians. Inmates at these facilities face dire living conditions and are likely forced to provide hard labor for the advancement of North Korea's nuclear and ballistic missile programs. As relations grew between the United States and North Korea during the year, so too did the opportunities to raise religious freedom and related human rights with the regime.

Throughout 2018 the North Korean government continued to carry out systematic, ongoing, and egregious violations of freedom of religion or belief, and USCIRF again finds that North Korea merits designation in 2019 as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). The U.S. Department of State repeatedly has designated North Korea as a CPC since 2001, most recently in November 2018. USCIRF recommends that the State Department redesignate North Korea as a CPC under IRFA and maintain the existing, ongoing trade restrictions pursuant to sections 402 and 409 of the Trade Act of 1974 (the Jackson-Vanik Amendment).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Pressure the North Korean government to grant international human rights monitors unfettered access to document human rights conditions, including religious freedom, inside the country;
- Make any future discussions regarding the easing or lifting of sanctions contingent upon North Korea's sincere and demonstrable efforts to improve its religious freedom and human rights record consistent with international standards;
- Fill the current vacancy and maintain the Special Envoy for North Korean human rights issues as a full-time, independent position at the State Department and ensure religious freedom is a priority for that office;
- Include, whenever possible, both the Special Envoy and the Ambassador-at-Large for International Religious Freedom in official and unofficial discussions about or with North Korea in order to incorporate human rights and religious freedom into the dialogue, and likewise incorporate human rights and religious freedom concerns into discussions with multilateral partners regarding denuclearization and security, as appropriate; and
- Expand existing radio programming transmitted into North Korea and along the border, as well as the dissemination of other forms of information technology, such as mobile phones, thumb drives, and DVDs, and facilitation of improved internet access so North Koreans have greater access to independent sources of information.





## COUNTRY FACTS

### FULL NAME

Democratic People's Republic of Korea

### GOVERNMENT

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

### POPULATION

25,381,085

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

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

Catholic Association, the Korean Chondokyo Central Committee, and the Korean Orthodox Committee) exist to provide the illusion of religious freedom

### RELIGIOUS DEMOGRAPHY\*

(Note: figures are outdated and difficult to confirm)

<1% Christian

Other groups: historical traditions of Buddhism, Confucianism, and Shamanism, as well as Chondoism (also spelled Cheondoism), a local religious movement

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

## BACKGROUND

The North Korean regime's approach toward religion and belief is among the most repressive in the world. Its governing style is communist-like (although all references to communism were removed from the constitution in 2009), and the regime maintains totalitarian control over North Korean society by espousing and brutally enforcing its own state-generated ideology known as *Juche*. This ideology is inherently self-serving and exists solely to empower the North Korean regime. It engenders cult-like devotion and deification of the country's current leader, Kim Jong-un. His father and grandfather before him enjoyed the same god-like status. Many *Juche* concepts amount to idol-worship and thus run counter to some religious doctrines. Even the slightest resistance or hesitation to accept Kim Jong-un as the supreme authority, for religious or other reasons, is treated as political subversion and severely punished.

North Korea is one of the most isolated societies in the world and its government refuses to tolerate any form of expression or independent thought, including religion or belief—even though these rights are nominally protected by the constitution. That is not to say religion is entirely absent in the officially atheist DPRK, but those

who choose to follow a religion place themselves in grave danger. The United Nations (UN) issued a report in 2002 estimating that somewhere between 200,000 and 400,000 of North Korea's inhabitants identify as Christian. No more recent figures were available at the end of the reporting period. North Koreans are also influenced by the country's historical Buddhist, Confucian, and Shamanist traditions, along with an indigenous religious movement known as Chondoism. It is not known how many North Koreans adhere to these beliefs. Those who practice a religion most often keep their faith a secret, sometimes from immediate family members, due to well-founded fears of draconian and multigenerational familial punishment.

The North Korean regime has traditionally looked inward to reinforce its legitimacy, often through fiery rhetoric that overstates external threats, extensive military spending, and further development of its nuclear and ballistic missile capabilities. This is almost always at the expense of the impoverished North Korean people's basic needs and fundamental rights. In 2018, however, Pyongyang scaled back its characteristically aggressive discourse in favor of more conventional diplomacy. This may indicate a desire for greater inclusion and legitimacy

in the international system. For example, the 2018 Winter Olympics in South Korea spurred a series of promising diplomatic initiatives, including three inter-Korean summits and a pledge by North Korea to suspend all future nuclear and ballistic missile testing.

## RELIGIOUS FREEDOM CONDITIONS 2018

Freedom of religion or belief does not exist in North Korea. Even basic awareness of religion as a concept is uncommon, and defector interviews suggest the North Korean government's restrictions on religion have only grown more severe over time. Although the North Korean constitution protects its people's freedom of religion in principle, in practice the regime exerts absolute influence over a handful of state-controlled houses of worship permitted to exist. This creates a facade of religious life maintained chiefly for propaganda purposes. All religious activities occurring outside this heavily regulated domain are severely restricted. Some religious materials are smuggled into the country, mostly from China, but provisions in North Korea's Criminal Code render simple possession of foreign religious materials illegal. Anyone found to be in violation of this code is subject to punitive action, including arrest, torture, beatings, and execution.

The North Korean regime fears its people organizing socially or politically, as these activities occur beyond the immediate purview of state institutions. Following this logic, the government interprets any expression of religion or belief as a threat to its very existence. In 2018, North Koreans of faith continued to face persecution for spreading religious doctrine, having contact with known religious believers, possessing religious items, or engaging in religious activities, even in the privacy of their own homes.

### Christianity

The North Korean government associates Christianity with the West, particularly the United States, and thus singles out Christians as the greatest religious threat. The regime utilizes a sophisticated surveillance apparatus to actively pursue and imprison Christians

practicing their faith in secret. Their immediate and extended family members are often incarcerated as well, whether or not they are similarly religious. The State Department estimates there are between 80,000 and 120,000 political prisoners currently languishing in North Korea's notoriously harsh labor camps, known as *kwanliso*. Up to 50,000 of these detainees are believed to be Christians. Inmates in these facilities are detained indefinitely and face hard labor—likely to advance the development of nuclear weapons and other military equipment—along with starvation, torture, and arbitrary execution. Defectors report that prison authorities often single out prisoners for more severe treatment if they are suspected of being Christian or having contact with Christians.

There is an alleged network of underground churches in North Korea but the highly sensitive nature of their activities renders information regarding their locations and congregation size nearly impossible to

*... the [North Korean] government interprets any expression of religion or belief as a threat to its very existence.*

confirm. A 2017 report by the Korea Institute for National Unification (KINU) found that while some Pyongyang residents had heard of these secret churches, very few could offer specific information.

Virtually no residents outside the capital had knowledge of their existence, and many North Korean defectors have questioned whether they exist at all.

Some North Koreans can access faith-based programming by tuning in to the Far East Broadcasting Company (FEBC), South Korea's most prominent religious radio program. The station broadcasts defector-run audio sermons and informational programming about Christianity. FEBC also donates radio receivers to Christian organizations that then work with smugglers to bring the radios inside North Korea. There are no prohibitions against owning a radio in North Korea, and they are not brought inside with any preset stations. However, North Koreans who tune in to FEBC broadcasts do so at great risk to themselves and their families.

According to the State Department, state-run religious institutions include three Protestant churches, a Holy Trinity Russian Orthodox Church, and one Catholic church. Reports indicate that sermons at these official

religious institutions may focus more on progovernment propaganda than religious principles. The sole Catholic church is not affiliated with the Holy See and therefore holds services without a priest. According to research published by South Korean Catholic priest Kim Yeon-su, the single Catholic church in North Korea has about 3,000 members. Also, the Korean Christian Federation (KCF) reportedly holds government-approved services in informal house settings. Some defectors caution, however, that the congregations of state-sanctioned religious facilities are likely assigned or preselected for the role in order to help maintain the illusion of religious freedom. Nonetheless, some international Christian organizations have over the years maintained continued engagement with state-run religious institutions and noted what they view as genuine theological depth in their sermons.

In what could be a promising development, in October 2018 Kim Jong-un extended a private invitation to Pope Francis to visit North Korea. Pope Francis stated that he would consider a visit if the invitation came through official channels. He also noted that certain unspecified conditions would have to be met. One Vatican official stated that even if these conditions were met, the Pope's schedule would not likely permit a visit anytime in 2019. No pope has ever visited North Korea, so such a trip would be historic, but it also raises concerns that Pope Francis' presence would simply be used to legitimize the official state-backed version of the Catholic faith.

### North Korean Refugees

Since the Korean War ended in 1953, between 100,000 and 300,000 North Koreans have fled the country to escape famine, persecution, and human rights abuses. With the near-complete absence of transparency regarding conditions on the ground in North Korea, these individuals are a valuable source of information. The vast majority of North Korean defectors escape through the shared 880-mile border with China. The border is fairly porous and the region itself poorly patrolled. China is the final destination for some, while for others it is the first stop in a complex route spanning

multiple countries and culminating in South Korea, where defectors are typically granted citizenship shortly after their arrival. Both options are objectively safer than fleeing directly across the heavily fortified border with South Korea, but defectors crossing over into China still face significant challenges. Those who remain in China must cope with linguistic and cultural barriers and are not legally permitted to work. This leaves them open to various forms of exploitation, and many female defectors find themselves sold into marriage against their will or forced into prostitution.

The Chinese government views all North Korean refugees as illegal economic migrants and deports them back to their country of origin when they are discovered. By most accounts, Chinese authorities conspire with their North Korean counterparts to actively track, hunt down, detain, and forcefully repatriate North Koreans attempting to cross over into China. This is in direct violation of China's obligations under the 1951

*... Chinese authorities conspire with their North Korean counterparts to actively track, hunt down, detain, and forcefully repatriate North Koreans . . .*

UN Convention on Refugees and its 1967 Protocol. All would-be defectors are treated harshly upon their repatriation. North Korean authorities often explicitly ask if the returnees encountered Christian missionaries

outside the country. If they answer affirmatively, they are likely to face torture in addition to serving a lengthy prison sentence.

### U.S. POLICY

As noted in the Commission's November 2018 [Policy Update on Religious Freedom and Related Human Rights in North Korea](#), relations between the United States and North Korea improved throughout the reporting period. In June 2018, President Donald J. Trump and Kim Jong-un met face to face for the first time in Singapore. Shortly thereafter, President Trump stated he would suspend large-scale joint military exercises with South Korea. These exercises have been a longstanding source of contention in U.S.-DPRK relations. For his part, Kim Jong-un approved modest efforts to dismantle known nuclear and ballistic missile testing facilities and saw to the return of at least 55

boxes believed to contain the remains of U.S. servicemen lost in the Korean War.

In May 2018, the North Korean government released three American prisoners—Kim Dong Chul, Kim Hak Song, and Kim Sang Duk. This goodwill gesture marked the first occasion since 2012 that North Korea held no U.S. citizens in captivity. North Korea has in the past arbitrarily detained U.S. nationals within its borders and extracted false confessions intended to damage the United States’ reputation. For this reason, in August 2018 the State Department [extended](#) its ban on U.S. citizens traveling to North Korea, citing lingering concerns over the risk of politically motivated arrest and detention. Since the ban was first imposed in 2017, various humanitarian and development organizations have cited greater difficulty carrying out their work inside the country. Some have expressed desire for the U.S. government to streamline its review process and more leniently grant exceptions in order to facilitate aid to the North Korean people.

Discussions at the June 2018 summit in Singapore focused primarily on the final, fully verified denuclearization of the Korean Peninsula, but it is clear there is a growing awareness within the administration that human rights and security are not mutually exclusive. Shortly after the meeting, U.S. Secretary of State Michael R. Pompeo [tweeted](#) that President Trump used the occasion to also raise concerns over religious freedom and the status of Japanese abductees. The summit concluded with the issuance of a [joint statement](#) in which both sides agreed to improve relations and work toward denuclearization. How they plan to operationalize this agreement is not yet clear. A second summit occurred in February 2019, after the reporting period, in Hanoi, Vietnam.

In July 2018, President Trump signed the North Korean Human Rights Reauthorization Act of 2017 (P.L. 115-198) into law and it is presently authorized until 2022. The act delineates various human rights concerns in North Korea, including the persecution of religious minorities and what could be described as enforced worship of the Kim family. The act also acknowledges the Chinese government’s complicity in crimes against

humanity by failing to adhere to its obligation to uphold the principle of nonrefoulement in its repeated, forceful repatriation of North Korean refugees.

The Trump administration later underscored religious freedom and related human rights in North Korea at the July 2018 [Ministerial to Advance Religious Freedom](#) hosted by Secretary Pompeo. North Korean defector Ji Hyeona addressed the Ministerial, describing how North Korean authorities imprisoned and tortured her for possessing a Bible. In remarks at the Ministerial, Vice President Michael R. Pence [said](#), “There is no escaping the plain fact that North Korea’s leadership has exacted unparalleled privation and cruelty upon its people for decades.”

The U.S. government continues to comply with the North Korea Sanctions and Policy Enhancement Act of 2016 ([P.L. 114-122](#)), as amended by the Countering America’s Adversaries Through Sanctions Act ([P.L. 115-44](#)). For example, in December 2018 the U.S. Department of the Treasury [imposed](#) targeted, unilateral sanctions against three North Korean officials for their role in human rights abuses and censorship. The sanctions corresponded with the State Department’s release of a [report](#) on human rights and censorship in North Korea that is similarly required by the act.

Beginning in 2014, the UN Security Council has convened each year to discuss human rights in North Korea. This meeting, slated to convene in December 2018, was postponed because the United States was unable to persuade at least nine of the 15 Member States to cast a “yes” vote in favor of having the discussion. American diplomats indicated they hope the discussion will occur sometime early in 2019.

On November 28, 2018, the State Department re-designated North Korea as a CPC for engaging in or tolerating severe violations of religious freedom. The State Department has also consistently placed restrictions on North Korea under the Jackson-Vanik Amendment of the Trade Act of 1974, which Congress developed to deny normal trade relations to communist countries known for their severe human rights abuses, and which has since been used to restrict trade with countries like North Korea.



### KEY FINDINGS

In 2018, religious freedom conditions in Pakistan generally trended negative despite the Pakistani government taking some positive steps to promote religious freedom and combat religiously motivated violence and hate speech. During the year, extremist groups and societal actors continued to discriminate against and attack religious minorities, including Hindus, Christians, Sikhs, Ahmadis, and Shi'a Muslims. The government of Pakistan failed to adequately protect these groups, and it perpetrated systematic, ongoing, egregious religious freedom violations; this occurred despite some optimism about the potential for reform under the new government of Prime Minister Imran Khan. Various political parties and leading politicians promoted intolerance against religious minorities during the leadup to the 2018 national elections. For example, the entry of extremist religious parties into the political arena during the election period led to increased threats and hate speech against religious minorities. Also, abusive enforcement of the country's strict blasphemy laws

continued to result in the suppression of rights for non-Muslims, Shi'a Muslims, and Ahmadis. USCIRF is aware of at least 40 individuals currently sentenced to death or serving life sentences for blasphemy in Pakistan, including two Christians, Qaiser and Amoon Ayub, who were sentenced to death in December 2018. Forced conversions of non-Muslims continued despite the passage of the Hindu Marriage Act, which recognizes Hindu family law.

Based on these particularly severe violations, USCIRF again finds in 2019 that Pakistan should be designated as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA), as it has found since 2002. In November 2018, the U.S. Department of State for the first time ever designated Pakistan as a CPC. Nevertheless, the State Department immediately issued a waiver against any related sanctions on Pakistan. USCIRF recommends that the State Department redesignate Pakistan as a CPC under IRFA and lift the waiver.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Encourage the government of Pakistan and the Standing Committee on Religious Affairs and Interfaith Harmony to create the National Commission for Minorities' Rights as mandated by the Supreme Court of Pakistan's 2014 decision;
- Enter into a binding agreement, under section 405(c) of IRFA, with the government of Pakistan, to encourage substantial steps to address violations of religious freedom with benchmarks, including but not limited to:
  - Release blasphemy prisoners and other individuals imprisoned for their religion or belief;
  - Repeal its blasphemy and anti-Ahmadiyya laws; until repeal can be accomplished, enact reforms to make blasphemy aailable offense, require evidence by accusers, and allow authorities to dismiss unfounded accusations, and also urge the enforcement of existing Penal Code articles that criminalize perjury and false accusations; and
- Assign a portion of existing State Department programs to help the government of Pakistan protect at-risk religious minority community leaders—both with physical security and personnel—and create partnerships with government bodies, such as the Pakistan Electronic Media Regulatory Authority, to ensure that extremist rhetoric that precedes attacks on minorities is addressed.

## COUNTRY FACTS

### FULL NAME

Islamic Republic of Pakistan

### GOVERNMENT

Federal Parliamentary Republic

### POPULATION

207,774,520

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam

### RELIGIOUS DEMOGRAPHY\*

96.28% Muslim (85–90% Sunni Muslim, 10–15% Shi'a Muslim, 0.22% Ahmadiyya Muslim)

1.59% Christian

1.60% Hindu

<1% Sikh, Buddhist, Baha'i, Zoroastrian/Parsi, and other

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

## BACKGROUND

Pakistan's constitution nominally protects members of all religions by prohibiting public discrimination on the basis of faith and guaranteeing all citizens the right to practice their religion and have access to religious education. The constitution also mandates that 10 seats in the national parliament be reserved for non-Muslim community leaders. However, the second amendment to Pakistan's constitution prohibits Ahmadiyya Muslims from self-identifying as Muslims or calling their places of worship mosques, underpinning a discriminatory legal structure that has systematically diminished their right to practice their faith.

Pakistan's overall security has improved since 2015, with fewer casualties attributed to extremist groups' attacks. However, groups such as Lashkar-e-Taiba (LeT), Lashkar-e-Jhangvi (LeJ), the Islamic State in Khorasan Province (ISKP), and Tehrik-e-Taliban (Pakistani Taliban) continued to challenge national security in 2018. These groups have directly threatened religious minority communities—particularly Hazara Shi'as in Quetta—and have targeted community leaders who advocated for religious freedom. In addition, extremist groups have created a chilling effect for members of the majority faith who wish to advocate on behalf of religious minority communities but fear doing so due to extreme threats against themselves and their families.

As a result, politicians and judges avoided the public promotion of rights for religious minorities, which has fostered the spread of an increasingly divisive and antiminority narrative among the public. Moreover, the government of Pakistan has not effectively addressed the spread of sectarian or religiously motivated intolerant speech. For example, during the 2018 national elections, several political candidates made defamatory and derogatory statements toward religious minorities as a means of garnering support among the public.

The government of Pakistan also has not adequately prosecuted perpetrators of violent crimes against religious minorities. Despite the existence of specialized courts that deal with terrorism cases, a number of extremists have either been released from custody or avoided arrest all together. Often, acquittals of terrorist suspects can be attributed to flawed police investigation procedures, a longstanding challenge across Pakistan's police forces. In 2015, rather than address institutional shortcomings in civilian antiterrorism courts, the government created military tribunals to take over the prosecution of terrorism cases; as of March 2018, these courts have sentenced 180 individuals to death. The military tribunals have been accused of torture and violating due process rights.

While the government in 2014 established an overall counterterrorism plan—known as the National

Action Plan (NAP)—in practice it has pursued few of the plan’s objectives. With a newly elected government under the leadership of Prime Minister Khan that came to power in late 2018, it remains to be seen whether the goals set forth by the NAP, which included the prevention of violence and hate speech against religious minority groups, will be realized.

## RELIGIOUS FREEDOM CONDITIONS 2018

### Positive Developments

In 2018, the government of Pakistan took some positive steps to promote religious freedom and combat religiously motivated violence and hate speech. The 2018 elections saw the historic election of three Hindus for general seats in Muslim-majority areas in Sindh and the first non-Muslim elected to a nonreserved/general national assembly seat. However, in the leadup to the 2018 elections, Prime Minister Khan and members of his political party, Pakistan Tehreek-e-Insaaf (PTI), vehemently defended the nation’s blasphemy laws and used derogatory language in reference to Ahmadiyya Muslims.

Despite using divisive language during the campaign, Prime Minister Khan surprised many when, in November, he delivered a national address defending the Supreme Court’s acquittal of Asia Bibi and vehemently refuted calls by extremist preachers that she be killed. In addition, his administration responded directly to these preachers when they organized violent protests and threatened the safety of the Supreme Court justices involved in her acquittal. Hundreds of protesters were arrested and their leader, Khadim Hussain Rizvi, who has led a hate speech campaign against religious minorities over the last decade, was charged with terrorism and treason; at the end of the reporting period, his case was ongoing.

In November, during the 549th anniversary celebration of the Sikh faith’s founder, the Pakistani government granted visas to 3,500 Indian Sikhs to visit historic temples (*gurdwaras*) and carry out religious ceremonies. This was in stark contrast to previous years

when the Pakistani government issued few, if any, visas to Indian Sikh citizens for religious pilgrimages. In another symbolic message, Prime Minister Khan congratulated the Hindu community during the November religious festival of Diwali.

In a few cases involving private actors attacking religious freedom, the government has taken some positive steps in prosecuting wrongdoers. For example, in relation to the April 2017 mob killing of college student Mashal Khan based on false blasphemy accusations, the government convicted 31 people, though sentenced one to death, in February 2018. Also, in August 2018 authorities arrested and charged two suspects in a separate instance of killing based on false accusations of blasphemy against the victim.

In December 2018, an independent “people’s commission for the protection of minorities’ rights” was formed including leading members of the Christian, Sikh, and Hindu communities, as well as retired justices of high courts and human rights lawyers. This citizens’ committee was formed after the Standing Committee on Religious Affairs and Interfaith Harmony failed to set up the much-anticipated National Commission for

Minorities’ Rights, despite a 2014 Supreme Court decision directing the two bodies to do so. Finally, in January 2019, after the reporting period, the Supreme Court ruled that Christian marriages must be officially registered with marriage certificates and ordered provincial

governments—where some officials had ceased registrations—to comply.

### Blasphemy Laws

Sections 295 and 298 of Pakistan’s Penal Code criminalize acts and speech that insult a religion or religious beliefs or defile the Qur’an, the Prophet Muhammad, a place of worship, or religious symbols. These provisions inherently violate international standards of freedom of religion or belief, protecting beliefs over individuals. Accusers are not required to present proper evidence that blasphemy occurred, which leads to abuse, including

*... in the leadup to the 2018 elections, Prime Minister Khan and members of his political party . . . vehemently defended the nation’s blasphemy laws and used derogatory language in reference to Ahmadiyya Muslims.*



false accusations. Moreover, the law sets severe punishments, including death or life in prison.

While Muslims represent the greatest number of individuals charged or sentenced, religious minority communities fall victim to a disproportionately higher rate of blasphemy allegations and arrests. USCIRF is aware of at least 40 individuals currently sentenced to death or serving life sentences for blasphemy in Pakistan, including two Christians, Qaiser and Amoon Ayub, who were sentenced to death by a district judge in December 2018 based on allegations that they insulted the Prophet Muhammad in articles and images posted online.

Pakistan's best-known case of blasphemy is that of Asia Bibi, a Christian woman whom the Supreme Court acquitted of blasphemy charges in October 2018 after a lower court sentenced her to death in 2010. The Supreme Court's landmark decision criticized the lower court judges and prosecutors for pursuing falsely accused blasphemy cases that did not meet the requirements of Pakistan's evidentiary rules. While the Supreme Court highlighted institutional biases faced by minorities

accused of blasphemy, the decision justified and defended Pakistan's blasphemy laws. Further, despite being acquitted by the Supreme Court, Asia Bibi lost nearly a decade of her life in prison due to a false accusation of

blasphemy, a fate shared by many individuals accused of blasphemy who similarly languish in jail during the delayed justice process. Further, religious extremist leaders and preachers virulently attacked the Supreme Court's decision and threatened that their followers would murder Asia Bibi if she were released. Accordingly, the government of Pakistan kept Asia Bibi and her family's location confidential after her November release from prison. In January 2019, after the reporting period, the Supreme Court upheld her acquittal, clearing a path for her to leave the country.

During the reporting period, there were dozens of reports of arrests and charges for blasphemy, especially in Punjab Province where many religious minorities reside and the majority of blasphemy cases occur. Frequently, the arrests and charges occurred in an atmosphere of

societal harassment or violence. For example, in February 2018, two teenage Christians were arrested in Lahore after one of them posted an allegedly "sacrilegious photo" to a Facebook group. During the interrogation with police, one of the arrested teenagers jumped from a window in order to evade torture by the interrogators. Subsequently, religious extremist groups carried out violent protests in the teenagers' predominantly Christian neighborhood, threatening to burn down the entire area and its inhabitants. Nearly 800 Christians living in the area fled for fear of attacks, and the families of the accused have fled the area for the same reason. In another instance, a Hindu teenager in Sindh was charged with blasphemy after he shared allegedly "controversial" images relating to Muslims on Facebook.

Many individuals accused of blasphemy never made it to the courtroom as vigilante violence has caused the murder of 62 people since 1990, with very few prosecutions for mob violence or lynching. For example, in August 2018, various courts cleared nearly 113 suspects of wrongdoing for their 2014 involvement in

a mob that burned alive a Christian couple who were falsely accused of blasphemy. In another incident, a student at the National Art College in Lahore was murdered in July 2018 over an argument with his landlord,

who later falsely accused the dead victim of blasphemy as a defense for the murder charge.

In 2018, some political leaders, including Prime Minister Khan, began publicly recognizing the growing phenomena of false blasphemy accusations being weaponized to strip members of minority communities of their property or employment. Such false accusations were mentioned in the Supreme Court's judgment in the Asia Bibi case as well as by the Islamabad High Court in its 2018 judgment on a blasphemy case. Accordingly, in March 2018 the Senate Functional Committee on Human Rights put forth proposals to punish those making false blasphemy accusations to the Council on Islamic Ideology. However, few politicians have been willing to call for repealing or amending the blasphemy law for fear of retribution by extremists.

*Further, despite being acquitted by the Supreme Court, Asia Bibi lost nearly a decade of her life in prison due to a false accusation of blasphemy . . .*

In a December 2018 report entitled [Limitations on Minorities' Religious Freedom in South Asia](#), USCIRF also noted that in Pakistan, blasphemy laws are used to criminalize religious conversion and proselytization, thereby limiting the rights of religious minorities.

### Anti-Ahmadiyya Laws and Attacks

Ahmadis are subject to severe legal restrictions and suffer from officially sanctioned discrimination. In addition to the constitution's second amendment that declares Ahmadis to be "non-Muslims," Penal Code section 298 criminalizes Ahmadis referring to themselves as Muslims; preaching, propagating, or disseminating materials on their faith; or referring to their houses of worship as mosques. They also are prohibited from voting as Muslims and were denied registration under joint electoral lists in 2018, relegating them to separate electoral lists that command less political power.

Ahmadis frequently face societal discrimination, arrest, harassment, and physical attacks, sometimes resulting in murder. The Ahmadiyya community suffered two serious attacks on their mosques in 2018. In May, a mob of nearly 600 people destroyed a 100-year-old historical Ahmadiyya mosque in Punjab Province. The mob included a local leader with ties to the leading political party in Pakistan, the Pakistan Tehreek-e-Insaf (PTI). The mosque and adjacent historically preserved home were once inhabited by the Ahmadiyya Muslim community's founder, Mirza Ghulam Ahmad. Subsequently, many politicians—including from the PTI—condemned the attack and called for the perpetrators to be prosecuted. Yet, in August, a mob carried out a similar attack on an Ahmadiyya mosque in Faisalabad; nearly 30 were injured, and the mosque was virtually destroyed.

Along with physical attacks by individual civilians and mobs, state institutions often have targeted the Ahmadiyya community for prosecution. In January 2016, Abdul Shakoor, an optician and store owner in Rabwah, Punjab Province, was sentenced to concurrent three-year and five-year sentences on terrorism and blasphemy charges, respectively, for propagating the

*Along with physical attacks by individual citizens and mobs, state institutions often have targeted the Ahmadiyya community for prosecution.*

Ahmadiyya Muslim faith by selling copies of the Qur'an and Ahmadiyya publications. His Shi'a Muslim store manager, Mazhar Sipra, also was sentenced to five years on terrorism charges. In March 2019, after the reporting period, Mr. Shakoor was released from prison. USCIRF advocated for Abdul Shakoor as part of its [Religious Prisoners of Conscience Project](#).

Institutional discrimination extends beyond wrongful criminal prosecutions for Ahmadis in Pakistan. In September 2018, Prime Minister Khan nominated Atif Mian, an economics professor at Princeton University and a member of the Ahmadiyya Muslim community, to Pakistan's Economic Advisory Council. Hardline clerics subsequently critiqued Mian's nomination and accused the prime minister and his party of blasphemy. Advocates were initially encouraged that Khan not only nominated Mian, but his government later defended the nomination once certain religious groups criticized the move; nevertheless, advocates were subsequently disappointed when Khan later revoked the appointment.

### Education

Provincial textbooks with discriminatory content against minorities remain a significant concern. USCIRF's 2016 report, [Teaching Intolerance in Pakistan: Religious Bias in Public Textbooks](#), found that Pakistani textbooks continue to teach bias against and distrust of non-Muslims and followers of any faith other than Islam, and portray them as inferior. Moreover, the textbooks depict non-Muslims in Pakistan as non-Pakistani or antinational.

Further, in April 2017, Pakistan's parliament passed the Compulsory Teaching of the Holy Quran Bill, which requires that all Muslim students receive mandatory

Qur'anic lessons in both public and private schools. While non-Muslims are not required to attend those lessons, many minorities have critiqued the law for failing to establish religious education in schools for other faiths. Also, there

continue to be fears that separating the students for these courses could encourage communal intolerance.

Along with curriculum taught at public schools, leaders in Pakistan have recognized the need to institutionalize religious seminaries or madrassas as a means of combating religious extremism and antiminority sentiment. Under the National Action Plan (NAP), provincial authorities were tasked with registering all madrassas. Yet, by April 2018, the provincial government in Kyber Pakhtunkhwa, for example, reported ongoing confusion and extreme delays over the registration process.

### Targeted Sectarian Violence

Pakistan serves as a base of operations for many international and domestic extremist groups that pose a serious and continued security threat to the nation's religious minority communities. International terrorist groups have launched attacks in Afghanistan from the border regions in Pakistan's sovereign territory. This has inspired harsh rebuke by many officials in Kabul who have openly alleged that these operations, which sometimes target Afghanistan's religious minorities, are carried out with the assistance or approval of Pakistan's intelligence agencies.

In addition to cross-border terrorism, there are many domestically focused extremist groups operating in Pakistan. In addition to attacking government and military sites, groups such as the Pakistani Taliban (TTP) and Lashkar-e-Jhangvi (LeJ) are known to persecute religious minorities. Along with non-Muslims, these groups often target Shi'a and Sufi Muslims, which has sown deep-seated sectarian tensions in the country. According to reports from the South Asia Terrorism Portal, nearly 2,700 Shi'a Muslims have been killed and 4,800 injured in 471 attacks since 2001. For example, in 2018, extremists targeted a Shi'a Muslim seminary with a terrorist attack, leaving nearly 30 people dead and 50 injured.

Groups like the Islamic State, LeJ, and the TTP have particularly targeted Hazara Shi'a Muslims. The National Commission for Human Rights in Pakistan found that nearly 509 Hazaras have been killed in terrorist-related incidents since 2012. In April 2018, two young

Hazara men were shot dead; no arrests were made. Responding to the government's failure to act, leaders in the Hazara community launched a sit-in protest to demand action by the government to protect them. During a special case hearing in May 2018, the chief justice of Pakistan stated that attacks on the Hazara Shi'a Muslims in Balochistan Province were tantamount to wiping out an entire generation and that the state must "protect lives and property of the Hazara community."

The persecution of the Shi'a Muslim community in Pakistan has continued not only at the hands of extremist groups, but in some instances also by the government itself. In May 2018, the BBC exposed the "story of Pakistan's 'disappeared Shias,'" which detailed the harassment, arrest, and torture of nearly 140 Shi'a Muslims at the hands of Pakistan's security agencies. These individuals were often kept in secret detention without trial or any formal charge.

### Conditions for Non-Muslim Minorities

Pakistan is home to many Sikh, Hindu, Buddhist, Parsi/Zoroastrian, and Christian citizens who face continued threats to their security and are subject to various forms of harassment and social exclusion. In April 2018, three attacks claimed by the Islamic State of Iraq and Syria (ISIS) left six Pakistani Christians dead in Quetta. Further, beyond actions by terrorist groups, state security or police forces have disappeared dozens of young Christian men in Karachi. While many have been released, there is widespread fear in the community that the gov-

ernment will escalate this spate of arbitrary arrests.

Social issues and societal pressures also continued to negatively impact non-Muslims. In September 2018, Muslim residents of Gujjar Khan in Punjab Province report-

edly forced out a Christian family, assaulting them and setting their house on fire. According to some accounts, a local court denied bail to three of the suspects—whom police later arrested—though more suspects not apprehended by authorities were believed to be at large. Also, there has been little progress concerning marriage and divorce bills for Christians, Sikhs, and

*[T]he chief justice of Pakistan stated that attacks on the Hazara Shi'a Muslims in Balochistan Province were tantamount to wiping out an entire generation . . .*

Parsis, perpetuating a longstanding legal gray zone. In December 2018, the minister for human rights, Shireen Mazari, stated that the government would present to the lower house the Christian Marriage and Divorce Bill, which had stalled since it was originally proposed in 2012.

In addition, non-Muslims remain on the periphery of the political sphere. While Hindu candidates made several gains in the 2018 elections, their overall representation in the provincial and national parliament remains low; low levels of Hindu representation also extend to the security forces, which, if remedied, could help protect Hindu temples and other structures. In the aftermath of the 2017 census, non-Muslim community leaders continued to complain in 2018 that despite increases in their community's population the census failed to reflect this growth, effectively denying non-Muslim communities the right to more reserved seats in parliament and other government benefits.

### Forced Conversions and Marriage

Forced conversion of Hindu and Christian young women into Islam and marriage, often through bonded labor, remains a systemic problem. Several independent institutions, including the National Commission of Justice and Peace and the Human Rights Commission of Pakistan, recognize that an estimated 1,000 young women are forcibly converted to Islam each year; many are kidnapped, forcibly married, and subjected to rape. Hindu and Christian

women were particularly vulnerable to these crimes because of the societal marginalization and lack of legal protections for religious minorities, combined with deeply patriarchal societal and cultural norms. In April 2018, a Christian woman

died from her injuries when a Muslim man set her on fire after he reportedly pressured her to convert so they could marry; the man was arrested and charged. Local police and political leaders, particularly in Punjab and Sindh provinces, are often accused of being complicit in forced marriage and conversion cases by failing to prop-

erly investigate them. If such cases are investigated or adjudicated, the young woman is reportedly questioned in front of the man she was forced to marry, which creates pressure on her to deny any coercion.

In March 2017, Pakistan's parliament passed the Hindu Marriage Bill, which gave legal effect to Hindu marriages. Before the bill came into effect, married Hindu women remained legally unmarried and subject to forms of forced conversion and divorce. The law makes polygamous marriages unlawful to protect Hindu girls and women from being forced to marry as second wives. Further, in a positive development, in August 2018 the Sindh provincial parliament passed an amendment to the Marriage Bill that allows both spouses the right to divorce and remarry and also provides greater financial benefits to women and children in the Hindu community.

### U.S. POLICY

In 2018, Pakistan continued to be an important partner of the United States on various security challenges, particularly as the government has presented threats to and opportunities for the Afghanistan peace talks between the U.S. government, the Afghan government, and the Taliban. Over the past decade, Pakistan has received nearly \$30 billion from the United States in military and civilian aid as an active partner in countering terrorism and extremism. However, on November 20, 2018, President Donald J. Trump [remarked](#) that \$1.3 billion in aid was being suspended based on the continued

unwillingness of the Pakistani government to confront certain terrorist groups—like the Haqqani Network—that impact security in Afghanistan. As of September 2018, the Pentagon suspended nearly \$300 million in military aid due to the Pakistani government's

failure to effectively target extremist groups.

Despite the cooling relationship, in December 2018 President Trump sent a letter to newly elected Prime Minister Khan to ask for assistance in facilitating peace talks for Afghanistan. Shortly after the reporting period, President Trump publicly explained

*Hindu and Christian women were particularly vulnerable to [kidnapping, forcible marriage, and rape] because of the societal marginalization and lack of legal protections for religious minorities . . .*

that while Pakistan was assisting extremists and threatening international security, the U.S. government was willing to meet with the country's new leadership in pursuit of mutual security goals. Several high-level delegations made official visits to Pakistan in late 2018 to reset bilateral relations, including a joint visit by Secretary of State Michael R. Pompeo and then Secretary of Defense James N. Mattis. In 2018, the U.S. ambassador to Pakistan and embassy officers met with government officials, including those representing the prime minister's office, to discuss religious freedom issues like blasphemy laws, school curriculum, and the provision of security to religious minorities.

Beyond the tense bilateral security relationship, the State Department has highlighted the importance of religious freedom in Pakistan. In November 2018, Secretary Pompeo for the first time designated Pakistan as a CPC under IRFA, which USCIRF has recommended for two decades. However, despite the designation, the State Department waived the sanctions and penalties for Pakistan that normally accompany a CPC designation.

### INDIVIDUAL VIEWS OF COMMISSIONER JOHNNIE MOORE:

Pakistan's newly elected prime minister, Imran Khan, has not only voiced his support for significant reforms in Pakistani society, but he seems to be in the process of taking some practical steps necessary to begin reform while also articulating realistically the challenges reform entails for a society like Pakistan.

I was particularly struck by a speech delivered by Prime Minister Khan in Dubai at the World Government Summit in February 2019 where he articulated his desire for a more tolerant and more pluralistic Pakistan, alluding to a golden age in Medina where there was tolerance, the rule of law, and a commitment to pursue knowledge. He was arguing that such values are not in

conflict with a majority Muslim society. Much that he said reflected a vision for Pakistan that would promote religious freedom, advance pluralism, and improve the general conditions in a country which has been in an alarming, dangerous and precipitous decline.

Meanwhile we have seen in the cases of Asia Bibi and Abdul Shakoor, an inclination by some on Pakistan's high courts to overturn lower court rulings that were clearly bigoted restrictions of religious freedom, largely influenced by the bullying and threats of extremists in Pakistani society. When one reads these legal opinions, it's apparent that judges are wisely utilizing both religious and legal arguments.

This is not to excuse, by any means, for the long and terrible abuse of these religious prisoners of conscience but it is to say that there remain powerful judicial voices in Pakistan's society who are willing to take bold actions in a precise way.

Both from the lips of the prime minister and from occasional rulings of Pakistan's courts, I can see a pronounced struggle to address several of the concerns cited in this report, but I see that pronounced struggle at a time when power may be increasingly on the side of what is the right and correct approach to these questions.

The only question is whether the damage that has been done, and continues to be done by several elements of Pakistan society by extremists, is so severe that it means the best intentions of the prime minister and of those who adhere to the rule of law in Pakistan, face a challenge that is beyond their capacity to resolve. I find some of the recent words and actions of Pakistan's prime minister, and of some of the language of some of the court rulings, a reason for optimism despite believing that Pakistan might represent the single least accommodating religious freedom environment in the world, presently.

### KEY FINDINGS

During 2018, Russia accelerated the repressive behavior that led USCIRF to recommend its designation as a “country of particular concern,” or CPC, for the first time in 2017. The government continued to target “nontraditional” religious minorities with fines, detentions, and criminal charges under the pretext of combating extremism. Russian legislation targets “extremism” without adequately defining the term, enabling the state to prosecute a vast range of nonviolent, nonpolitical religious activity. The Jehovah’s Witnesses, whom the government banned outright in 2017, faced severe persecution by the state. By the end of the reporting period, hundreds of members remained in detention, had travel restrictions imposed, or were under investigation, and church property estimated at \$90 million had been confiscated. The leadership of the St. Petersburg Church of Scientology remained under house arrest, while numerous adherents of the Islamic missionary movement Tablighi Jamaat and readers of the works of Turkish theologian Said Nursi were sentenced to lengthy

prison terms for peaceful religious expression. In the North Caucasus, security forces acted with complete impunity, arresting and kidnapping persons suspected of even tangential links to Islamist militancy. In Russian-occupied Crimea, the Russian authorities continued to kidnap, torture, and imprison Crimean Tatar Muslims at will. Russian separatists in eastern Ukraine, often referred to as the Donbas, continued to expropriate church buildings and intimidate religious communities.

In 2019, USCIRF again finds that Russia merits designation as a CPC under the International Religious Freedom Act (IRFA). In November 2018, the U.S. Department of State for the first time placed Russia on its “Special Watch List,” a new category created by December 2016 amendments to IRFA. Unlike a CPC designation, the Special Watch List carries no penalties, sanctions, or other commensurate actions. USCIRF recommends that the State Department designate Russia as a CPC under IRFA and impose sanctions specific to its religious freedom violations.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Urge the Russian government to amend its extremism law in line with international human rights standards, such as adding criteria on the advocacy or use of violence, and to abandon its religious registration laws, which are frequently used to harass and prosecute religious minorities;
  - Implore the Russian government to release Dennis Christensen, Ivan Matsitsky, and all other religious prisoners of conscience in Russia;
  - Urge the Russian government to permit the establishment of an international monitoring presence in occupied Crimea to verify compliance with international human rights and religious freedom standards;
  - Identify Russian government agencies and officials responsible for severe violations of religious freedom, freeze those individuals’ assets, and bar their entry into the United States, as delineated under the [Countering America’s](#)
- [Adversaries Through Sanctions Act](#) (CAATSA), the [Global Magnitsky Human Rights Accountability Act](#), and related executive orders, citing specific religious freedom violations; and
- Work with European allies to use advocacy, diplomacy, and targeted sanctions to pressure Russia to end religious freedom abuses.

## COUNTRY FACTS

### FULL NAME

Russian Federation

### GOVERNMENT

Presidential Federation

### POPULATION

142,000,000

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Technically a secular state with complete religious freedom. In practice, the government gives preference to Orthodox Christianity, Hanafi Islam, Judaism, and Buddhism.

### RELIGIOUS DEMOGRAPHY\*

68% Russian Orthodox

7% Muslim

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

\*Estimates compiled from the U.S. Department of State

## BACKGROUND

The Russian government views independent religious activity as a major threat to social and political stability as well as to its own control, while simultaneously cultivating significant relationships with the country's so-called "traditional" religions. The government maintains and frequently updates laws that restrict religious freedom, including a 1996 religion law and a 2002 law on combating extremism. The religion law sets strict registration requirements on religious groups and empowers state officials to impede their activity. Its preface, which is not legally binding, singles out Islam, Judaism, Buddhism, and especially Orthodox Christianity as the country's four traditional religions; other religious groups are treated with suspicion. This is consistent with the longstanding tendency of the Russian Empire, and later the Soviet Union, to coopt representatives of the dominant religions and use their institutions as de facto organs of the state.

Since the fall of the Soviet Union, religion has dramatically increased in popularity across the region. While in 1991, just 30 percent of Russian adults identified as Orthodox Christian, by 2008 this number had risen to 72 percent of the population. Over time, the Russian government has come to favor the Moscow Patriarchate of the Russian Orthodox Church (MPROC) as the de facto

state church. This favoritism has fostered a climate of hostility toward other forms of Christianity, which are increasingly perceived as foreign. This has accelerated since President Vladimir Putin's reelection in 2012 and his strategic alliance with the Russian Orthodox Church.

Muslims currently make up approximately seven percent of the population, or roughly 6.5 million people. This number is also rising, largely driven by migration from Central Asia and the Caucasus. The government defines acceptable Islamic practice, favoring clerics, institutions, and traditions perceived to be indigenous while persecuting those deemed to be foreign. In addition to Muslims and Christians, there are approximately 1.5 million Buddhists and 176,000 Jews in Russia. As with their "traditional" counterparts, these communities tend to be tolerated as long as they refrain from political activity and do not have foreign ties.

The 1996 religion law has since been amended numerous times and supplemented by a series of laws prosecuting so-called "extremism," missionary activity, blasphemy, and "stirring up religious hatred." These laws are typified by their vagueness and give Russian authorities broad powers to define and prosecute activity it deems harmful. The anti-extremism law, for example, lacks a clear definition of extremism, and the use or advocacy of violence is not a prerequisite for such

a designation. Because virtually any speech can be prosecuted, the law is a powerful way to intimidate members of religious communities. Religious and other communities can be financially blacklisted or liquidated, and individuals can be subjected to criminal prosecution for social media posts that are arbitrarily determined to offend the religious sensibilities of others.

In July 2016, the Russian government adopted a package of amendments, known as the Yarovaya Law, that significantly enhanced the scope and penalties of the religion and anti-extremism laws. The religion law broadly defines “missionary activities” as preaching, praying, disseminating religious materials, and even answering questions about religion outside of officially designated sites, all of which are prohibited. Any religious speech or activity not explicitly sanctioned by the authorities has the potential to be criminalized, depending on the whims of local law enforcement and prosecutors. At the end of the reporting period, there were 4,847 items on the Federal List of Extremist Materials, maintained by the Ministry of Justice.

In 2018, Russian occupation authorities in both Eastern Ukraine and Crimea continued to systematically persecute religious minorities in their efforts to maintain social and political control.

## RELIGIOUS FREEDOM CONDITIONS 2018 “Extremist” Islam

Security and terrorism concerns in Russia are real. However, the government frequently exploits these fears to persecute political dissidents, critics, and nonsanctioned religious groups, especially those perceived to be foreign. The label of “extremism” is broadly applied to many Islamic groups with no links to violence or revolution, whose only common denominator is their non-Russian origin. As with Christianity, Buddhism, and Judaism, the Russian government privileges Islamic practice that is perceived to be indigenous, while remaining suspicious of movements originating elsewhere.

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*The label of “extremism” is broadly applied to many Islamic groups with no links to violence or revolution, whose only common denominator is their non-Russian origin.*

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

In May 2018, Ilgar Aliyev, a Muslim from Dagestan in the Russian North Caucasus, received an eight-year prison sentence and two years’ additional restrictions for leading a Nursi study group. The verdict was the most severe yet handed to an accused Nursi follower. Aliyev was one of three Nursi followers prosecuted in 2018: Komil Odilov was sentenced to two years in prison, and Andrei Dedkov was fined the equivalent of more than six months’ average wages. A fourth man, Sabirzhin Kabirzoda, was given a two-year suspended sentence at the end of a trial lasting more than six months.

The charges leveled against Nursi and his followers claimed that the theologian’s work incites hatred by proclaiming the superiority of Islam and the exclusivity of the Qur’an. In August 2018, the European Court of Human Rights ruled that the Russian government’s banning of Nursi’s commentaries constituted a violation of the [European Convention on Human Rights](#). Numerous expert witnesses attested to the essentially humanistic and peaceful character of Nursi’s work.

During the year, Russian authorities also frequently targeted members of the Muslim missionary movement, Tablighi Jamaat. The group, which originated in India, focuses on calling existing Muslim communities to a more pious religious life. Human rights and other groups that monitor conditions in Russia have found no evidence linking Tablighi Jamaat to terrorism or acts of violence. The group is widely considered to be pacifist, as one of its primary tenets is noninvolvement in politics.



Nevertheless, Russian members of Tablighi Jamaat were routinely arrested and charged with “extremism.” In May 2018, two residents of the Russian province of Bashkortostan were sentenced to two years’ imprisonment for membership in the group. In December, a Moscow court convicted four Tablighi Jamaat members of missionary activity and sentenced them to two years and two months in a penal colony, followed by six months of additional restrictions, such as not being permitted to leave their home town without special permission from authorities.

After the reporting period, on January 22, 2019, after more than 15 months in pretrial detention, 49-year-old Crimean Tatar Renat Suleimanov was sentenced to four years in prison for his alleged leadership of a Tablighi Jamaat cell in Crimea. Three other Muslim Tatars sentenced with him were given suspended sentences of two and a half years. At the end of January 2019, after the reporting period, five farmers in the Saratov region of southern Russia were arrested and charged with possession of extremist literature and plotting to establish a local cell of Tablighi Jamaat.

By far the greatest number of Muslims arrested in Russia are accused of belonging to the banned Islamist organization Hizb ut-Tahrir (HT). The group is secretive; it has not condemned acts of terrorism and declares its ultimate goal to be the replacement of all non-Islamic states with an Islamic caliphate, and its members have been vocally anti-Semitic. However, the group has never publicly advocated—or claimed responsibility for—an act of terrorism, violence, or revolution, and its members have emphasized individual religious practice over engagement in politics. Russian human rights groups have argued that the Russian government routinely fails to provide reliable evidence that those arrested for membership in HT have any plausible links to terrorism. Those HT members who have been prosecuted were only shown to have met for prayer, scripture reading, and the discussion of HT ideology.

More Russian citizens are arrested for their ties to HT than to any other religious or political group. The

sentences handed down to suspected HT members are significantly more severe than those given to others deemed as extremists, and typically range between 10 and 19 years. During 2018, authorities arrested and prosecuted HT members nearly every month; in July alone, there were 21 arrests. While the Russian government has legitimate security concerns about Islamist extremism, the charges brought against HT members have been predicated on scant evidence and, in many instances, appeared primarily motivated by a desire to discourage Islamic practice or coerce local Muslim populations. For example, accusations of belonging to HT are frequently used to arrest ethnic Tatar activists in occupied Crimea. Russian human rights groups consider those incarcerated for membership in HT to be political prisoners and prisoners of conscience.

### Jehovah’s Witnesses

On April 20, 2017, Jehovah’s Witnesses became the first religion to be banned outright across Russia, based on the accusation that the church is an “extremist organization.” The designation purportedly derived from the fact that Jehovah’s Witnesses discourage their members from donating blood or receiving blood transfusions. Since the beginning of 2018, Russian law enforcement agents raided the homes of Witnesses across the country. Witnesses

were dismissed from their jobs, schoolchildren and their parents were interrogated and threatened, and the community’s buildings and property were burned and vandalized. By the end of the reporting period, the estimated value of church property seized by the state was \$90 million.

Since the ban, Jehovah’s Witnesses have no longer been permitted to request alternative service as conscientious objectors and have been ordered to report for military service. Targeted individuals have been subject to search and seizure of property, detainment, interrogation, and travel restrictions. At the end of the reporting period, there were 23 Jehovah’s Witnesses in prison, 27 under house arrest, 41 forbidden from leaving their home towns, and 121 under investigation.

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*At the end of the reporting period, there were 23 Jehovah’s Witnesses in prison, 27 under house arrest, 41 forbidden from leaving their home towns, and 121 under investigation.*

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On February 15, 2019, after the reporting period, at least seven Jehovah's Witnesses in northern Siberia were allegedly tortured at the hands of local police after being detained on extremism charges. The victims were reportedly stripped naked, bound, suffocated, beaten, doused with cold water, and subjected to electric shocks. Investigators demanded information about local membership, meeting places, and leadership; three local members remained in prison and 19 were under active investigation following the February 2019 incident.

On May 25, 2017, Danish citizen Dennis Christensen was arrested at a peaceful meeting of the Jehovah's Witnesses in the city of Oryol, about 200 miles south of Moscow. The meeting was raided by heavily armed police and agents of the Federal Security Services (FSB), and Christensen was charged with "organizing extremist activity" under article 282.2(1) of the Russian Criminal Code. Christensen, who moved to Russia in 1995 for personal reasons, has never been employed as a missionary by the Jehovah's Witnesses and was not sent to Russia at the behest or invitation of any organization. On February 6, 2019, after the reporting period, he was sentenced to six years in prison. Christensen had spent 622 days in pretrial detention, where Danish Embassy officials affirmed he was not mistreated and remained in good health. USCIRF advocates on behalf of Dennis Christensen as part of its [Religious Prisoners of Conscience Project](#).

### The Church of Scientology

The Church of Scientology was designated a "destructive" group by the Russian legislature in 1996. Although never banned outright, the church has been hindered by Russia's strict registration laws. Despite attempting to register as a religion on 12 separate occasions, they were denied each time because of supposed administrative technicalities. On June 6, 2017, Russian police raided the Church of Scientology in St. Petersburg as well as the homes of all five leaders of the group, who were arrested on charges of "illegal business operations" and extremism. During

*Despite attempting to register as a religion on 12 separate occasions, [the Church of Scientology was] denied each time because of supposed administrative technicalities.*

2018, the three female leaders remained under house arrest or restricted freedom regimes while the two male leaders, Sakhiliev Aliev and Ivan Matsitsky, remained in prison. According to a complaint filed by Matsitsky's lawyer, his client suffered inhumane conditions while in custody. This included being placed in solitary confinement for 10 days and being forced to share his cell with a convicted murderer who systematically threatened him, pressured him to confess, and tormented him by refusing to close the window in the middle of winter. Although conditions have subsequently improved, Matsitsky remained in pretrial for an indeterminate period and was rarely able to visit with his wife and family. USCIRF advocates on behalf of Matsitsky as part of its [Religious Prisoners of Conscience Project](#).

### Other "Nontraditional" Religious Groups

The Church of Jesus Christ of Latter-day Saints and Hare Krishnas report a pervasive atmosphere of fear and the need to radically alter their religious practice to avoid violating the 2016 prohibition on missionary activity. Authorities reportedly filed at least 89 court cases for illegal missionary activity over the course of 2018. The chilling effect of official state pressure has had a noticeable impact on religious communities; for example, one Russian member of the Church of Jesus Christ of Latter-day Saints in the city of Tver reported that her congregation has halved in recent years as older members have died, younger members have ceased attending, and newer members have become a rarity.

On April 28, 2018, the Pentecostal "Jesus Embassy" in Nizhny Novgorod was found guilty of permitting members to perform illegal missionary activity and failing to display its full official name on a video being

distributed by members.

The church was issued fines equivalent to about \$457 (or one month's average local wages) and \$1,522 for each offense.

On August 10, 2018, Moscow police searched the offices of Alexander Kargin, the leader of the

"Shakhar" organization, a Jewish youth movement founded in Russia in 2011 that seeks to cultivate Jewish

identity. During their search, authorities reportedly found “nationalist” literature. Kargin’s lawyers claimed that this literature, some of which has a blatantly anti-Semitic character, was planted.

Since October 2018, the Moscow Theological Seminary Union of Evangelical Christians-Baptists of Russia (UECBR), the largest evangelical school in the Russian Federation, has faced increased pressure from the government. An official inspection found an “absence of developed and approved curriculums as well as teachers with due qualification and necessary experience.” On December 27, 2018, the local court suspended the seminary’s activity for 60 days.

### Tibetan Buddhism

Three Russian republics—Kalmykia, Buryatia, and Tuva—have Buddhist majorities who follow Tibetan Buddhism and revere His Holiness the Dalai Lama as their foremost spiritual leader. Although the Dalai Lama was permitted to visit these republics several times between 1991 and 2004, he has subsequently been unable to receive a visa from the Russian government despite numerous invitations from prominent members of the Russian Buddhist community. Those Russians wishing to see the Dalai Lama frequently travel to Latvia, where he has made several trips since 2014. Since 2015, local officials have made numerous attempts to remove the Enlightenment Stupa monument in Moscow. The oldest of the only two canonical stupas in Moscow, the monument holds hundreds of sacred relics and is a site of immense significance to the Tibetan Buddhist community in Russia. After their most recent effort to remove the stupa in September 2018, local authorities have hindered attempts to renovate it.

*Although the Dalai Lama was permitted to visit [in the past], he has subsequently been unable to receive a visa from the Russian government despite numerous invitations from prominent members of the Russian Buddhist community.*

### Blasphemy Law Enforcement

Many of the religious policies enacted in recent years have been motivated by pressure from the Moscow Patriarchate of the Russian Orthodox Church (MPROC).

One of the earliest examples of this was the 2013 blasphemy law, passed in response to a 2012 political protest in Moscow’s main MPROC cathedral that offended many Orthodox believers. The law imposes up to three years’ imprisonment or the confiscation of up to three years’ salary for “offending religious convictions and feelings.”

In 2018, numerous individuals were charged under the blasphemy law and await potentially harsh convictions. Daniil Markin, a 19-year-old film student, faces up to five years’ imprisonment for posting an image likening Jon Snow, a character from the television series *Game of Thrones*, to Jesus. Maria Matuznaya, age 23, also faces up to five years in prison for social media posts mocking religion, including Russian Orthodoxy. Thus far, no one has been imprisoned under the 2013 law for publicly offending the religious sensibilities of others. Those convicted have received either fines or suspended sentences.

### The Situation in the North Caucasus

In the heavily militarized zone of the North Caucasus, anyone suspected of practicing “nontraditional” Islam or of having any link to the ongoing Islamist insurgency is at risk of being disappeared by the FSB. In 2018, the region remained in a state of low-level conflict, resulting in 108 casualties, including 82 deaths. Most of these casualties occurred in Dagestan Province, followed by neighboring Chechnya, where Russian forces battled a separatist insurgency with heavy Islamist elements in 1994–1996 and 1999–2000.

Since 2007, Chechnya has been led by the Kremlin-appointed president, Ramzan Kadyrov, who oversees a private army that engages in human rights violations, conducts collective reprisals against the families of suspects, and suppresses all dissent. Kadyrov also enforces his own views of Islam. He is the son of Akhmad Kadyrov, the former mufti and president of Chechnya, whose strategic alliance with Russia helped to reestablish Russian control over the republic

in 2000. Kadyrov actively promotes the image of his father, who was assassinated in 2004, as the political and spiritual father of the Chechen nation—naming the largest mosque in Chechnya after him and proposing his model of a “moderate” but tightly controlled Islam as a beacon for the entire Muslim world. The younger Kadyrov is a vocal opponent of “Wahhabism” and “Salafism,” even as he forces Islamic dress codes and polygamous marriages upon Chechen women and oversees a strict regime of traditional Chechen values. On December 21, 2018, the Organization for Security and Cooperation in Europe released a [report](#) alleging hundreds of atrocities against the lesbian, gay, bisexual, and transgender (LGBTQ) community in Chechnya, including arbitrary arrests, imprisonment in special camps, forced disappearances, torture, and extrajudicial executions. Those critical of authorities have been publicly shamed on central television (a profound humiliation in Chechen culture), sometimes by Kadyrov himself. In addition, in 2018, Chechen religious authorities

announced they would increase the number of theologians accompanying Chechen pilgrims on the hajj to Saudi Arabia and provide each participant with religious reading materials.

The need to demonstrate success against the ongoing threat of Islamist terrorism in the North Caucasus has led security forces to target peaceful Muslim dissidents. Violations of religious freedom also result from the use of “prophylactic measures” such as the maintenance of blacklists of alleged extremists, including secular dissidents; frequent raids on Salafist mosques; and harassment of their members. On November 26, 2018, authorities detained Nigmatula Radjabov, the imam of a Salafist mosque in the Dagestani capital of Makhachkala, and detained and interrogated him before releasing him the same day. Radjabov had previously complained about the attempted kidnapping of his 18-year-old son by members of the local police. During the year, raids on Radjabov’s mosque during Friday prayer services were an almost weekly occurrence.

*Despite most opposition to [Crimea’s] occupation being political and ethnic in nature, Russian authorities routinely disrupt religious activities and institutions.*

In North Ossetia, the only North Caucasus province without a Muslim majority, there were reports in 2018 of plans to convert the historic Persian Mosque in the capital of Vladikavkaz into a planetarium. The North-Ossetian Muftiate has complained of a chronic shortage of mosques in the province—allegedly only 29 mosques for a population of 200,000 Muslims.

### Restrictions on Religious Activity in Occupied Crimea

In 2018, the Russian occupation authorities continued their policies of harassment, intimidation, and targeting of religious groups in Crimea suspected of disloyalty to the Russian state, chief among them Crimean Tatars and other Muslims. Until November 2018, the FSB in Crimea was headed by Viktor Palagin, a supposed “Islamic specialist.” His replacement, Leonid Mikhailyuk, served in Chechnya before distinguishing himself as the head of the FSB in Kaliningrad, where he uncovered an active cell of the terrorist group Islamic Jihad in 2016. The

profiles of these officials reflect the essentially religious lens through which the government views security on the peninsula.

Despite most opposition to the occupation being political and ethnic in nature, Russian authorities routinely

disrupt religious activities and institutions. In April 2018, armed FSB officers interrupted Friday prayers in the village of Pavlovka and physically searched everyone present. The officers claimed to be responding to reports that extremist meetings were being held in the mosque. In addition to the prosecution of four Crimean Tatars for membership in Tablighi Jamaat, in 2018 there were numerous prosecutions for alleged membership in HT. Accusations of belonging to HT are frequently leveled against ethnic Crimean Tatars, many of whom are political activists opposed to the Russian annexation of 2014.

### Non-Muslim Minorities in Crimea

Religious persecution in Crimea is not limited to Muslims. Russia’s repressive laws have greatly curtailed

religious freedom on the peninsula. In 2018, there were 23 prosecutions for “missionary activity” in Crimea, representing a twofold increase since 2016. In addition, 17 cases were brought against religious communities and individuals for failing to use the full legal name of a registered religious community. Nine of these cases resulted in fines equaling roughly two months’ average local wages. The majority of those prosecuted were “nontraditional” Christian groups. After the Russian takeover of 2014, the Ukrainian Orthodox Church of the Kyiv Patriarchate (UOC-KP) refused to register, considering this to be submission to an illegal occupation. Russian authorities responded by seizing church property and harassing clergy. By the summer of 2018, only eight of the original 46 parishes remained, while all but four priests had fled. On November 16, 2018, Sergei Filatov became the first resident of Crimea to be prosecuted for being a Jehovah’s Witness. Following an FSB search of dozens of homes, Filatov was arrested and charged with being the leader of the local Jehovah’s Witness community; his trial was still pending at the end of the reporting period.

### Russia’s Separatist Enclaves in the Donbas

In 2018, the Russian-occupied separatist parastates of the Lugansk People’s Republic (LNR) and Donetsk People’s Republic (DNR) in eastern Ukraine remained heavily militarized warzones policed by parallel ministries of state security. The separatist governments were deeply suspicious toward religious groups other than the Russian Orthodox Church and continued to persecute religious minorities through legal restrictions, confiscation of property, prosecution of clergy, and harassment of congregations. In February 2018, the LNR government announced it would require registration of all religious groups in its territory, which experts believed to be a prelude to the official exclusion of religious minorities. All Pentecostal, Seventh-day Adventist, or Baptist communities were denied this compulsory registration by the October 15, 2018, deadline.

*[T]he LNR banned the All-Ukrainian Union of Evangelical Christian Baptist Churches as an extremist organization, accusing it of plotting to overthrow the separatist government . . .*

During 2018, LNR forces carried out a systematic campaign of repression against local Christian minorities. On March 27, armed militants reportedly looted a Baptist church in the city of Stakhanov, taking everything from sound equipment and kitchen appliances to religious items. On June 3, armed men in ski masks interrupted a Baptist service and detained five members, including the pastor, who was eventually fined \$120. The rest of the congregation was forced to provide their names and addresses to the armed men before the building was sealed. On July 26, 2018, the LNR banned the All-Ukrainian Union of Evangelical Christian Baptist Churches as an extremist organization, accusing it of plotting to overthrow the separatist government and claiming that local Baptists distributed psychotropic substances to their members. On August 6, a Pentecostal service was raided by armed men, who forced everyone to lie on the floor as they confiscated church property and detained the pastor along with several members of the leadership. Prior to the conflict in 2014, there were 18 Ukrainian Orthodox Church Kyiv Patriarchate churches in the LNR; as of 2018, only two continued to operate. In addition, LNR armed forces seized and sealed five Jehovah’s Witness Kingdom Halls, and on May 30, one of these halls was destroyed by a fire of unknown origin.

In 2018, DNR forces seized two Baptist churches

and a mosque. In a familiar pattern, armed men occupied the buildings and confiscated literature and other property before sealing off the premises. After the June 2018 seizure of the Donetsk mosque, the imam and one other member were interro-

gated, accused of distributing extremist literature, and forbidden from leaving the city. In addition, on September 26, the DNR followed Russia’s lead and banned the Jehovah’s Witnesses.

### Ukrainian Autocephaly

On January 6, 2019, after the reporting period, the Ecumenical Orthodox Patriarch Bartholomew of Constantinople granted autocephaly, or independence, to

the UOC-KP, which was established in 1992. Prior to this announcement, the Ukrainian Orthodox Church Moscow Patriarchate (UOC-MP), which is part of the Russian Orthodox Church, was the only one recognized as an official part of the Eastern Orthodox Church. Current members of the Moscow Patriarchate have the choice of joining the Ukrainian Church or remaining members of a new “Russian Church.” In cases where the outcome is unclear, the Ukrainian state will apparently make the final determination about any changes of ecclesiastical status and redistribution of church property.

On September 14, 2018, amid news that Ukrainian autocephaly was imminent, the Holy Synod of the Russian Orthodox Church declared it would stop offering prayers for Patriarch Bartholomew and temporarily cease all communion with Constantinople. In November 2018, Ukrainian intelligence services raided the home of Metropolitan Pavlo, the cleric who oversees the largest and oldest UOC-MP church in Ukraine. Although no charges have been filed to date, officials justified the raid by claiming Pavlo incited hatred. There were reports of at least a dozen such cases of UOC-MP priests who were interrogated by security services for alleged treason and inciting religious hatred; by the end of the reporting period, no charges had been filed.

## U.S. POLICY

U.S.-Russian relations have continued to deteriorate since Vladimir Putin announced his intention to run for reelection in 2012. In December 2012, the United States passed the Sergei Magnitsky Rule of Law Accountability Act sanctioning Russian officials responsible for gross human rights violations. In response, the Russian government denied U.S. citizens the opportunity to adopt Russian children and issued a list of U.S. officials prohibited from entering Russia. The Russian annexation of Crimea and invasion of eastern Ukraine in 2014, intervention in Syria in 2015 on behalf of President Bashar al-Assad, and interference in the 2016 U.S. presidential election have deepened strains between Russia and the United States.

In 2018, the U.S. government increased pressure on Russia over its violations of religious freedom. On June 18, the State Department [announced](#) it was “deeply concerned” about the growing number of religious prisoners in Russia, specifically mentioning Mr. Christensen, the St. Petersburg Church of Scientology leadership, and followers of Said Nursi. On November 28, 2018, Secretary of State Michael R. Pompeo added Russia to the State Department’s [Special Watch List](#) as a country that has engaged in “severe violations of religious freedom.” In a [December press briefing](#) on the designations, Ambassador-at-Large for International Religious Freedom Samuel D. Brownback explained that since 2016, Russia has “targeted and stepped up its oppression” of religious groups, citing its persecution of Christian minorities and the large number of imprisoned Muslims. He warned Russia that continuing its current trajectory could warrant its designation as a CPC, noting the requisite sanctions that accompany such a designation. USCIRF has recommended this designation for Russia since 2017.

There is evidence that Russia seeks to extend its interference to religious groups within the United States. On July 15, 2018, the Federal Bureau of Investigation (FBI) arrested Russian national Maria Butina and [charged](#) her with espionage. She is accused of—among other things—using the National Prayer Breakfast to establish contacts between attendees and Russian officials. At the end of December, in a move widely considered to be retaliatory, Russian authorities arrested Paul Whelan, an American citizen, and charged him with spying for the United States. At the end of the reporting period, he remained in Russian custody; State Department and intelligence officials have disputed the charges against him.

Following Mr. Christensen’s conviction in February 2019, after the reporting period, the U.S. Embassy in Moscow expressed its concern over his harsh sentence “for simply practicing his faith.” The statement was subsequently translated and [reissued](#) by Ambassador Brownback.



# SAUDI ARABIA

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

### KEY FINDINGS

In 2018, while Saudi Arabia remained a country of particular concern, religious freedom conditions trended positive in certain areas, including: Saudi senior officials no longer stated that Islam can be the only religion on the Arabian Peninsula; senior leadership met with several Christian leaders, including the head of the Anglican Church and a group of American evangelical leaders, pledging to promote interfaith dialogue and the flourishing of different faith traditions as part of the kingdom's domestic reforms; Egyptian Bishop Ava Markos led the first known publicized Coptic Church Mass in Saudi Arabia's history; USCIRF was granted the first-ever meeting between the head of the Commission for the Promotion of Virtue and Prevention of Vice (CPVPV) and a U.S. government delegation; religiously motivated restrictions on women driving were lifted, and provisions of the guardianship laws treating women as legal minors were less strictly enforced in the kingdom's capital, Riyadh; the Ministry of Justice announced greater protection of due process rights for Saudis who are arrested; and the government continued to aggressively combat extremist ideology. Notwithstanding these positive developments, religious freedom concerns in Saudi Arabia remain. While the government continued to implement some economic and social reforms related to Saudi Vision 2030, it remains unclear if religious freedom conditions will improve as part of these reforms. During 2018, it maintained a ban on non-Muslim public religious observance and continued to arrest, detain, and

harass individuals for dissent, blasphemy, and apostasy. The Saudi government continued to violate the rights of Shi'a Muslims and non-Muslim minorities, and to advocate a doctrine of religious intolerance. While it began new construction in the Shi'a town of Awamiya, the Saudi government restricted the observance of religious holidays by the Shi'a Muslim minority. After more than 15 years of incremental progress, the Saudi government showed backsliding on improvements to its textbooks that continued to propagate intolerance and advocate violence against religious minorities, women, and the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community. Despite the fact that in 2018 women were given the right to drive, the religiously justified guardianship system remained in place, adversely affecting the religious freedom of women in the kingdom.

Based on these particularly severe violations of religious freedom, USCIRF again finds in 2019 that Saudi Arabia merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). Although the U.S. State Department has designated Saudi Arabia as a CPC since 2004, most recently in November 2018, an indefinite waiver has been in place since 2006. The waiver releases the administration from taking an otherwise legislatively mandated action as a result of the designation. USCIRF recommends that the State Department redesignate Saudi Arabia as a CPC under IRFA and lift the waiver.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Press the Saudi Shura Council to pass and fully implement an antidiscrimination law protecting the equal rights of all Saudi citizens and expatriate residents, take measures to end the harassment of Shi'a Muslims, particularly in the Eastern Province, and end prosecution of individuals charged with apostasy, blasphemy, and sorcery;
- Implore the Saudi government to release Raif Badawi, his counsel Waleed Abu al-Khair, and other religious prisoners of conscience in Saudi Arabia;
- Press the Saudi government to devise and implement a plan to end the guardianship system that treats women as legal minors and, in the meantime, codify any informal easing of this system in the kingdom; and
- Continue to press the Saudi Ministry of Education to remove inflammatory and intolerant content in government-issued textbooks, cease the exportation of these textbooks to Saudi-supported schools abroad, and make every effort to retrieve previously distributed materials that contain intolerance.



## COUNTRY FACTS

### FULL NAME

Kingdom of Saudi Arabia

### GOVERNMENT

Absolute Monarchy

### POPULATION

33,091,113

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam

### RELIGIOUS DEMOGRAPHY\*

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

\*Estimates compiled from the CIA World Factbook and U.S. Department of State

## BACKGROUND

Saudi Arabia is officially an Islamic state. According to the 1992 Saudi Basic Law of Governance, the constitution is the Qur'an and the *sunna* (traditions of the Prophet). The judicial system is largely governed by the Islamic Shari'ah as interpreted by judges trained in the Hanbali school of jurisprudence. The king of Saudi Arabia, currently Salman bin Abdulaziz, holds the title "Custodian of the Two Holy Mosques." In 2017, King Salman appointed his son Mohammed bin Salman to serve as crown prince. The king also appoints members of the Shura Council, a legislative advisory body, and may dissolve and reconstitute the council at will. Since the crown prince's appointment, there have been a series of crackdowns on corruption, including the 2017 arrests of several prominent businessmen and members of the royal family. These arrests included American citizen Walid Fitaihi, who was allegedly tortured and remained in prison at the end of the reporting period.

There are more than 33 million Saudis, 85–90 percent of whom are Sunni Muslims and 10–15 percent of whom are Shi'a. The United Nations (UN) estimates that 37 percent of the Saudi population are expatriates, at least two million of whom are non-Muslim, including Christians, Hindus, Buddhists, practitioners of folk religions, and those without religious affiliation. Some Saudi citizens identify as non-Muslim or atheist, but

hide this identity in order to avoid the harsh social and legal consequences the government imposes on those who leave Islam. Saudi Arabia also hosts and is the largest donor to the Muslim World League (MWL), a global nongovernmental organization that propagates a particular interpretation of Islam. The MWL's December 2018 conference in Mecca focused on the "Perils of Labeling and Exclusion" and its secretary general, Mohammed al-Issa, has been outspoken against violent extremism over the past year; in January 2018, he condemned Holocaust denial during a visit to the United States Holocaust Memorial Museum.

Despite the ongoing implementation of Saudi Vision 2030, a national development initiative announced in April 2016, Saudi Arabia restricts most forms of public religious expression inconsistent with its interpretation of Sunni Islam. The crown prince has reduced the influence of Saudi Arabia's powerful religious establishment, though he has simultaneously consolidated his own power and targeted adversaries. During the past year, there were indications that over the long term, the Saudi government harbors the political will to improve conditions for freedom of religion and belief.

The Saudi Commission for the Promotion of Virtue and Prevention of Vice (CPVPV), known informally as "the religious police," has continued its process of long-term reforms under new leadership, though these

reforms are not yet complete. These include higher standards for recruiting and training officers, public education programs, and greater assistance to Muslim pilgrims performing the hajj pilgrimage. USCIRF's September visit to the kingdom included the [first ever meeting between a U.S. government delegation](#) and the general president of the CPVPV. USCIRF also conducted meetings with the Minister of Justice, Ministry of Defense's Ideological Warfare Center, the Shura Council, and the Tatweer Company for Educational Services, as well as some nongovernmental interlocutors.

## RELIGIOUS FREEDOM CONDITIONS 2018

### Positive Developments

In 2018, Saudi Arabia continued to combat religious extremism in the kingdom. In March, the crown prince criticized "extremists who forbid mixing between the two sexes" noting that "many of those ideas contradict the way of life during the time of the Prophet and the Caliphs." In April 2018, he noted in an interview that Saudi citizens have been jailed for financing and supporting terrorist groups. In an August 2018 speech marking the holiday of Eid al-Adha, King Salman declared that "the Kingdom of Saudi Arabia affirms its firm stance to fight terrorism and extremism."

Saudi Arabia has cooperated with the United States in the field of counterterrorism and continued to combat violent extremism, including through

the monitoring and reporting efforts of Etidal, the Global Center for Combatting Extremist Ideology. The crown prince also conducted outreach to several Christian leaders in 2018. These included the Archbishop of Canterbury and the Coptic Pope, the head of the Anglican Church, and a group of American evangelical leaders. In these meetings he emphasized the need for interfaith dialogue and religious tolerance. Also, in 2018, Egyptian Bishop Ava Markos led the first known publicized Coptic Church Mass in Saudi Arabia's history.

In September 2018, USCIRF was granted the first-ever meeting between the head of the CPVPV and a U.S. government delegation. In this meeting, the general president of the Commission explained important reforms

the CPVPV had made and was planning to make to its recruitment and enforcement processes. The former head of the CPVPV's Mecca branch, Abdullatif Al-Sheikh, was appointed minister of Islamic Affairs in June 2018. Al-Sheikh was the first head of the CPVPV to publicly announce efforts to reform the CPVPV upon his appointment in 2012 in the wake of strong public criticism in Saudi Arabia. Religiously motivated restrictions on women driving were also lifted in 2018, and provisions of the guardianship laws treating women as legal minors were less strictly enforced in the kingdom's capital, Riyadh.

### Shi'a Muslims

Shi'a Muslims in Saudi Arabia continue to face discrimination in education, employment, and the judiciary, and lack access to senior positions in the government and military. The building of Shi'a mosques is restricted outside majority-Shi'a Muslim areas in the Eastern Province, and Saudi authorities often prohibit use of the Shi'a Muslim call to prayer in these areas. Authorities arrest and imprison Shi'a Muslims for holding religious gatherings in private homes without permits and reading religious materials in *husseiniyas* (prayer halls). Saudi Arabia also restricts as a practice the establishment of

Shi'a Muslim cemeteries.

During a USCIRF visit to the Eastern Province, certain Shi'a Muslims reported harassment by local police and invasions of privacy by the General Intelligence

*Shi'a Muslims in Saudi Arabia continue to face discrimination in education, employment, and the judiciary.*

Directorate (GID). Shi'a Muslims who do not comply with GID instructions have their national identification blocked, restricting access to bank accounts and social services. Authorities also continued to target certain Shia' religious leaders. In early 2018, the Specialized Criminal Court in Riyadh opened a second case against Sheikh Mohammed al-Habib for "encouraging protests intended to destabilize the kingdom." Al-Habib, a Shi'a cleric and close associate of executed Shi'a Sheikh Nimr al-Nimr, was detained in 2016 for "creating dissent."

The Saudi government has continued rebuilding the predominantly Shi'a Muslim town of Awamiya, which the government's security forces largely destroyed following violent clashes with Shi'a Muslim protesters and armed

gunmen beginning in May 2017 and continuing through April 2018. During these clashes, security forces sealed off the town, occupied a boys' secondary school near the town of al-Musawara, closed the town's clinics and pharmacies, and prevented essential services such as ambulances from reaching the area. The government plans to invest nearly 64 million dollars (239 million Saudi riyals) into the Awamiya reconstruction project, which includes a park, market, library, conference center, and recreational facilities. Local residents expressed concern to USCIRF in September 2018 that the government's plans for the neighborhood do not address the area's lack of roads, schools, and adequate hospital facilities. The government also has not expanded and modernized the local sewage system, citing security concerns. A total of 488 houses were demolished as part of the Awamiya development project, although the Saudi government provided compensation and new housing to residents of these domiciles. Residents also expressed fear that violence would re-erupt after completion of the project.

In September 2018, the Saudi government reportedly restricted the observance of Ashura in Qatif and limited the performance of public mourning rituals to specific hours. Restrictions included bans on Shi'a Muslims broadcasting their rituals via loudspeakers and the destruction of food shelters where marchers are offered free meals because authorities claimed they lacked proper permits. Municipal police also removed kiosks selling religious and cultural books, and took down celebratory signs on the grounds that they constituted "visual pollution."

### Restrictions on Non-Muslims

As a matter of law, the Saudi government bans the public practice of non-Muslim faiths by citizens and expatriates alike. While the Saudi government has stated repeatedly that non-Muslims who are not converts from Islam may practice their religion in private, this policy has not been codified. Several Christian leaders in Saudi Arabia with whom USCIRF communicated in 2018 stated that the Saudi government seemed less interested in monitoring Christians than in

the past, but expressed fear that their communities would be targeted even though they practice within the boundaries of the law. The Saudi government has broken up private religious gatherings on the grounds that they are violating noise regulations, that alcohol is present, or that members of the gathering lack proper work authorization (*iqama*). The government also breaks up gatherings on the grounds that men and women in attendance sit together in the same room, claiming such mixing could encourage prostitution. Hotels must obtain approval from regional governorate offices before hosting mixed-gender events in their conference spaces; the governorate offices deny permission when the event is a religious gathering. The government monitors leaders of non-Muslim communities, who often face difficulty depositing money from weekly offerings into bank accounts in the United States. In September 2018, the Saudi government detained a Catholic priest alongside multiple attendees at a festive gathering prior to his departure from the country. In October 2018, 17 Filipina women in Riyadh were arrested for attending a Halloween-themed party; subsequently, the Philippine ambassador issued an advisory against public celebration of Halloween, Valentine's Day, or Christmas for expatriates living in Saudi Arabia.

### Women and Religious Freedom

Saudi Arabia's guardianship system classifies women as legal minors, requiring them to obtain a guardian's permission to study at universities and travel abroad. The Saudi government justifies the guardianship system on religious grounds. It cites Hanbali Sunni interpretations of the Qur'an and *hadith* to justify these significant restrictions on women's agency. Despite this justification,

the law applies to both Sunni and Shi'a women, as well as non-Muslim women in the kingdom. Saudi Arabia is the only Muslim country with such an extensive system of guardianship, which places severe limitations on women's religious

freedom and human rights. USCIRF obtained anecdotal evidence during its September 2018 visit that certain

*Saudi Arabia's guardianship system classifies women as legal minors, requiring them to obtain a guardian's permission to study at universities and travel abroad.*

provisions of the guardianship law are no longer being enforced in urban areas to the extent they have been in years past. For example, in the past women needed a guardian's permission for doctors to perform medical procedures, however, there have been recent cases where a guardian's permission was not required. In general, religious-based restrictions on Saudi women remained in place in both urban and non-urban parts of the kingdom.

In April 2018, Crown Prince Mohammed bin Salman announced his intent to reform the guardianship system and afford greater equality to women in Saudi Arabia. On June 24, 2018, Saudi women were given the ability to exercise their legal right to drive, and the Shura Council voted in early 2019, shortly after the end of the reporting period, to make child marriage illegal. However, adult women in Saudi Arabia continue to be legal minors according to the guardianship laws. Moreover, the GID arrested several activists opposed to the guardianship law in May 2018 and continues to detain them at Dhahban Prison outside Jeddah and al-Hayer Prison outside Riyadh. Some of these activists have been subjected to alleged torture as well as sexual harassment and assault. In December 2018 the Saudi Human Rights Commission opened an investigation into these allegations.

### Prisoners of Conscience

Saudi blogger Raif Badawi, a USCIRF [Religious Prisoner of Conscience](#), is among Saudi Arabia's most high-profile prisoners of conscience. Badawi was the founder and editor of the website Free Saudi Liberals and was arrested in 2012 on the charge of "insulting Islam through electronic channels." In 2014, he was sentenced for insulting Islam. A 2015 court ruling upheld his sentence of 10 years in prison, 1,000 lashes, and a fine of one million Saudi riyals (\$266,000). Fifty of these lashings were carried out in January 2015. In March 2017, a Saudi court affirmed his sentence and demanded payment of his fine. As of 2018, Badawi remains in prison. On July 30, 2018, authorities arrested Badawi's sister Samar after she advocated against the guardianship law; she too remained in prison at the end of the reporting period. Saudi Arabia expelled Canada's

ambassador and froze trade in August 2018 after the Canadian foreign minister expressed "alarm" at the arrest and called for Samar and Raif Badawi to be immediately released.

Palestinian poet Ashraf Fayadh remains in prison for allegedly questioning religion through the poetry in his book *Instructions Within* and spreading atheist thought during an argument at a coffee shop in the city of Abha in 2013. In November 2015, Fayadh was sentenced to death for apostasy, but the charge was reduced in February 2016 to eight years, 800 lashes, and a renunciation of his poetry on Saudi state media. During USCIRF's 2018 visit to the kingdom, the Saudi minister of justice stated that the Fayadh sentence was reduced from death to eight years in prison because of his denial of the apostasy charge in court. The minister of justice further stated that an individual can only be convicted of apostasy if the defendant charged confesses in court, not because the court finds the individual guilty without a confession.

### Curriculum and Exportation of Textbooks

For more than 15 years, the Saudi government has failed to sufficiently address intolerant content in official textbooks. USCIRF has regularly communicated its concern to Saudi government officials about the content of textbooks, and did so again in 2018. Despite progress in recent years, Saudi textbooks have seen backsliding into intolerant language inciting hatred and violence toward non-Muslims.

Through regular review of Saudi textbooks for more than a decade, USCIRF has found continued—though slow and incremental—progress toward removing or revising passages that included incitement to hatred and violence. However, a USCIRF [analysis](#) of 2017–2018 religion textbooks revealed the continued presence of some of the most egregious content promoting violence and intolerance, once thought to have been removed. Shi'a and Sufi veneration of the gravesites of prophets is dismissed as "heresy" while criticism of Islam is deemed "apostasy," for which textbooks endorse the death penalty. They caution students to avoid friendship with members of

*Despite progress in recent years, Saudi textbooks have seen backsliding into intolerant language inciting hatred.*

other religions. The textbooks encourage both violent and nonviolent *jihād* against nonbelievers. Finally, they encourage the death penalty for women who have an affair and for gay men.

Saudi officials have stated that they have requested the return of all old textbooks from their institutions abroad and sent out new, revised textbooks to replace them, but an unknown number of materials reportedly remain in circulation both within Saudi Arabia and at Saudi-funded schools abroad. In recent years, a Saudi royal decree banned financial support outside Saudi Arabia of religious schools, mosques, hate literature, and other activities that support religious intolerance and violence. In February 2018, the Saudi government also agreed to hand over control of the historic Grand Mosque in Brussels, Belgium, to local Islamic authorities following years of allegations that the Saudi-controlled mosque was preaching violent extremism and intolerance. Reports indicate Saudi Arabia is pursuing a similar approach for mosques and religious schools in other countries.

### Apostasy, Blasphemy, and Sorcery Charges

In early 2019, after the reporting period, the Supreme Judicial Council announced that detainees would be informed of their crimes, granted access to a lawyer, permitted to contact their families, and given options for appeal. However, the Saudi government continues to use criminal charges of apostasy and blasphemy to suppress debate, silence dissidents, and restrict religious freedom. Muslim Saudis who convert away from Islam face legal penalties that include capital punishment for the crime of “apostasy.” While Saudi ministers no longer hold that “there can only be one religion on the peninsula” as in years past, public confession of apostasy remains a crime. In meetings with USCIRF, Saudi government officials clarified that only a public confession of conversion would qualify as grounds for prosecution under Saudi apostasy laws. Witchcraft and sorcery also remain crimes punishable by death in Saudi Arabia, and the CPVPV

*The Saudi government continues to use criminal charges of apostasy and blasphemy to suppress debate, silence dissidents, and restrict religious freedom.*

has maintained an anti-witchcraft unit since May 2009. In February 2018, officials at Mohammed bin Abdulaziz airport in Medina seized a parcel containing papers and small charms they claimed was a “witchcraft spell.” On June 10, 2018, security services arrested a man and his wife at the holy mosque in Mecca for “performing witchcraft.” Most people arrested for sorcery or witchcraft in Saudi Arabia are expatriate workers from Africa and Southeast Asia, many of whom are accused of using witchcraft against their employers or disrupting Saudi society through their activities.

### U.S. POLICY

During its second year, the Trump administration continued to strengthen the U.S.-Saudi relationship while Congress pursued a more cautious approach in the wake of the killing of journalist and U.S. resident Jamal Khashoggi. At the [Ministerial to Advance Religious Freedom](#) held in July in Washington, DC, Vice President Michael R. Pence reiterated the administration’s focus on religious freedom in the Middle East. He noted that \$100 million had been devoted to support persecuted religious minorities in the region and stated that “the United States is also committed to ensure that religious freedom and religious pluralism prosper across the Middle East.”

Saudi Arabia has continued to support U.S. policy in the Middle East, including security cooperation on counterterrorism and countering violent extremism initiatives, and the administration’s decision to reimpose sanctions that had been lifted under the Joint Compre-

hensive Plan of Action (JCPOA) with Iran. The Saudi government has also signed letters of offer and acceptance for \$14.5 billion in defense purchases from the United States. President Donald J. Trump continued to indicate support for Saudi

Arabia in regional struggles against Iranian influence in the Middle East. During Crown Prince Mohammed bin Salman’s visit to the White House in March 2018, the president emphasized the U.S.-Saudi defense relationship, and congressional leaders from both parties impressed upon the crown prince the importance of

addressing humanitarian concerns over the Saudi intervention in Yemen. In November 2018, the United States called for a ceasefire to the Saudi-led campaign in Yemen, and in December the Senate passed [S.J.Res. 54](#), which prohibited U.S. in-flight refueling support for Saudi aircraft participating in the campaign.

Then Secretary of Defense James Mattis, Secretary of State Michael R. Pompeo, and Treasury Secretary Steven Mnuchin met with Crown Prince Mohammed bin Salman, and Central Intelligence Agency (CIA) Director Gina Haspel visited Turkey and met with Turkish investigators following the killing of Jamal Khashoggi inside the Saudi consulate in Istanbul. In November 2018, the U.S. Department of the Treasury imposed [sanctions](#) under the 2016 Global Magnitsky Human Rights Accountability Act on 17 individuals connected with the killing, including close confidantes of Crown Prince Mohammed bin Salman. In December 2018, the United States Senate passed [S.J.Res. 69](#), a bipartisan bill that condemned the killing and held the crown prince responsible, drawing a statement of concern from the Saudi Shura Council.

On November 28, 2018, the State Department redesignated Saudi Arabia as a CPC but kept in place a waiver of any sanctions citing the “important national interest of the United States,” pursuant to section 407 of IRFA.

### INDIVIDUAL VIEWS OF COMMISSIONER JOHNNIE MOORE:

This chapter correctly cites the decisions and signals being sent from Saudi Arabia that it is willing to engage on the topic of religious freedom in a way we haven’t seen before (and there are many other examples that could have been included), but based upon a simple analysis of—as the Saudis are fond of saying—the “key

performance indicators” this country still necessitates a designation as a CPC, without question.

However, as I stated after my September visit with USCIRF and November visit in my personal capacity, I believe—for the first time—that religious freedom is possible in Saudi Arabia.

As a committed advocate for religious freedom throughout the Middle East, I do not believe that punitive measures will have the intended effect on Saudi Arabia. On the contrary, I think such punitive measures could likely have the effect of forcing the Kingdom of Saudi Arabia to engage directly and more seriously with countries where religious freedom is not a consideration at all in their foreign policy priorities. If they do not enjoy the important relationship they have with the United States, they will have a relationship with other countries, because they have to have those types of security and economic relationships.

So I do believe the State Department—while joining us in stating clearly a shared opinion of the religious freedom conditions in Saudi Arabia—is correct in maintaining their waiver.

I do not think the way of persuading Saudi Arabia to improve its religious environment is by shame and by force. I do think it is through direct, respectful and meaningful engagement, as I have personally experienced and am personally experiencing. Furthermore, the State Department is correct in articulating that the present security environment in the Middle East presents real threats and any likely alternative to the status quo would, in all probability, worsen the conditions for minority religious communities—as we saw so horrifically in Iraq.

I remain optimistic that Saudi Arabia’s slow, but steady, reforms will continue and eventually extend to the way it handles religion. We shall see.



### KEY FINDINGS

In 2018, religious freedom conditions in Sudan trended the same as in 2017. Throughout the year, the government of Sudan continued to restrict the religious expression of Muslims and non-Muslims. The government actively promoted and enforced a strict interpretation of Sunni Islam and imposed religious-based constraints on Muslims and non-Muslims. Security forces continued to harass, arrest, detain, and use excessive force against Muslim religious minorities, Christians and church leaders, protestors, journalists, and human rights defenders for challenging the state’s control of religion or for manifesting their religion or beliefs. In February 2018, state actors demolished an evangelical church in Khartoum in spite of a pending court battle over the property rights to the land on which the church was built. In October, authorities arrested 13 Christians—reportedly for practicing their faith—and charged one with apostasy. Women’s rights continued to be hindered by restrictions on religious freedom, including through the

enforcement of public order laws. USCIRF visited Sudan in May 2018 to review religious freedom conditions and met with religious communities, displaced persons, civil society organizations, government officials, and others. At the end of the reporting period, historic nationwide protests prompted citizens to call for President Omar al-Bashir to step down. During the protests, security forces used excessive force on civilians and shot tear gas into and around mosques in attempts to suppress demonstrations and free speech.

In 2019, USCIRF again finds that Sudan merits designation as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA). The U.S. Department of State has designated Sudan as a CPC since 1999, most recently in November 2018. USCIRF recommends that the State Department redesignate Sudan as a CPC under IRFA and extend the existing presidential action restricting U.S. assistance to the government of Sudan.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Identify Sudanese government agencies and officials responsible for severe violations of religious freedom, freeze those individuals’ assets, and bar their entry into the United States, as delineated under the [Global Magnitsky Human Rights Accountability Act](#) and related executive orders, citing specific religious freedom violations;
- Appoint a Special Envoy to Sudan and South Sudan and ensure that religious freedom is a priority for that office;
- Press the government of Sudan to implement reforms in the Action Plan presented by the State Department since 2015 and to undertake the following actions:
  - Repeal apostasy, blasphemy, and other laws—including all relevant

articles in the 1991 Criminal Code and state public order laws—that violate Sudan’s international commitments to freedom of religion or belief and related human rights;

- Lift government prohibitions on church construction, issue permits for the building of new churches, create a legal mechanism to provide compensation for destroyed churches and address future destructions if necessary, and cease interference in churches’ internal affairs;
- Revive and strengthen the Commission on the Rights of Non-Muslims to protect religious freedom for non-Muslims in Sudan; and
- Hold accountable any person who engages in violations of freedom of

religion or belief, including attacking houses of worship, attacking or discriminating against any person because of his or her religious affiliation, and prohibiting any person from fully exercising his or her religious freedom.

The U.S. Congress should:

- Draft and pass a resolution to condemn religious freedom and related human rights violations committed by the Sudanese government, to commit U.S. government resources to investigating such violations, and to support Sudanese human rights actors advocating for religious freedom in Sudan.



## COUNTRY FACTS

### FULL NAME

Republic of the Sudan

### GOVERNMENT

Presidential Republic, highly authoritarian regime

### POPULATION

43,120,843

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Sunni Islam; small Christian minority

### RELIGIOUS DEMOGRAPHY\*

97% Muslim (primarily Sunni, as well as a range of Muslim minority groups and Sufi orders)

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

\*Estimates compiled from the U.S. Department of State

## BACKGROUND

Sudan was ruled by the government of then President al-Bashir and the National Congress Party (NCP), which al-Bashir also chaired, through the reporting period. The ruling regime grew out of the Sudanese Muslim Brotherhood movement and the former National Islamic Front party, which supported the 1989 coup that brought al-Bashir to power. Despite constitutional protections for religious freedom, the regime and government-appointed religious scholars have maintained tight control over religious expression in the country and repressed views other than the state-sponsored interpretations of Sunni Islam. Sudan has a rich history with Sufism, and Sufi communities exist and worship throughout the country, but also face constraints on the free practice of their faith. Human rights remain largely unprotected in Sudan; freedoms of assembly and expression are repressed, and that repression is closely interlinked with the repression of freedom of religion or belief.

Officials and security forces are permitted to act with impunity and have arrested, arbitrarily detained, and tortured individuals for peacefully protesting the regime and other activities otherwise legally protected by the Interim National Constitution (of 2005). The government also continued to censor journalists and media outlets from reporting on issues facing religious minorities and religious freedom and other human rights issues broadly.

Along with specific restrictions around coverage of economic and antigovernment protests, there are explicit “red lines” on human rights subjects that journalists cannot cross. Mosques and imams are also at risk of being targeted for speech critical of the regime or for supporting demonstrations by their followers.

At the end of the reporting period, historic anti-government protests intensified across Sudan. The government and the notorious National Intelligence and Security Services (NISS) brutally cracked down on protestors, arresting hundreds and killing dozens. As the protests challenging the regime grew, in February 2019, after the reporting period, al-Bashir stepped down from heading the NCP but consolidated power at the federal level through the declaration of a national year-long state of emergency and an overhaul of additional government posts. Ultimately, al-Bashir was removed as head of state on April 11, 2019, after the reporting period, after more than 30 years in power. While the protests arose in large part due to the economic crisis and steep rise in costs of basic items, they have also been fueled by popular discontent with the repressive government, including with its severe restrictions on religious freedom and other human rights. The 2018–2019 protests led to stronger and more sustained civic mobilization against the government than in past years and gave many Sudanese new hopes for a transition of government.

Since 2009, al-Bashir has been wanted by the International Criminal Court (ICC) on charges including genocide, crimes against humanity, and war crimes in the 2003–2004 conflict in Darfur, in western Sudan. Despite the order for his arrest, al-Bashir was able to travel internationally in 2018 without consequence. Armed conflict in areas of Darfur, Blue Nile, and South Kordofan continued at varying levels through 2018 in spite of ceasefire agreements.

USCIRF [traveled](#) to Khartoum and North Darfur, Sudan, in May 2018 to assess religious freedom conditions and met with a range of civil society actors including human rights activists and peace-builders, journalists, and religious communities, as well as government officials, including the Ministry of Guidance and Endowments, Fiqh Council, and National Human Rights Commission.

### RELIGIOUS FREEDOM CONDITIONS 2018 Government Promotion of Sunni Islam and Treatment of Muslim Minorities

In 2018, the government of Sudan continued to broadly enforce its interpretation of Sunni Islam on the population. Although the Interim National Constitution avows the protection of freedom of religion, it also highlights the role of Islam as a primary source of law. Religiously based laws and penalties are found in the national Criminal Code, state laws, and public order laws. The police are officially charged with “preserving ethics, and morals of the society, and the public order,” which is often done on the basis of Islamic principles. Article 125 of the Criminal Code (1991) outlaws blasphemy against any religion and carries the penalty of up to a year imprisonment, a fine, or lashes. However, in practice the application of the law has generally privileged Islam. Article 126 of the Criminal Code (as amended in 2015) criminalizes apostasy and applies to Muslims who renounce or advocate for the renunciation of Islam (such as by proselytizing), or who question or criticize the Qur’an, the Sahaba, or wives of the Prophet Muhammad. It carries the death penalty except in some cases

where a person recants his or her disavowal of Islam. Under the state’s interpretation of Islamic law, certain sexual activity is criminalized with possible penalties ranging from imprisonment to death.

In 2018, USCIRF met with and received information about multiple individuals charged with apostasy for expressing theological views that differ from the government’s preferred interpretation, particularly members of minority Muslim communities. Government officials were reluctant to acknowledge the presence of Shi’a

Islam in the country, viewed Shi’a communities through a geopolitical lens as enmeshed with Iran, and infringed on their freedom of religion. The government also repressed members of the Quranist community (Muslims who believe

*In 2018, USCIRF met with . . . individuals [who had been] charged with apostasy for expressing theological views that differ from the government’s preferred interpretation . . .*

solely in the teaching and authority of the Qur’an) and Republican Brothers and Sisters (a movement focused on Islamic reform in Sudan), including by harassing students or demanding that they follow certain Islamic practices. Minority Muslims also reported being dismissed from their jobs or facing other ill treatment by society and officials. Some shared with USCIRF how their members have been beaten and allegedly tortured over their religious beliefs. The government also attempted to forcibly prevent adherence to atheism or secularism. In 2017, authorities arrested Mohamed Salih Aldsogi on apostasy charges after he sought to change the religion field on his national identification card from “Muslim” to “nonreligious.” A judge declared him mentally unfit to stand trial and dismissed the charges. In February 2018, Aldsogi sought to challenge article 126 in court, but the Sudanese Constitutional Court dismissed the case. In addition, although the government nominally recognizes Sufi councils in various states, it nevertheless reportedly monitors and restricts their activities. Civil society interlocutors also noted that some mosques are monitored during their Friday sermons.

### Persecution of Christians

Persecution of Christians in Sudan occurs largely by the actions of government, security, and police officers.

Since the separation of Sudan and South Sudan in 2011, the government of Sudan has stated that most Christians remained in or moved to South Sudan and that 97 percent of the population is Muslim. However, numerous Christian communities still exist in Sudan, and at the end of the reporting period Sudan was the largest refugee-hosting country in the region with [more than 850,000 refugees](#) from South Sudan—higher by around 80,000 refugees than were [reported at the beginning of 2018](#).

USCIRF has observed continued persecution of Christians in Sudan [since 2011](#). While some groups such as the Jehovah’s Witnesses report positive experiences and the ability to worship, others experience ongoing difficulties. Christians from the Nuba Mountains are uniquely targeted, highlighting the convergence of discrimination against religious and ethnic minorities by the government. For example, security and land authorities particularly target members and evangelical church leaders of the Sudanese Presbyterian Evangelical Church (SPEC) and Sudanese Church of Christ (SCOC). During USCIRF’s meetings in 2018, evangelical leaders said that the Ministry of Guidance and Endowments has directly interfered in their church affairs since

2012. SCOC and SPEC interlocutors reported officials confiscating their papers documenting property rights. In 2016, Sudanese authorities placed 27 churches on a list to be destroyed, claiming issues with

zoning and illegal construction, but reportedly rescinded the order in 2017. Nevertheless, in February 2018, authorities bulldozed a SPEC church in the Hajj Yousif neighborhood in Khartoum. Church members told USCIRF that police gave no notice and demolished the building in spite of a pending decision on the church’s property rights. Police confiscated belongings from within the church, including all of the church’s books, and reportedly gave them to another individual claiming ownership of the land. Sudanese officials told USCIRF that churches were not uniquely targeted, and claimed that mosques had also been demolished for similar issues with zoning regulations.

*[I]n February 2018, authorities bulldozed a SPEC church in the Hajj Yousif neighborhood . . . in spite of a pending decision on the church’s property rights.*

In 2018, security forces were still able to harass and arrest Christians and other minorities, sometimes arbitrarily, without consequence or respect for the rule of law. On October 10, NISS forces in Darfur arrested and allegedly tortured 13 Christians—some said to be recent converts from Islam—during a prayer meeting and charged the leader of the group with apostasy. All were reportedly released by October 23. Also in October, in response to a legal case against the NISS, the agency confirmed that it previously arrested Reverend Noah Ibrahim and confiscated his car because it belonged to a “foreign organization working in Christian evangelism,” and justified their actions based on national security laws.

In August 2018, authorities dismissed the cases of and released eight SCOC leaders who were arrested in 2017. Minority religious leaders and their lawyers have been monitored, harassed, and frequently arrested for various reasons such as proselytization or speaking out against the government, accused of criminal activity, detained, forced to defend themselves in court, fined, and released, on a repeated basis. One Muslim human rights lawyer, who advocated for non-Muslims’ rights and was repeatedly arrested and harassed, was forced to

flee Sudan in 2018. Some of these arrests have been due to religious leaders’ protest over authorities’ interference in church affairs and leadership decisions.

Interlocutors also informed USCIRF about occasional harassment of

Christians by a Salafist group during Christmastime, in particular by the hanging of offensive posters.

### Women and Religious Freedom

In 2018, authorities continued to target women with arrest, harassment, and detention by applying existing religious laws. In particular, the enforcement of Sudan’s public order laws under the 1991 Criminal Act and other state and local laws continued to uniquely impact women through criminalization of indecent dress and other offenses based on state interpretations of Islamic principles. Penalties for these offenses regularly include imprisonment, fines, and lashings, and

research by Sudanese nongovernmental organizations (NGOs) has shown that women have been more likely to receive harsher penalties for some infractions than men. Determinations for arrests are at the discretion of public order police. Public order cases are common; according to Sudanese civil society actors, more than 40,000 public order cases are processed annually in Khartoum State alone.

Women's rights groups and legislators continued to fight in 2018 for legislative reform. However, one official contended that the existing laws are important in order to maintain the protection of women and girls in Sudanese society; he said the laws are also relevant for non-Muslims. In January 2018 in El Fasher, North Darfur, military forces reportedly publicly beat women and girls for wearing indecent dress. In October, authorities arrested a Sudanese singer for indecent dress, but her trial was postponed indefinitely following protests by civil society actors.

Child marriage rates remained high; the United Nations International Children's Emergency Fund (UNICEF) [estimates](#) Sudan's rate to be at 34 percent, and girls as young as 10 are legally allowed to be married with the consent of a male guardian and a court decision. Some interlocutors noted that in some areas, hardline religious groups campaigned against reforms to marriage age laws. The case of Noura Hussein, a woman who was forcibly married at age 15, received substantial international attention in 2018. In May 2018, she was sentenced to death for the murder of her husband after she attempted to defend herself from marital rape. After Hussein's lawyers appealed the sentence, the court overturned her death sentence and instead handed her a prison term of five years and "blood money" (*diya*). At the end of the reporting period she remained imprisoned in the Omdurman women's prison, and she and her family members continued to face risks of violent social reprisals. Throughout 2018, a range of civil society actors and some government actors, including female legislators, worked to end child marriage in states across Sudan through both legal reform initiatives and social campaigns.

*[In] North Darfur, military forces reportedly publicly beat women and girls for wearing indecent dress.*

## U.S. POLICY

The United States' relationship with Sudan remained the same in 2018, though it made some progress in promoting religious freedom reforms in the country. Throughout the year, U.S. Chargé d'Affaires Steven Koutsis and other U.S. officials emphasized the importance of religious freedom reforms with the Sudanese government and effectively connected with religious communities and minorities. In May 2018, the United States and Canada cohosted a roundtable on religious freedom issues in Sudan that involved the participation

of government officials, religious leaders, and other members of civil society. Toward the end of 2018, the government of Sudan began to address proposals within the religious freedom action plan

that the State Department has recommended to Sudan multiple times since 2015.

In [October 2017](#), the United States [lifted economic sanctions](#) on Sudan as a result of reported progress made in the five key areas outlined in phase one of U.S.-Sudan bilateral negotiations, including ceasing hostilities in conflict areas, improving delivery of humanitarian aid, and strengthening counterterrorism and regional security efforts. The easing of sanctions led to improvements in bilateral relations, but did not improve the human rights situation or lead to economic improvements in Sudan, and organizations continued to report difficulties with facilitating humanitarian aid. U.S. human rights organizations pushed the U.S. government to do more to hold Sudan accountable for ongoing human rights violations. Phase two of the bilateral negotiations [began in November 2018](#) and committed the United States to removing Sudan from the State Sponsors of Terrorism list if criteria in six key areas are met; this includes a track on human rights reforms with an emphasis on freedom of religion or belief. During 2018 and following the launch of phase two negotiations, Sudan began concrete preparations for a religious freedom workshop, which it held after the reporting period on [January 29, 2019](#). The workshop made particular progress on issues concerning non-Muslims. For example, the government of Sudan

agreed to publish rules and regulations concerning the construction of houses of worship and obtaining land permits, and froze a previous Khartoum State decision requiring Christian schools to hold classes on Sundays and observe the Friday-Saturday weekend. However, civil society actors were critical of the involvement of security services and the lack of inclusion of civil society actors in the workshop and advance preparations.

The State Department and U.S. Agency for International Development (USAID) continued to fund development, peace, and security initiatives in Sudan. The United States remained one of the largest donors of humanitarian assistance to Sudan, including [more than \\$20 million in humanitarian response](#) to conflict-affected populations. Sudan and the United States have not exchanged ambassadors, but maintain embassies and Chargés d’Affaires in the respective countries.

The State Department last redesignated Sudan as a CPC in November 2018. In lieu of prescribing sanctions specific to the CPC designation, the State Department again applied “double-hatted” sanctions against Sudan, in this case limitations on both assistance to the government of Sudan and on modifying loans and loan guarantees held by the government of Sudan.

### KEY FINDINGS

In 2018, religious freedom conditions remained dismal in Syria, generally trending the same as the previous year. As a consequence of the complex sectarian dynamics of the country's ongoing civil war, more than 500,000 people have died and more than 12 million people have been displaced. Although the Islamic State of Iraq and Syria (ISIS) ostensibly faced near-complete defeat in its control of territory in Syria and Iraq in 2017, the group maintained a visible but diminishing presence in several parts of Syria throughout 2018. It continued to threaten and perpetrate violence against religious minorities and Muslim communities who did not share its radical Islamist ideology. At the same time, an al-Qaeda affiliate, Hay'at Tahrir al-Sham (HTS), significantly bolstered its presence in the country's northwest, particularly Idlib Province, where it had almost overtaken rival armed opposition groups by the end of the reporting period. In addition to perpetrating wider human rights abuses, HTS repressed religious minorities in the growing expanse of territory under its control, reportedly including the forcible confiscation of property from Christian families and other forms of sectarian violence. Syrian government forces continued to consolidate their hold over a significant portion of the country that was once held by various opposition forces, with significant support from their Russian, Iranian, and Lebanese allies. In so doing, armed forces loyal to or allied with the regime persisted in a clear wartime agenda of marginalizing and punishing Sunni Muslim communities for their real or perceived support of the

opposition. Turkish-backed rebel forces exploited a United Nations (UN)-brokered ceasefire in the northern district of Afrin to persecute and displace religious and ethnic minorities in that area. Religious and ethnic minorities in Kurdish-controlled areas of the country's northeast, where they have generally experienced a relatively high degree of religious freedom, also faced mounting concerns at the close of 2018 regarding potential ramifications of the pending withdrawal of U.S. forces from northeastern Syria. Those concerns included the possibility of a large-scale Turkish offensive against Kurdish forces in that area and the threat of an ISIS resurgence.

Due to the collective systematic, ongoing, egregious violations of religious freedom perpetrated by radical Islamist elements of the Syrian opposition, including U.S.-designated terrorist groups such as ISIS and HTS, and the Assad regime and its allies, USCIRF again finds in 2019 that Syria merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). USCIRF also finds that, based on conditions in 2018 that included its ongoing—albeit shrinking—control of territory as well as its potential for rapid resurgence, ISIS merits renewed designation as an "entity of particular concern" (EPC) for religious freedom violations under December 2016 amendments to IRFA. USCIRF also finds that, based on conditions in 2018 that included its expanding control of territory, HTS merits designation as an EPC for religious freedom violations.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Provide immediate and effective assistance to Syria's vulnerable religious and ethnic minorities under the terms of the Iraq and [Syria Genocide Relief and Accountability Act of 2018](#) (P.L. 115-300), and utilize the resources enacted under the [Elie Wiesel Genocide and Atrocities Prevention Act of 2018](#) (P.L. 115-441) to avert further disaster for those communities, particularly in northern Syria;
- Ensure that the planned withdrawal of U.S. forces from northeastern Syria is conducted in such a manner that will not negatively impact the rights and survival of vulnerable religious and ethnic minorities;
- Advocate for the inclusion of representatives from the autonomous administration of Kurdish-majority northeast Syria, which has supported the promotion of religious freedom in its territory, in the UN-led committee charged with rewriting the Syrian constitution;
- Support efforts through relevant UN agencies, nongovernmental organizations (NGOs), and like-minded partners among the Global Coalition to Defeat ISIS to fund and develop programs in Kurdish-controlled northeast Syria that bolster intra- and interreligious tolerance, alleviate sectarian tensions, and promote respect for religious freedom and related rights; and
- Continue and prioritize the resettlement of Syrian refugees to the United States—subject to proper vetting—with priority being given to victims of ISIS and vulnerable religious minority communities.

## COUNTRY FACTS

### FULL NAME

Syrian Arab Republic

### GOVERNMENT

Presidential Republic, highly authoritarian regime

### POPULATION

19,454,263

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam (Sunni/Shi'a), Christianity, Judaism, Druze

### RELIGIOUS DEMOGRAPHY\*

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

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

3% Druze

<1% Jewish (few remaining in Damascus and Aleppo), Yazidi, and other

\*Estimates compiled from the CIA World Factbook and the U.S. Department of State

## BACKGROUND

The Assad family has ruled Syria since former president Hafez al-Assad seized power in a Ba'athist coup in 1970. His son, Bashar al-Assad, became president in 2000 following the death of his father. The Assads hail from the Alawis, an offshoot of Shi'a Islam that represents approximately 13 percent of Syria's population. Following their rise to power, the Assad family placed loyal Alawis in key positions throughout the Ba'athist government, including in the security, intelligence, and military sectors. Both Assad regimes also spent decades forging strategic ties with prominent Sunni Muslim families and religious authorities in order to consolidate their hold on political and economic power, even as they maintained a rigid but uneasy framework of authority over the country's diverse religious and ethnic groups. They also courted support from Christians, Druze, and other non-Muslim communities by allowing them to worship freely and practice their faith, but their particularly authoritarian and nationalist brand of Arab Socialism also led to the forcible suppression of

all expressions of Kurdish, Assyrian, and other forms of non-Arab identity.

This fragile balance of religious, ethnic, and ideological identities persisted for decades, until it finally collapsed in early 2011 as mass uprisings proliferated throughout the Middle East. Despite the largely nonviolent nature of antiregime demonstrations that spread across the country beginning in March of that year, the Assad government responded with a violent crackdown that repressed the peaceful movement while allowing armed rebel factions to dominate the uprising, as the situation steadily devolved into a full-scale civil war later that year. As opposition forces increased in number and prominence, so too did their ideological variety:

*This fragile balance of religious, ethnic, and ideological identities persisted for decades, until it finally collapsed in early 2011 as mass uprisings proliferated throughout the Middle East.*

defectors from the Syrian military comprised the leadership and fighters of some secular factions that enjoyed early battlefield successes, but a spectrum of Islamist fighters also quickly emerged. For its part, the Syrian Arab Army (SAA) received crucial help from domestic, regional, and international allies—including National Defense Forces (NDF) loyalists, the Iranian Revolutionary Guard Corps (IRGC),

Lebanese Hezbollah, and Russia by mid-2015—which collectively prevented the fall of the Assad regime and progressively turned the tide of the conflict against the opposition. Amid this complicated and seemingly intractable conflict, many religious minorities, such as Druze, Ismailis, Christians, and Alawis, came to perceive the Assad regime as the only entity capable of shielding them from the growing threat of violent sectarian attacks by radical Islamist groups.

The steady rise of radical Islamist groups from 2011 to 2014 culminated in the emergence of ISIS as a territorial power across parts of eastern Syria and northwestern Iraq, including its provincial capital of al-Raqqa along the Euphrates River in north-central Syria. Between the time of ISIS’s declaration of a so-called “caliphate” in mid-2014 and its significant loss of territorial control by late 2017, it had perpetrated massive religious freedom violations, sexual violence, and other atrocities across the areas under its control, including kidnapping and executing thousands of Christians, Yazidis, Shi’a Muslims, and even fellow Sunni Muslims who opposed its authority.

By the end of 2018, the Syrian conflict had fragmented into several different zones of control, each of which presented a unique set of religious freedom conditions. The Assad regime, along with its domestic and international allies, controlled most of the country’s south, west, and center, where it reserved its harshest repression for the Sunni Muslim population over its perceived support for the opposition movement. Islamist groups such as HTS, and to a lesser extent ISIS, controlled several noncontiguous pockets of territory, particularly in Idlib and other northern areas, where they sought to enforce highly repressive codes of religious and social order. The Turkish-allied Free Syrian Army (FSA) occupied Afrin and other sections of the northern border region, at times vying with HTS for additional territory while also displacing thousands of religious and ethnic minorities. In addition, the Syrian Democratic Forces (SDF) and its Kurdish-majority Autonomous Administration (AA) of North and

East Syria controlled a large swath of territory in which Christians, Yazidis, Sunni Muslims, and other communities experienced relatively open religious freedom, albeit with some limitations.

## RELIGIOUS FREEDOM CONDITIONS 2018 Violations by the Assad Regime and Affiliated Groups

In 2018, the Syrian government reasserted authority over significant portions of the country that were once under opposition control, including predominantly Sunni Muslim areas that had served as key strongholds for the latter. The regime and regime-allied forces continued to employ brutal methods of destruction in their advance. In Ghouta, a stronghold of the Islamist militia Jaysh al-Islam, the SAA declared victory in April 2018 after a grueling five-year siege and intense two-month offensive that led to widespread devastation—including the destruction of an estimated 93 percent of buildings in one district—and displaced tens of thousands of residents to northern areas still under opposition control. In June, more than 330,000 civilians fled their homes in southern Syria in advance of a regime offensive to retake that part of the country, including the symbolically important city of Daraa where protestors first sparked antiregime protests in early 2011. Crucially, the SAA was joined or supported in the above offensives by primarily Shi’a Muslim foreign fighters, many of whom

were recruited by the IRGC from Afghanistan, Pakistan, Iraq, and Lebanon, in addition to Syrian Alawi, Shi’a Muslim, and other domestic militias under the umbrella of the NDF. Asa’ib Ahl al-Haq and Harakat Hezbollah al-Nujaba, two factions of

*By the end of 2018, the Syrian conflict had fragmented into several different zones of control, each of which presented a unique set of religious freedom conditions.*

the Iraqi PMF under the control of the IRGC, continued to operate in Syria but with a less visible role than in 2017 when they participated in the SAA’s recapture of Aleppo and other urban centers.

The Assad regime continued its longstanding effort to push previously unaligned religious minorities such as the Druze to join its military ranks, even as it sought to exclude, restrict, and repress Sunni Muslims in areas



over which it had retaken control. The regime has long tried to lure Druze men from their southern heartland of the Suwayda/Jebel Druze area to join the SAA, forcing an estimated 30,000 men to abscond into hiding or exile in Lebanon and elsewhere. The impact of this loss was keenly felt during a massive ISIS attack on the area in July 2018, as few able-bodied fighters were left to defend the traditionally reclusive community. Meanwhile, the Assad government passed a new law in October 2018 that delegated to the Ministry of Religious Endowments significantly greater state authority to control all Islamic affairs across the country; this law will likely have the greatest impact on the religious life of Syria's Sunni Muslims. Finally, the regime has increasingly marginalized Sunni Muslims from public and residential life across the country, handing traditional Sunni Muslim-held offices to Christian and Shi'a Muslim loyalists, while redistributing Sunni Muslim homes and districts to Shi'a Muslim fighters in parts of the country over which it has regained control. Its security forces have refused to grant permits for most Sunni Muslim civilians to return to their family homes in cities like Homs,

and the government's new Law No. 10 of 2018 placed severe restrictions on the ability of internally displaced persons (IDPs) and refugees to reclaim family homes and properties. That law is widely expected to prevent many of those dispossessed persons, among whom Sunni Muslims are disproportionately represented, from returning to their homes and communities of origin, or to discourage them from returning to the country altogether, thereby permanently reshaping Syria's demographics to the regime's advantage.

### Violations by ISIS

In 2018, the Global Coalition to Defeat ISIS (GCDI), the U.S.-backed, largely Kurdish SDF, and to a lesser extent the SAA and its allies, continued to liberate territories from ISIS, driving its estimated 14,000 fighters into either hiding or ever-smaller pockets of territory. However, ISIS continued to represent a clear and present danger to GCDI and SDF forces as well as to Syrian civilians

throughout the reporting period, both from its fighters who have fled underground and its forces that remained engaged in fighting near Hajin. Few of the more than 9,000 Assyrian Christians who fled Hasaka Province during a massive ISIS offensive in 2015 have returned, and the fate of some 25 Christians who ISIS abducted at that time remains uncertain. Likewise, the whereabouts of several Christian leaders whom ISIS and its predecessors abducted in previous years are still unknown, including Italian Jesuit priest Father Paolo Dall'Oglio, Syriac Orthodox Archbishop of Aleppo Mar Gregorios Yohanna Ibrahim, Greek Orthodox Archbishop of Aleppo Paul Yazigi, Armenian Catholic priest Father Michel Kayyal, and Greek Orthodox priest Father Maher Mahfouz, among others.

In July 2018, ISIS fighters launched the deadliest attack to date on Druze communities of al-Suwayda,

likely from the terrorist group's desert stronghold in al-Badiya, reportedly bombing, shooting, and stabbing more than 300 Druze to death. It also abducted 20 Druze women and 16 children, although all but two who died while in captivity

were later freed through a combination of negotiations, ransom, and prisoner swap.

*... Law No.10 of 2018 ... is widely expected to prevent many of those dispossessed persons, among whom Sunni Muslims are disproportionately represented, from returning to their homes and communities of origin ...*

### Violations by Other Islamist and Non-Islamist Opposition Groups

As the ISIS threat has diminished, religious freedom has come under increasingly dire threat from Islamist opposition factions that are allied with al-Qaeda, particularly in the northwestern province of Idlib, and with Turkey, especially in Afrin and other parts of the country's north-central and northeastern region. Islamist forces under the umbrella of HTS—led by Jabhat al-Nusra, an al-Qaeda affiliate with a particularly sordid history of violence against religious minorities—played a dominant and increasing role in Idlib Province, where they seized territory from rival opposition groups while either subsuming or eliminating almost all of them. At the same time, while broadly using political violence such as arrests and kidnappings against its Sunni Muslim

opponents, HTS enforced its strict Islamist interpretation of Islamic law that suppresses all expression of non-Muslim religion in public spaces. The group also reportedly engaged in a campaign to expropriate Christian homes and land: in November 2018, multiple reports emerged that it had distributed notices to an unknown number of Christian families, many of whom had long since fled the area, ordering them to report to the “Office of Properties and Spoils of War,” which suggested an effort to seize their properties. In other cases, HTS reportedly directly seized the shops and homes of absentee Christian owners in order to collect income from renters. Although it is difficult to obtain clear documentation of many of these incidents, these reports contributed to an already hostile environment for religious and ethnic minorities in Syria, further discouraging them from returning to their homes and places of worship.

Religious freedom conditions deteriorated significantly in the area of Afrin, home to a once-diverse population of Kurdish Muslims, Syriac Christians, and Yazidis. Between January and March 2018, Turkish forces and their Arab and Turkmen allies in the Free Syrian Army (FSA) launched an offensive under the name of “Operation Olive Branch”

to seize territory from Kurdish People’s Protection Units (YPG) forces in that area. In the wake of that offensive, around 137,000 people fled their homes and sought refuge mainly in territory controlled by the Autonomous Administration (AA) and protected by the

SDF. Those numbers reportedly included more than 400 Kurdish converts to Christianity, who feared repression from Islamist factions of the FSA. While some of those IDPs sought to return to Afrin during 2018, FSA elements had seized or destroyed properties and redistributed a number of homes to Sunni Muslim IDPs who had fled the regime’s recapture of Eastern Ghouta just weeks earlier. Islamist elements within the FSA reportedly destroyed Kurdish monuments as well as Yazidi, Sufi Muslim, and Alawi shrines, cemeteries, and other sacred sites, employing tactics similar to those of ISIS in an effort

to religiously cleanse the area. According to religious freedom groups, FSA fighters seized one church in Afrin in June 2018 for use as a base, while others burnt another church and covered its remains in Islamist graffiti.

## Conditions in the Autonomous Northeastern Region

The AA has maintained generally positive religious freedom conditions over the territory under its control, allowing Muslims, Christians, and other communities to openly practice and express their beliefs—even including the freedom for Muslims to convert to other traditions and for residents to express unbelief or atheism. Representatives of religious and ethnic minorities living in the autonomous region told USCIRF that they have experienced not just safe refuge but also a substantial degree of religious freedom, gender equality, and representation in local governing bodies such as the Syrian Democratic Council. One of the few concerns has been a simmering dispute between Kurdish authorities and Christian communities over school curriculum—a longstanding point of contention over the boundaries of ethnic, religious, and national identity—which reached

a boiling point in August 2018, when authorities reportedly ordered the closure of up to two dozen Assyrian and Armenian schools, accusing them of having failed to implement an AA-approved curriculum. For their part, school administrators, and Christian activists who took to the

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*... barring a large-scale Turkish invasion or ISIS resurgence to dislodge the local authorities’ years of effort . . . northeast Syria has come to represent an imperfect but largely positive model for the promotion and protection of religious freedom.*

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streets in Hasaka Province in late August to protest those closures, complained that the AA-mandated curriculum denied them their own unique ethnoreligious identities, instead substituting the ardent Arab nationalism of the Ba’athist Assad regime for a Kurdish nationalist platform. Nevertheless, barring a large-scale Turkish invasion or ISIS resurgence to dislodge the local authorities’ years of effort, there is strong evidence to suggest that northeast Syria has come to represent an imperfect but largely positive model for the promotion and protection of religious freedom.

## U.S. POLICY

Several events toward the end of 2018 typified U.S. policy regarding religious freedom in Syria during the year. First, the SDF successfully captured the city of Hajin in early December, representing the fall of one of the last remaining territories under the direct control of ISIS. Although intense fighting between the SDF and ISIS remnants in and around that city persisted at the end of the reporting period, the successful capture of the city represented the culmination of efforts by the GCDI and particularly by its SDF partners throughout 2018 to destroy the remaining operational capabilities of ISIS in Syria and neighboring Iraq—although its organizational potential to regroup and its ideological attraction still remain for many radical Islamist fighters still operating there. While the emphasis of U.S. policy following the end of the reporting period appeared to reconcentrate on Iranian influence in Syria, 2018 was otherwise marked by a primary focus on defeating ISIS and ending the genocidal threat it posed to Christians, Yazidis, Shi'a Muslims, and other religious and ethnic communities in Syria and Iraq.

On December 11, President Donald J. Trump signed into law the [Iraq and Syria Genocide and Relief Accountability Act of 2018](#) (P.L. 115-300), which declared that ISIS “is responsible for genocide, crimes against humanity, and other atrocity crimes against religious and ethnic minority groups in Iraq and Syria, including Christians, Yazidis, and Shia, among other religious and ethnic groups.” The law directed the U.S. government to assist in meeting the “humanitarian, stabilization, and recovery needs” of those communities as well as to support the efforts of governments and nongovernmental organizations to hold ISIS members accountable for the above. The framework for implementing this aid in the quickly evolving Syrian context was unclear at the end of the reporting period, particularly in contrast to Iraq where the United States maintains clear ties to Iraqi government officials,

Kurdish regional authorities, and nongovernmental organizations. However, the 2018 law is expected to eventually supply a mechanism for holding ISIS members accountable and providing relief and rehabilitation for Syria’s religious and ethnic minority communities.

In addition, President Trump [announced](#) on December 19 his intention to immediately withdraw all U.S. troops from the Syrian front, citing the ostensible defeat of ISIS as the conclusion of the U.S. mandate there. That announcement precipitated a rapid scramble among armed factions—Arab, Kurdish, and Turkish alike—for the renegotiation and reconfiguration of military and economic dynamics in northeastern Syria. The White House announced in February 2019, after the reporting period, that 200 U.S. military personnel will continue to assist the SDF in the northeastern region as part of a multinational observer force, while an additional 200 personnel will reportedly remain in southeastern Syria in the area of al-Tanf, near the Iraqi and Jordanian borders.

The pending withdrawal of most U.S. military personnel has also sparked widespread anxiety among religious and ethnic minorities in that same area regarding the possibility that, in its zeal to root out the Kurdistan Workers’ Party (PKK)-linked YPG, Turkey might seek to exploit a subsequent, perceived military void by launching a large-scale incursion into Kurdish-held territory. Representatives of some of those communities have expressed to various media outlets, and to USCIRF directly, that they fear such an operation would replicate on a larger scale the disastrous results of Turkey’s Afrin operations: paving the way for the proliferation of radical Islamist FSA factions, effectively ending all advances in religious freedom conditions in that area, trapping tens of thousands of civilians in the crossfire, creating an opportunity for ISIS to regroup, and displacing vulnerable Syrian minorities yet again.

### KEY FINDINGS

In 2018, religious freedom conditions in Tajikistan trended the same as in recent years, as President Emomali Rahmon and the Tajikistani government continued their repressive policies, suppressing displays of public religiosity and persecuting minority communities, especially actual and alleged Salafists. Authorities pursued a crackdown on various attributes of faith, including restrictions on wedding and funerary banquets, and pursued extralegal bans on beards and hijabs. Higher Islamic religious education was all but decimated, and updates to the country's 2009 religion law resulted in the closing of more than 2,000 mosques in the last two years. Under the guise of a struggle against religious extremism, the government continued to torment former members of the banned Islamic Renaissance Party of Tajikistan (IRPT), sentencing rank-and-file former party

members to extensive jail time and extraditing former party elites from abroad; the party's legal existence was part of the country's post-civil war peace treaty.

Based on these concerns, in 2019 USCIRF again finds—as it has since 2012—that Tajikistan merits designation as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA). The U.S. Department of State designated Tajikistan as a CPC for the first time in February 2016 and did so again most recently in November 2018. Nevertheless, the State Department immediately issued a waiver against any related sanctions on Tajikistan “as required in the ‘important national interest of the United States.’” USCIRF recommends that the State Department redesignate Tajikistan as a CPC under IRFA and lift the waiver.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Condition U.S. assistance to the Tajikistani government, with the exception of aid to improve humanitarian conditions and advance human rights, on the government reforming the 2009 religion law and improving conditions of freedom of religion or belief;
- Work with the international community, particularly during Organization for Security and Cooperation in Europe (OSCE) events on countering terrorism, to include private and public criticism of Tajikistan's approach to regulating religion and countering extremism—including its classification of the IRPT as a terrorist group;
- Press for at the highest levels and work to secure the immediate release of individuals imprisoned for their peaceful religious activities or religious affiliations and press the Tajikistani government to treat prisoners humanely and allow them access to family, human rights monitors, adequate medical care, and lawyers, and the ability to practice their faith; and
- Ensure continued U.S. funding for Radio Ozodi, contingent on its compliance with international standards of journalistic objectivity, so that uncensored information about events inside Tajikistan, including those related to religious freedom, will be disseminated.

## COUNTRY FACTS

### FULL NAME

Republic of Tajikistan

### GOVERNMENT

Presidential Republic

### POPULATION

8,604,882

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Technically a secular state with complete religious freedom. In reality, Sunni Hanafi Islam and Russian Orthodox Christianity

receive preference from the state and are themselves highly monitored and restricted.

### RELIGIOUS DEMOGRAPHY\*

90% Muslim (86% Sunni Muslim and 4% Shi'a Muslim)  
10% Other (including Russian Orthodox, Protestants, Catholics, Jehovah's Witnesses, Buddhists, Jews, and Baha'is)

\*Estimates compiled from the CIA World Factbook and the U.S. Department of State

## BACKGROUND

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

Tajikistan's legal environment for freedom of religion or belief sharply declined after several highly restrictive laws were adopted in 2009. In particular, the Law on Freedom of Conscience and Religious Unions set onerous registration requirements; criminalized unregistered religious activity, private religious education, and proselytism; set strict limits on the number and size of mosques; allowed state interference with the appointment of imams and the content of sermons; required official permission for religious organizations to provide religious instruction and communicate with foreign coreligionists; and imposed state controls on the content, publication,

and import of religious materials. Small Protestant and other groups cannot obtain legal status under the burdensome registration requirements.

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

constitution and international religious freedom commitments, and opposed restrictions on beards, headscarves, religious education, and children attending mosques.

In 2018, the occurrence of two significant security events gave the government greater pretext to clamp down on religious freedom in the country. First, in July 2018, a group of Tajikistani citizens with Islamic State sympathies attacked a group of foreign cyclists, killing four—including two American citizens—in the Khatlon region, in one of the only domestic terror attacks in recent years. Then, on November 8, a riot broke out at a high-security prison near Khujand that houses prisoners, including many convicted of terrorism and extremism. The government declared a death toll of 21 prisoners and two guards, while unofficial sources claimed the number was as high as 50 inmates and six guards. The deceased prisoners were denied Muslim burials. The Tajikistani government blamed the first event on the IRPT, despite the Islamic State of Iraq and Syria (ISIS) claiming credit, but did not contest ISIS's claim for the second event. Some observers were skeptical about the extent to which the riot was actually orchestrated by the terrorist entity, citing credible reports that it was a spontaneous reaction to harsh conditions in the prison, including instances of alleged torture.

## RELIGIOUS FREEDOM CONDITIONS 2018

### Trials and Imprisonment of Muslims

Security and terrorism concerns in Tajikistan are real. The government estimates that more than 1,000 Tajikistani nationals have joined ISIS in recent years. However, the government exploits these fears to persecute political dissidents, critics, and nonsanctioned religious groups. In 2017 alone, Sogd Province courts examined terrorism and extremism cases involving 257 citizens.

In 2018, as in previous years, the bulk of the Tajikistani government's judicial persecution appeared to target adherents—both real and suspected—of Salafism. The term technically refers to a complex array of fundamentalist beliefs and practices that developed, primarily on the Arabian Peninsula and Egypt, between the 18th and 20th centuries. In Tajikistan, the term is broadly applied to practices and doctrines deemed to be 'foreign,' or outside the Hanafi school of Islam. Since 2009, 'Salafism' has been banned as an "extremist movement," and as such the mere performance of Muslim rituals in a manner inconsistent with the Hanafi school is tantamount to

criminal activity, whether the individual identifies as Salafi or not. To be charged with 'Salafism,' all that is necessary is the practice of Islam outside of places and times designated by the state. No advocacy of, preparation for, or commission of violence is necessary for Salafists to be sentenced to multiyear prison terms. In 2018, at least a dozen people were imprisoned for Salafism. The Tajikistani government arranged for the detention of Parviz Tursunov in Belarus for alleged extremism and Salafism; the former professional soccer player refused to shave his beard in 2011 and then fled the country. However, Belarus declined to extradite Tursunov. Men who have spent time abroad, especially in the Gulf States, are especially prone to suspicion. In December 2018, 36-year-old Mukhtadi Abdulkodyrov, the nephew of the current head of the Council of Ulema, the semiofficial board in charge of sermons and doctrine, was arrested upon returning to Tajikistan after working for four years in Saudi Arabia, despite writing a letter seeking "repentance" at the request of National Security Committee officials who reportedly offered him amnesty.

The government is particularly suspicious of prayer leaders with training abroad, even those who have long since returned to Tajikistan with no record of violence or encouragement of extremism. For example, in April 2018, Abdullo Saidulloev, the imam-khatib—prayer leader and sermon-giver—at Khujand's Sari Sangi mosque, was sentenced to six years in a hard labor colony for propagation of Salafism as well as praying "in a Salafi manner." A raid of his home revealed allegedly "extremist literature" and two of his brothers were also sought for Salafi membership. Saidulloev had trained at the Al-Masjid an-Nabawi mosque in Medina, Saudi Arabia, from 2004 to 2006 before returning to Khujand. In March 2018, six other imam-khatibs in Sogd Province were also detained, each of whom had also trained in Medina and in the 1990s had allegedly joined the Muslim Brotherhood.

Since 2014, the Tajikistani government has provided amnesties to ISIS fighters and others suspected of extremism who voluntarily return to the country and repent. In July 2018, it offered similar terms to opposition politicians, such as three members of Group 24—a banned secular opposition party—though it is not clear whether the government followed through on its promised amnesty upon arrival. This process creates a warped set of incentives whereby a former murderer

may return to Tajikistan without punishment, whereas application of the extremism law can result in jail time for internet speech that may only suggest an interest in joining extremist groups.

### Persecution of the IRPT

Since the IRPT was banned in 2015, more than 150 actual or suspected members have been arrested and at least 1,000 are reported to have fled the country. The Tajikistani government presses for their extradition, particularly through INTERPOL “red notices” (an alert that an individual is the subject of an arrest warrant in a member country), and IRPT defense attorneys have been given lengthy prison terms. IRPT chair Muhiddin Kabiri—who was granted political asylum in an unidentified Western European country—has asserted that the extremism charges against his party are false and politically motivated. In Warsaw in September 2018, Kabiri was elected head of a new political coalition, the National Alliance of Tajikistan—comprised of four exiled opposition parties, including the IRPT—and asserted his commitment to Tajikistan becoming a secular, democratic state. In October 2018, Kabiri was sentenced in absentia to an additional, unknown prison term. Kabiri’s family in Tajikistan continued to be the targets of petty and cruel punishment from authorities. In February 2018, Kabiri’s four-year-old grandson was diagnosed with cancer but was banned from foreign travel for medical treatment. As his condition worsened, it was only after online petitions, the advocacy of journalists and human rights organizations, and the appeals of foreign doctors that the Tajikistani government permitted him to travel to Turkey in August for emergency surgery.

In 2018, IRPT former leaders and the rank-and-file membership continued to be subject to arrest and persecution. In February 2018, businessman and former IRPT senior member Namunjon Sharipov reportedly was “forcibly and extra-judicially” returned from Istanbul to Dushanbe, where he faced “real risk” of torture. Tajikistani consular authorities had visited Sharipov at the teahouse

he ran in Istanbul and urged him to return home voluntarily, promising safety and financial rewards. Eventually, Turkish police detained Sharipov upon request of the Tajikistani government, whose consular officials seized him from a detention center and forced him on a flight to Dushanbe, where he is reportedly detained.

Tajikistani citizens risk arrest even by talking publicly about the IRPT. In April 2018, four men in their 30s in the northern city of Istaravshan were sentenced to six years in prison for allegedly discussing the IRPT and supporting its ideas while socializing at a teahouse. In May, a Tajikistani man was sentenced to nine and a half years in prison for watching, liking, and sharing videos of the IRPT online.

In July 2018, four foreign bicyclists were killed by a group of young men with ISIS sympathies in one of the most significant domestic terrorist acts in Tajikistan’s history. Even though ISIS took credit for the murders, the Tajikistani government assigned blame on the IRPT.

### Restrictions on Muslims

The government of Tajikistan seeks to meticulously control Muslim religious practice, regulating even small details of who may express religious belief, at what age, when, where, and how. The 2011 religion law restricts Muslim prayer to

four locations: mosques, homes, cemeteries, and shrines. The official State Committee on Religious Affairs (SCRA) controls the selection and retention of imams and the content of their sermons.

The government pays the salaries of imams of

cathedral mosques, which are the only mosques where the state allows sermons (prepared by the semiofficial Council of Ulema). The law requires that the call to prayer only be audible within the confines of a mosque, many of which contain cameras installed and monitored by the state.

In 2018, the government continued its repressive campaigns against dress, grooming, and public celebrations with allegedly foreign roots. Many of these policies were solidified in a July 2017 speech by President Rahmon and a series of subsequent amendments the government passed to the law on Regulating Traditions, Celebrations,

*The government of Tajikistan seeks to meticulously control Muslim religious practice, regulating even small details of who may express religious belief, at what age, when, where, and how.*

and Ceremonies, regulating the observance of a wide variety of rituals related to marriage, burial, and childbirth, as well as Islamic dress. Many prohibitions govern the banquets or communal meals traditionally offered to friends, family, and neighbors at life events such as weddings or Tajik-specific milestones like circumcision or the placing of a newborn in its cradle for the first time. The prohibitions altogether ban their celebration or limit the number of guests, amount of food served, animal slaughter, and length of dining tables, as well as other services like professional waiters or masters of ceremony.

The Tajikistani government is concerned with controlling every aspect of religious life, not just those with plausible links to violent extremism. In Tajikistan, as in several other post-Soviet countries, all religious practice is seen as a potential

security threat that the state monitors and regulates accordingly. According to one human rights activist, “Mosques have stopped being a social institution, and have become some kind of state agency. Imams are known to share all information on mosque community members with state agencies.”

Returnees from the pilgrimage to Mecca—limited to persons over the age of 40—are now forbidden from engaging in communal celebration of their accomplishment. Amendments to the Traditions Law also provided some legal basis for campaigns of harassment against women wearing hijabs and obliging all citizens to wear “national dress.”

State regulations of public piety continued in 2018. Forum 18 reported that hijab-wearing women were refused employment and medical care. Also, universities enforced the beard and hijab ban, and police in Dushanbe enforced the bans with regular visits to schools. In September 2018, police set up a roadblock on the outskirts of Dushanbe, stopping cars and forcing men to shave and women to remove their hijabs. News reports also found that young bearded men were frequently denied passports until they agreed to shave.

Although state campaigns to limit personal piety have been pervasive, their legality is opaque and

enforcement uneven. The hijab and beard bans are mostly enforced in Tajikistan’s major cities, yet, as late as October 2018, the Interior Ministry press secretary reportedly confirmed that there was no formal law banning hijabs and beards. Because the article in the Traditions Law on national dress does not provide a specific penalty for noncompliance, the General Prosecutor’s Office was compelled to publicly state that fines were, in fact, unlawful. Meanwhile, enforcement of other aspects of the Traditions Law, such as those governing ceremonies and celebrations, has been erratic

and its logic unclear. For example, in October 2018, a young woman was fined approximately \$530 for breaking the Traditions Law because she celebrated her 25th birthday at a restaurant in Khujand, one of Tajikistan’s oldest cities. Foreign observers speculate that

such laws instead serve as an avenue for local officials to extract fines and settle scores.

In addition, a state license is required for religious instruction, and both parents must give written permission for students to attend. The law also requires state permission for pursuing religious education abroad and only after completion of religious education in Tajikistan. Only central mosques may set up educational groups. Since a series of closures in 2016, no madrassas for teaching 16- to 18-year-olds are allowed to operate in Tajikistan. In January 2018, amendments to the 2009 law on Freedom of Conscience and Religious Unions set rigorous new requirements for reporting mosque income, property, staff, salaries, and worshippers’ personal data. Likewise, in 2018, imam-khatibs were again subject to being tested on their religious knowledge for reaccreditation as spiritual leaders. This process enabled the state to filter out unwanted clergy members, including 16 from Sogd Province.

The small Shi’a Muslim minority in Tajikistan is generally tolerated by the government, although subject to the same level of official scrutiny given to the Sunni majority. Nevertheless, there were some signs of tension in 2018. During the summer, a senior member of the Academy of Sciences of Tajikistan published an article

*In January 2018, amendments to the 2009 law on Freedom of Conscience and Religious Unions set rigorous new requirements for reporting mosque income, property, staff, salaries, and worshippers’ personal data.*



alleging that the membership of IRPT had converted to Shi'a Islam, which he labeled an 'alien religion'. On July 2, the article, which also alleged intense IRPT interest in Iran and its Islamic revolution, was republished by the Tajikistani government news agency, Khovar.

### Treatment of Non-Muslims

Although there were fewer arrests and less harassment of Christians in 2018 when compared to the previous year, it is not clear that this represented a policy shift. As is the case with several other Central Asian governments, the Tajikistani government is deeply suspicious of Christian minority groups, especially those engaged in proselytism. Jehovah's Witnesses—who were banned in 2007 for allegedly causing “discontent” and for conscientious objection to military service—continue to be subjected to harassment in schools and on the job, and also faced threats of imprisonment. On October 5, 2018, 18 Jehovah's Witnesses, including women and children, were detained by Tajikistani security services and interrogated for several hours. Similar episodes, involving 18 Jehovah's Witnesses, were reported during January and February 2019, after the reporting period. One woman was reportedly questioned for 14 hours before suffering a stroke that left her unable to speak or walk. In December 2018, police opened a criminal case against Jehovah's Witness Muhibahon Isanova for complaining about a teacher's bullying of her eight-year-old son. While persecution is usually confined to raids, fines, and temporary detention, Christians have also been handed down lengthy prison terms. In July 2017, Bakhrom Kholmatov, Protestant pastor of the Sunmin Sunbogym church in Khujand, was sentenced to three years in prison on charges of extremism for leading worship services, “singing extremist songs,” and “inciting religious hatred.” According to his family, Kholmatov was denied family visitation rights for more than four months and was denied the right to receive his mail. In December 2018, Forum 18 reported that Kholmatov had decided against any further appeals in his case.

The estimated 1,000 followers of the Baha'i faith in Tajikistan are registered as a recognized faith community and able to conduct worship. Yet in 2018 some members reported rising hostilities among Tajikistani society at large, where there is an increasing tendency to equate Tajikistani nationality with Sunni Islam.

In December 2018, customs officers at Dushanbe Airport destroyed 5,000 Baptist calendars with New Testament verses on them. The calendars were confiscated after a “linguistics expert” from the Ministry of Culture determined them to contain the “propaganda” of an “alien faith.”

### Imprisonment of Conscientious Objectors

Tajikistan provides no exemptions for conscientious objection. In April 2018, Daniil Islamov—a Jehovah's Witness—was released from prison after serving out a six-month sentence for refusing military service.

### U.S. POLICY

Tajikistan is strategically important to the United States because of its long border with Afghanistan and that country's large Tajik minority. Since 2010, the United States has expanded cooperation with Central Asian states, including Tajikistan, to ship cargo overland via the Northern Distribution Network as U.S. and North Atlantic Treaty Organization (NATO) troops in Afghanistan continue to withdraw. Tajikistan has given U.S. Special Operations Forces permission to enter the country on a case-by-case basis during counterterrorism operations, while the United States has provided counterterrorism training to Tajikistan's border guards and Special Forces.

In July 2018, a U.S. delegation [attended the C5+1 Ministerial in Almaty and Tashkent](#), which brought together the foreign ministries of the five Central Asian states and the United States for discussions on various multilateral issues, including respect for basic freedoms. Then Acting Deputy Assistant Secretary of State for Central Asia Henry Ensher led the Security Working Group in Tashkent. Since 2010, the United States and Tajikistan have discussed bilateral policy and economic assistance in an Annual Bilateral Consultation (ABC). After a hiatus in 2017, the ABC resumed in Dushanbe in October 2018, with a U.S. delegation led by Emilia A. Puma, acting deputy assistant secretary for Central Asia and press and public diplomacy, who raised U.S. concerns about human rights and media freedom in Tajikistan.

In November 2018, the State Department redesignated Tajikistan as a CPC. However, in light of Tajikistan's ongoing security cooperation with the United States, the State Department granted a waiver on taking any action as a consequence of the CPC designation, in consideration of U.S. “national interest.”

# TURKMENISTAN

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

### KEY FINDINGS

In 2018, religious freedom conditions in Turkmenistan remained largely unchanged. Turkmenistan is widely considered the most closed of the former Soviet states, and this was reflected in the range and severity of the government's religious freedom violations in 2018. For the first time in four years, the government resumed its practice of imprisoning conscientious objectors to military service. The government continued to be suspicious of all independent religious activity and maintained a large surveillance apparatus that monitors believers at home and abroad. Turkmenistan law requires religious groups to register under intrusive criteria, strictly controls registered groups' activities, and bans and punishes religious activities by unregistered groups. Persons accused of criminal religious offenses may be tried in closed-regime courts in which the sentences remain secret. Many of those convicted are disappeared in the state's prison system and are presumed to be held without any contact with the outside

world; some are held at the notorious Ovadan-Depe Prison where prisoners routinely die from torture and starvation. However, the full extent of religious persecution is unknown due to the nearly complete absence of independent news media and the threat of retaliation by the government against communities, family members, and individuals who publicize human rights and religious freedom violations.

In light of these systematic, ongoing, egregious violations, in 2019 USCIRF again finds that Turkmenistan merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). The U.S. Department of State has designated Turkmenistan as a CPC since 2014, most recently in November 2018. At the same time, the State Department used a waiver against any related sanctions on Turkmenistan "as required in the 'important national interest of the United States.'" USCIRF recommends that the State Department redesignate Turkmenistan as a CPC under IRFA.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Lift the waiver on taking action as a consequence of Turkmenistan's CPC designation to hold the government of Turkmenistan accountable for its continuing violations of religious freedom;
- Identify Turkmenistan government agencies and officials responsible for severe violations of religious freedom, freeze those individuals' assets, and bar their entry into the United States, as delineated under the [Global Magnitsky Human Rights Accountability Act](#) and related executive orders, citing specific religious freedom violations;
- Press for at the highest levels and work to secure the immediate release of individuals imprisoned for their peaceful religious activities or religious affiliations and urge the government of Turkmenistan to desist immediately from the practice of "disappearing" prisoners and account for the whereabouts of all prisoners of conscience, including those imprisoned on religious grounds; and
- Ensure continued U.S. funding for Radio Azatlyk, the Turkmen service of Radio Free Europe/Radio Liberty (RFE/RL), so that uncensored information about events inside Turkmenistan, including those related to religious freedom, continues to be disseminated.

## COUNTRY FACTS

### FULL NAME

Turkmenistan

### GOVERNMENT

Presidential Republic

### POPULATION

5,411,012

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Technically a secular state with complete religious freedom. In practice, the government gives preference to Hanafi Islam and Orthodox Christianity.

### RELIGIOUS DEMOGRAPHY\*

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

\*Estimates compiled from the CIA World Factbook and the U.S. Department of State

## BACKGROUND

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

Over time, however, President Berdymukhamedov has done little to reform oppressive Turkmenistan laws, rein in the all-powerful state security apparatus, or place curbs on his personal power. In fact, a new 2016 constitution removed the presidential age limit and President Berdymukhamedov was reelected in 2017 with 97 percent of the vote in an election that international observers widely regarded as unfair. With few—if any—

checks and balances, the government of Turkmenistan in 2018 continued to impose an information blackout, including by strictly controlling electronic communications; it also harasses and imprisons journalists. On May 9, authorities detained an RFE/RL journalist, Soltan Achilova, threatening her with trumped-up drug charges and forcing her to renounce her employment with RFE/RL before she was released.

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

## RELIGIOUS FREEDOM CONDITIONS 2018

### Government Legal Control over Religious Activities

Although the constitution guarantees religious freedom, the separation of religion and state, and equality before the law, Turkmenistan law and policies violate these guarantees. In May 2018, various government

participants in the United Nations (UN) Human Rights Council's [Universal Periodic Review of Turkmenistan](#) remained concerned that legislation, especially the 2016 law on religious freedom, restricted freedom of religion and belief, in particular citing barriers to religious education, the registration of religious groups, and the importation and distribution of religious literature. The 2016 law raised the group registration requirement minimum from five to 50 adult citizen founders, rendering smaller congregations illegal. In addition, the law also continued several restrictive provisions from the previous legislation, including: intrusive registration criteria, prohibition of any activity by unregistered groups, the requirement that the government be informed of all foreign financial support, bans on worship in private homes and private religious education, and prohibition of wearing religious garb in public except by clerics. More recently, the government has stepped up enforcement of its unofficial ban on full beards for men under 40, which it views as an indicator of Islamist extremism. Young men are routinely stopped on the street by police and forced to shave or pay a fine.

The Commission for Work with Religious Organizations and Expert Analysis of Resources with Religious Information, Published and Printed Production (CWRO), which reports to the Cabinet of Ministers, must approve registration applications before they are sent to the Justice Ministry. It is illegal for unregistered groups to rent, purchase, or build places of worship. Justice Ministry officials can attend any religious event of a registered religious community and ask its members about the nature of their religious activities. Registered religious communities must undergo re-registration every three years, and religious activity is not permitted in prisons or in the military.

According to the Turkmenistan government, as of January 2018, there were 131 registered religious organizations, including 108 Muslim (103 Sunni and five Shi'a), 12 Orthodox Christian, and 11 others. The Working Group of the UN Universal Periodic Review [affirmed](#) that in 2017 Turkmenistan approved the registration

of five new groups; however, registration applications from certain Shi'a Muslim groups, the Armenian Apostolic Church, Protestant congregations, and Jehovah's Witnesses have faced numerous rejections. Non-Muslim communities led by ethnic Turkmen have proven especially difficult to register. In January 2018, at least six evangelical churches reportedly had been waiting for registration since 2016 and were forced to conduct worship services in secret, where they were subject to arrest and raids. According to Jehovah's Witnesses, between September 2017 and August 2018, authorities carried out the following against their members: five police raids and searches of religious meetings and private homes, 17 detentions by authorities, two severe beatings by police, and 12 fines imposed for religious activity.

In addition, the Turkmenistan government imposed unspecified conditions on the exercise of freedom of religion or belief by requiring religious leaders and believers to cooperate closely with the Ministry of National Security's secret police.

### Punishment for Religious Activities

The Turkmenistan government subjects religious adherents to harsh penalties, such as imprisonment, forcible treatment with drugs, and alleged torture. In recent years, Muslims, Protestants, and Jehovah's Witnesses have been detained, fined, imprisoned, or internally

exiled for their religious beliefs and activities.

Politically sensitive trials often take place in a closed regime, with the sentence remaining secret. Once convicted, prisoners are routinely subjected to brutal and inhumane conditions,

including starvation, alleged torture, and infectious disease. The most politically sensitive prisoners, including some religious prisoners, are subjected to "disappearance" in the state prison system. Oftentimes, death announcements by authorities are made after a lengthy period of the prisoner being incommunicado. Most of the "disappeared" are believed to be held in Ovdan-Depe, a prison also known by its official designation, AN-T/2, in the Karakum Desert. In December

*The Turkmenistan government subjects religious adherents to harsh penalties, such as imprisonment, forcible treatment with drugs, and alleged torture.*

2016, the UN Committee Against Torture stated that it was “gravely concerned” about the use of torture to extract confessions, the deaths of “numerous” prisoners in Ovadan-Depe, and the “impunity” of state officials involved in torturing detainees.

Disappearances were pursued most widely in the early 2000s under the reign of then President Niyazov. The practice has tapered but has continued under President Berdymukhamedov, whose administration has upheld the sentences and conditions of those previously “disappeared” and resisted providing information about prisoners to international organizations and the UN. Against this backdrop, there have been some positive steps taken in recent years. In 2016, authorities started to hand over the bodies of “disappeared” prisoners to their families for burial. In June 2018, the government provided limited family visits to certain “disappeared” prisoners at Ovadan-Depe, including a few individuals accused of Islamist extremism.

## Muslims

Because of the government’s information blackout, no accurate numbers of religious prisoners exist. In 2018, sources in Turkmenistan informed the UN’s [Working Group on Enforced or Involuntary Disappearances](#) that among the approximately 120 disappeared prisoners, 30 individuals were held on charges of Islamist extremism, most with sentences between eight and 25 years. In a few cases, those charged with religious extremism are members of nonviolent religious communities or people refusing to cooperate with security agencies. In several cases, those given sentences of between two and a half and three years on suspicion of extremism were then resentenced to longer terms while in prison, allegedly for more serious crimes, and the details of the sentences were unknown. According to sources, four prisoners held on religious charges have died in prison.

In 2016, Turkmenistan officials detained more than 150 businessmen and former teachers and graduates of joint Turkish-Turkmen secondary schools

associated with the movement of Turkish Islamic cleric Fethullah Gülen, who is currently based in the United States. In February 2017, 18 of the detained individuals were sentenced to between 12 and 25 years in prison on charges of belonging to an unnamed terrorist group. The arrests reportedly were a “goodwill” gesture to Turkish President Recep Tayyip Erdoğan, who has blamed Gülen for the 2016 attempted coup against his government. Several of those convicted were reportedly transported to Ovadan-Depe Prison. In December 2017, the UN’s [Working Group on Arbitrary Detention](#) ruled that the 18 cases had major irregularities and were in fact arbitrary.

In 2018, no new information became available about Annamurad Atdaev, a Muslim prisoner of conscience who disappeared in January 2017 after being charged with “inspiring religious, national, and social hatred.” Atdaev’s disappearance occurred while authorities transferred him to a regime prison; he is believed to be held in Ovadan-Depe Prison, though his precise whereabouts were unknown at the end of the reporting period.

In July 2018, the 12-year sentences of five men convicted in 2017 of convening a prayer group devoted to discussing the works of the late Turkish Muslim theologian Said Nursi were upheld in a court of appeals. At the end of the reporting period, four of the men were held at Ovadan-Depe Prison even though their sentences called for them to serve time in labor camps.

## Protestants and Jehovah’s Witnesses

In 2018, the Turkmenistan government regularly raided homes and places of worship of both registered and unregistered religious minorities, confiscating literature and temporarily

detaining believers. In addition to incarcerations with significant jail time, Protestants and Jehovah’s Witnesses were jailed as short-term prisoners of conscience for periods up to 15 days. In recent years, Jehovah’s Witnesses reported being taunted,

threatened, expelled from schools, and removed from their jobs. Ethnic Turkmen Protestants also reported

*In 2018, the Turkmenistan government regularly raided homes and places of worship of both registered and unregistered religious minorities, confiscating literature and temporarily detaining believers.*

being summoned before community leaders, accused of betraying their “ancestral faith,” and pressured to renounce Christianity. However, reports of persecution are limited and incomplete because authorities tightly control information and communities fear retaliation if they publicize violations of their rights.

### Conscientious Objectors

Turkmenistan has no civilian alternative military service for conscientious objectors. Although by law those who refuse service can face up to two years’ jail time, between 2014 and 2017 the dozen or so citizens prosecuted by Turkmenistan authorities typically received only suspended sentences or terms of “corrective labor,” under which the state withholds a portion of the convicted person’s salary.

The UN and the Organization for Security and Cooperation in Europe (OSCE) have repeatedly deemed the prosecution of conscientious objectors to be a violation of their human rights and have urged Turkmenistan to introduce a nonmilitary service alternative. In May 2018, the UN Working Group on Turkmenistan’s Universal Periodic Review [urged](#) the government “to recognize the right to conscientious objection to military service,” which the Turkmenistan government rejected, citing its law on universal military service.

In 2018, the Turkmenistan government increased the frequency of prosecutions and reintroduced jail time for conscientious objectors after a break of four years. Since January 2018, authorities imprisoned 10 Jehovah’s Witnesses for refusing military service. Nine of the men received one-year sentences and one, 19-year-old Mekan Annayev, received a two-year sentence. According to Forum 18, when Annayev initially declined military service in 2017 he was subject to “explanatory work” conducted by the chief imam of the city of Turkmenbashi. At his trial in June 2018, the presiding chief judge in Turkmenbashi denounced Annayev and all Jehovah’s Witnesses as “traitors.” In July, Jehovah’s Witness Ikhlosbek Valijon oglu Rozmetov was tried for conscientious objection in the

Gurbansoltan Eje district of Dashoguz Region in a conference hall of the district military conscription office rather than a courtroom.

### Government Interference in Internal Religious Affairs

The Turkmenistan government interferes in the leadership and organizational arrangements of religious communities. The Sunni Muftiate (Muslim Spiritual Administration) continued to be under tight government control. The Justice Ministry names the chief mufti and senior muftiate officials, who also function as officials for the CWRO and thereby oversee the activities of other religious communities. The muftiate appoints imams, including at the district level, and district imams appoint local

*Sermons by imams . . . convey state messages, the Justice Ministry forbids imams from discussing certain topics, and Friday prayers end with a short prayer for the president.*

mullahs, with all appointments subject to secret police vetting. Sermons by imams at Friday prayers convey state messages, the Justice Ministry forbids imams from discussing certain topics, and Friday prayers end with a short prayer for the president.

Aside from basic education in some Sunni mosques and churches of the Moscow Patriarchate Russian Orthodox Church (MPROC), formal religious education is almost completely banned. Religious groups cannot arrange lectures, courses, or training programs. The sole exception is a small Sunni Muslim theological section in the history faculty of Ashgabat’s Turkmen State University that is authorized to train imams.

### Restrictions on Houses of Worship

Registered religious communities are eligible to own property but require the approval of the CWRO and local government authorities to build places of worship. In practice, religious communities face major difficulties in securing leases for religious services and for building or acquiring places of worship. In the capital, Turkmenistan authorities have demolished at least eight of Ashgabat’s 14 mosques without compensation to the religious communities.

## State Control of Religious Literature

Turkmenistan continued to ban most religious publications and state authorities routinely confiscated religious literature. Because very little literature is produced in Turkmenistan, it is difficult to acquire copies of religious books such as the Qur'an and the Bible. In December 2018, authorities detained a Turkmenistani woman for 24 hours for trying to bring copies of the Qur'an back from Turkey. She was eventually released, but the texts were confiscated. Only registered groups can legally import religious literature, but only under tight censorship. The CWRO must review and stamp "approved" on all religious texts; documents without a stamp are subject to confiscation and individuals to fines or imprisonment. Although the MPROC can sell approved religious texts, Protestant churches have been unable to register a Bible Society to promote and sell Christian scriptures.

## State Restrictions on Foreign Travel and Religion

The Turkmenistan government continued to restrict the movement of its citizens across international borders, especially when it suspects religious activity as the purpose of travel. The only exception to this policy is for the approximately 110,000 individuals with dual Russian-Turkmenistan citizenship, mainly Russian Orthodox, who usually meet coreligionists abroad and undertake clerical training. Muslims, however, are not permitted to travel abroad for religious education. In 2018, the government stated that it routinely allows more than 1,500 people to travel to Mecca for the hajj pilgrimage each year, though this assertion belies reported figures from previous years; for example, in 2017, only 160 people reportedly made the hajj, the lowest number since 2009.

In January 2018, all women returning from Turkey to Turkmenistan reportedly were summarily detained for questioning about their religious convictions at the Ashgabat International Airport, especially those with Turkish residency permits or those who wore the hijab.

*In January 2018, all women returning from Turkey to Turkmenistan reportedly were summarily detained for questioning about their religious convictions . . .*

Authorities also confiscated the women's cell phones and checked their social media accounts.

The government also continued to monitor and harass its citizens abroad, especially students. In June 2018, students returning to Turkmenistan were reportedly required to visit the offices of the Ministry of National Security for "prophylactic conversations," during which authorities sought to reconstruct their circles of friends and acquaintances and inquired about their religious activity.

At a secret trial during the spring of 2018, Omriuzak Omarkulyev was found guilty of high treason and sentenced to 20 years in prison. Omarkulyev had been a second-year student at Osmaniye Korkut Ata University in Turkey and the leader of an informal Turkmen student group that was monitored by the Turkmenistan Embassy in Ankara. He was invited back to Turkmenistan by authorities on the pretense of being trained to take part in pre-election activities in Ashgabat in February 2018. He was subsequently prevented from boarding a flight to Turkey for a week before being arrested and charged and sentenced in closed trial, and is believed to be held in Ovadan-Depe Prison at the end of the reporting period.

## U.S. POLICY

For more than a decade, U.S. policy in Central Asia has been dominated by the Afghan war, with human rights and religious freedom remaining low on the list of regional priorities. However, the drawing down of U.S. forces in the region could impact the status quo.

The United States has security and economic interests in Turkmenistan due to its proximity to Iran and Afghanistan and its large natural gas reserves. Despite its neutral status, Turkmenistan has allowed the Northern Distribution Network to deliver supplies to U.S. and international troops in Afghanistan, as well as the refueling of U.S.

flights with nonlethal supplies at Ashgabat International Airport. During counterterrorism operations over the past year, U.S. Special Operations Forces reportedly

have been allowed to enter Turkmenistan on a “case-by-case” basis with Turkmenistan’s permission.

In July 2018, a U.S. delegation [attended](#) the C5+1 Ministerial in Almaty, Kazakhstan, and Tashkent, Uzbekistan, which brought together the foreign ministries of the five Central Asian states and the United States for discussions on various multilateral issues. However, these discussions have historically focused on regional cooperation, U.S. investment, counterterrorism, and environmental concerns more than human rights issues.

The Annual Bilateral Consultations (ABCs) are a regular mechanism for the United States and Turkmenistan to discuss a wide range of bilateral issues, including regional security, economic and trade relations, social and cultural ties, and human rights. Although no ABC sessions were held in 2016 and 2017, they resumed in October 2018 with a [visit](#) to Ashgabat by Acting Deputy Assistant Secretary of State for

Central Asian Affairs Emilia A. Puma. As part of the dialogue, the delegations reportedly discussed human rights issues.

In recent years, U.S. participation alongside other nations at the UN has provided another important platform to address concerns over Turkmenistan’s human rights and religious freedom record. In May 2018, as part of the UN’s Universal Periodic Review, the United States made [explicit recommendations](#) to lift practices that “restrict freedoms of religion or belief, expression and movement.”

In November 2018, the State Department redesignated Turkmenistan as a CPC under IRFA, a designation it first made in 2014. However, in light of its ongoing security cooperation with the United States, the State Department granted a waiver on taking any action as a consequence of the CPC designation in consideration of U.S. national interest.





# UZBEKISTAN

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

### KEY FINDINGS

In 2018, religious freedom conditions in Uzbekistan trended positive in certain areas, though serious concerns remain. During the year, Uzbekistan continued on a path of reform to expand religious freedom in the country. Notably, in May 2018, Uzbekistan's parliament adopted a road map to improve religious freedom conditions, incorporating the recommendations made by the United Nations (UN) Special Rapporteur on freedom of religion or belief, and pledged to rewrite the oppressive 1998 Law on Freedom of Conscience and Religious Organizations. Despite the positive developments originating at the highest levels of the government, severe violations of religious freedom persisted. Thousands of Muslim religious prisoners remained behind bars on allegations of religious extremism. Of the prisoners who have been released under the administration of President Shavkat Mirziyoyev, none of them have been rehabilitated for full reintegration into society, and the government has yet to provide a means for former prisoners to seek justice and exonerate their names. The government continued to restrict certain manifestations of Muslim piety in settings such as schools, where it has prohibited women and girls from wearing the hijab, and punished those who criticized such policies with short-term detentions, fines, or—in the case of at least one public figure—dismissal from employment. At the same time, local authorities continued to target Christian

communities for failing or being unable to register, possessing and distributing religious literature, and engaging in missionary activities, despite government assurances that efforts were underway to decriminalize acts that posed no threat to public safety. This inability to rein in local authorities and police forces throughout the country demonstrates the government's ongoing lack of capacity to fully implement and enforce top-down changes. On the contrary, during the year, police forces and members of Uzbekistan's State Security Service (SSS) continued to harass, intimidate, raid, fine, and detain members of Christian communities, particularly Baptists and Jehovah's Witnesses.

Based on these violations, USCIRF again finds in 2019 that Uzbekistan merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). In November 2018, the U.S. Department of State moved Uzbekistan from its list of designated CPCs and placed the country on its "Special Watch List," a new category created by December 2016 amendments to IRFA. Unlike a CPC designation, the Special Watch List carries no penalties, sanctions, or other commensurate actions. USCIRF acknowledges the government's willingness and interest to reform, but nevertheless recommends that the State Department redesignate Uzbekistan as a CPC under IRFA and use available tools to leverage sustainable improvements in religious freedom conditions.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Establish a binding agreement with the Uzbek government, as authorized under section 405(c) of IRFA, on steps it can take to ensure long-lasting improvements to religious freedom;
- Work with the Uzbek government to revise the 1998 Law on Freedom of Conscience and Religious Organizations to ensure it is consistent with international human rights standards, and encourage the Uzbek government to remove registration requirements on religious communities, permit the distribution and possession of peaceful religious literature, and permit the sharing of religious beliefs;
- Urge the Uzbek government to close the notorious Jasliq Prison, where many religious prisoners of conscience are held, and allow for independent prison monitoring; and
- Press for at the highest levels and work to secure the immediate release of individuals imprisoned for their peaceful religious activities or religious affiliations and press the Uzbek government to treat prisoners humanely and allow them access to family, human rights monitors, adequate medical care, and lawyers, and the ability to practice their faith.

## COUNTRY FACTS

### FULL NAME

Republic of Uzbekistan

### GOVERNMENT

Presidential Republic

### POPULATION\*

32,653,900

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam, Christianity (Orthodox, Catholic, and Protestant), and Judaism

### RELIGIOUS DEMOGRAPHY\*\*

93% Muslim (92% Sunni Muslim and 1% Shi'a Muslim)

4% Russian Orthodox

3% Other (including the Baha'i faith, Buddhist, Hare Krishna, Jehovah's Witness, Jewish, Protestant, and Roman Catholic)

\*Information sourced from the government of Uzbekistan.

\*\*Estimates compiled from the U.S. Department of State.

## BACKGROUND

Uzbekistan's constitution provides for freedom of religion or belief, but also limits it where it encroaches on the "lawful interests, rights, and freedoms of other citizens, the state, or society." Religious freedom is also regulated and controlled by the 1998 Law on Freedom of Conscience and Religious Organizations, as well as the administrative and criminal codes. The 1998 law requires religious groups to register with the government and criminalizes any unregistered religious activity. Such failure to register often results in police raids, detainment, arrests, or fines many times the average monthly salary. The private teaching of religion, proselytism, and other missionary activities are strictly prohibited. The Committee on Religious Affairs (CRA) under the Cabinet of Ministers is the government body responsible for the oversight of registered religious activity. As official approval is required for the content, production, and distribution of religious publications, the CRA is also tasked with the review and censorship of religious materials.

Control of religious activity in Uzbekistan is generally based on security grounds, requiring authorities to combat religious extremism and terrorism, which has served to justify the State Security Service's (SSS) involvement in monitoring and

policing religious communities. However, international human rights organizations contend that the government has regularly used dubious allegations of links to extremist or terrorist organizations as a means to suppress dissent, and members of the SSS have been accused of using torture to extract confessions. In January 2018, Rustam Inoyatov, the head of the National Security Service (NSS) that was later renamed the SSS, was dismissed following President Mirziyoyev's criticism that "every ordinary issue has been considered a threat to national security." In February 2018, Aydarbek Tulepov was similarly dismissed from his post as the deputy chairman of the Muslim Board of Uzbekistan (MBU). The NSS reportedly had tasked him to monitor the MBU. The work of others assigned to watch the activities of mosques was also temporarily discontinued.

Throughout 2018, the government under President Mirziyoyev continued to pursue an ambitious agenda of political and economic reform. Government officials highlighted efforts to address human rights concerns and emphasized a commitment to end torture, although allegations of torture persisted during the year despite a 2017 presidential decree banning the use in court of evidence obtained through torture.

## RELIGIOUS FREEDOM CONDITIONS 2018

### Positive Developments

Throughout 2018, the government of Uzbekistan continued to publicly address religious freedom concerns in the country and engage with the international community about ongoing steps for reform. In May 2018, the parliament adopted a joint resolution on a “road map” to ensure freedom of religion or belief in direct response to the October 2017 visit and February 2018 recommendations made by UN Special Rapporteur on freedom of religion or belief Ahmed Shaheed. Among the stated goals included in the road map were: improving the legislative framework and rewriting the 1998 law; improving the process of registration for religious organizations, including by reducing fees and lowering the minimum number of founders from 100 to 50; introducing changes to the criminal and administrative codes regarding freedom of religion or belief; reviewing the overly broad definition of “extremism”; and reviewing the cases of individuals charged with “religious extremism,” “anti-constitutional activity,” or “membership in an illegal religious group.”

The government of Uzbekistan also took positive steps to relax some longstanding restrictions on the private and public practice of Islam, which has generally been closely monitored and controlled as a purported means to combat Islamist extremism. In keeping with trends from 2017, the government continued to expand some freedoms by increasing access to religious education and permitting greater religious expression in the public sphere. In January 2018, the Justice Ministry registered the International Islamic Academy of Uzbekistan, the first institution of higher education dedicated entirely to Islamic studies. The government also sponsored Qur’an and *hadith* recitation contests, a move seen as a significant departure from previous practices censoring public displays of piety.

In December 2018, the UN General Assembly [adopted](#) a resolution introduced by Uzbekistan on “Enlightenment and Religious Tolerance,” which calls on members to eliminate intolerance and discrimination and protect freedom of religion or belief.

### Arbitrary Accusations of Islamist Extremism

Government officials frequently attribute the need for strict regulation and monitoring of religion and religious activity to the persistent threat of religious extremism. While the government has legitimate concerns about radicalization and terrorism, particularly given the number of Uzbek citizens reported to have joined or supported the Islamic State of Iraq and Syria (ISIS) in recent years, accusations of religious extremism have tended to be excessively vague, unfounded, or spurious at times. Despite the removal of an estimated 16,000 names from a government blacklist of alleged religious extremists and the release of a number of political prisoners at the end of 2017, thousands of individuals remain imprisoned on charges of religious extremism or

... thousands of individuals remain imprisoned on charges of religious extremism or membership in a banned religious group . . .

membership in a banned religious group—some estimates range between 1,500 and 7,000 individuals. According to human rights groups, many of them have been behind bars for approximately two decades.

In February 2018, court proceedings began against local human rights activist Musajon Bobojonov, who faced extremism charges under article 244(1) of the Criminal Code. Police claimed to have discovered “extremist” materials on Bobojonov’s computer. In an interview with Radio Ozodlik, Bobojonov explained that the materials were for his work “conduct[ing] research on the negative impact of radical literature” on Islam, and that he had published a number of books on the subject before. In March 2018, he was convicted of the “production, storage, distribution or demonstration of materials containing a threat to public safety and public order” and sentenced to three years’ probation. In June 2018, G’ayrat Ziyahodjaev was similarly convicted for possessing religious texts downloaded online. While he did not receive any jail time, both his phone and his parents’ computer were ordered destroyed.

In February 2016, Aramais Avakian, a Christian fish farmer, was sentenced to seven years in prison for allegedly “plotting unconstitutional activities” and participating in a religious extremist organization. Avakian’s family claims he was targeted by local authorities

as a means to seize his profitable fish farm. Local and international human rights organizations have stated that Avakian was subjected to torture in attempts to extract a confession. In May 2018, Avakian was relocated to a less strict prison facility in his home region of Jizzakh and informed that he would be released within two months. At the end of the reporting period, Avakian remained imprisoned.

Jahongir Kulijanov, a member of Uzbekistan's Shi'a Muslim minority community, also remained imprisoned throughout 2018 for his conviction for allegedly participating in an illegal religious organization and the possession and dissemination of extremist religious materials. Kulijanov was one of 20 Shi'a Muslims originally detained in Bukhara in February 2017 for holding an illegal religious meeting in a local café and sharing Shi'a Muslim literature. According to Forum 18, Kulijanov's peers believe he was targeted after he was tapped to replace the imam of a local Shi'a mosque. In February 2019, after the reporting period, Kulijanov was reportedly granted a reduction of his term and released from prison, though the details of his release could not be confirmed. In November 2018, Human Rights Watch identified Ruhiddin Fahriddinov (Fahrutdinov), Nodirbek Yusupov, and Askar Ahmadiy as religious prisoners; reports suggest Yusupov may have been released after the reporting period.

### Restrictions on Muslim Religious Activity

Despite some positive developments as discussed above, violations of religious freedom targeting the Muslim community persisted throughout the year. This is particularly true for individuals and religious communities that espouse views or lifestyles that deviate from state-backed norms, such as Muslims who support and promote a more conservative interpretation of Islam. In August 2018, the government introduced new guidelines regulating the dress and appearance of students and explicitly prohibiting the wearing of religious clothing or symbols at schools,

including hijabs, yarmulkes, and crosses. The ban on religious clothing reportedly was implemented taking into account the ethnic and religious diversity of Uzbekistan and the country's secular nature—a justification suggestive of social conflict the government of Uzbekistan often uses to limit or restrict religious freedom. Other regulations less overtly related to religious expression were also criticized as limiting Muslim religious practice, such as a requirement that the length of boys' pants extend below the ankle. In September 2018, reports emerged about female students who were forced to remove their headscarves in order to enter the recently established International Islamic Academy. School authorities pressured students, many of whom chose to wear wigs and tie scarves around their necks in order to be admitted. Others who refused to remove their headscarves were denied entry and unable to attend class. At least four students reportedly were dismissed from the academy for refusing to remove their hijabs.

Similarly, voicing public support for a greater

*Voicing public support for a greater role and place for Islam in society, and thereby opposing government policies . . . continued to be punished.*

role and place for Islam in society, and thereby opposing government policies limiting Muslim manifestations of religious expression, continued to be punished in Uzbekistan.

In August and September 2018, at least eight bloggers—Miraziz Ahmedov, Tulkin Astanov, Sulaymon Erkin, Dilshodbek Halilov, Adham Olimov (who writes under the pseudonym “Musannif”), Ziyavuddin Rahmon, Hurshidbek Muhammad Rozikov, and Otabek Usmanov—were arrested in various cities in response to their writings and criticisms of the government regarding religious issues, such as restrictions on wearing hijabs. However, as many as 30 people in total reportedly were detained, but chose not to go public about their detention for fear of further retribution against either themselves or their families. In social media posts shared primarily on Facebook, some of the bloggers called for protests against the government for banning the headscarf at schools, prompting the government to lash out in what was likely an attempt to quash

further dissent. Preceding the arrests, both police and SSS officers raided bloggers' homes without obtaining a warrant and confiscated computers, mobile phones, and books. Many of the bloggers were subsequently fined and given jail sentences of 15 days, and authorities in Tashkent prohibited a public demonstration that planned to protest hijab restrictions in early September 2018.

In addition, Fazliddin Parpiev, an imam at Tashkent's Omina Mosque, was dismissed from his position in September 2018 after posting a video to Facebook in which he made an appeal to President Mirziyoyev. In the video, Parpiev asked the president to lift the ban on religious clothing, citing restrictions on wearing Islamic headscarves for women and growing beards for men. Although the Muslim Board of Uzbekistan did not specify the reason for Parpiev's dismissal, Radio Free Europe/Radio Liberty (RFE/RL) reported that an official reproached Parpiev for "deviat[ing] from the script" by publicly criticizing state policies. At the end of 2018, Parpiev and his family left Uzbekistan for an undisclosed country after prosecutors warned him against continuing to share "political" posts on social media outlets.

Furthermore, citizens wishing to perform the Muslim hajj or umrah are required to obtain permission from the government, which reportedly maintains quotas separate from and lower than those established by Saudi Arabia for each pilgrimage. In October 2018, the government also announced that Uzbek citizens will be prohibited from utilizing private travel agencies to secure their visas and plan their trips; rather, they must join tours organized by the CRA, which requires that individuals meet certain criteria regarding their finances, health, religious knowledge, and standing in their communities in order to participate. While the government claimed to make the process of performing the hajj and umrah easier through its services organizing flights and providing for the more rapid processing of visas, it limited the ability of Muslims to make religious pilgrimages, as many more Muslims apply than government-mandated quotas permit.

*Because the Uzbek government views proselytism as an inherent threat to social stability, missionary activity is strictly prohibited.*

## Repression of Christians

Christian groups in Uzbekistan—particularly Protestants and Jehovah's Witnesses—endure harsh restrictions on nearly all aspects of their religious activity. Although the government has pledged to revise strict

legislation limiting the practice of religious belief, authorities continue to persecute Christian groups regarding registration, the distribution or possession of religious literature, and missionary activity. Because the

Uzbek government views proselytism as an inherent threat to social stability, missionary activity is also strictly prohibited.

According to the February 2018 [report](#) issued by UN Special Rapporteur Shaheed, complex requirements for registration in Uzbekistan discriminate against religious minorities, such as Christians, that cannot meet prerequisites necessary to obtain registration. The law stipulates that in order to register, a religious community must have a minimum membership of 100 adult Uzbek citizens, residing in Uzbekistan, who are willing to provide their personal information to the government—a requirement that precludes the registration of many small Christian communities. Moreover, many Christian communities are prevented from applying for registration with the Ministry of Justice because they fail or are unable to obtain the mandatory, preliminary approval of the *mahalla* (local community) committee, which issues—in effect—a completely arbitrary decision. In September 2018, Jehovah's Witnesses applied for registration with seven *mahalla* committees but were rejected in each case. While some committees did not provide a reason for the denial, others cited a general disapproval for the religious group, claimed that the presence of other registered Christian denominations in the area was sufficient, or alleged that the registration of Jehovah's Witnesses would lead to divisions and conflict within the community. To date, Jehovah's Witnesses have only been able to register in Chirchik, a small city outside of Tashkent.

In addition to registration issues, Christian communities continued to experience regular police

intimidation and harassment, raids, fines, and detention. Throughout 2018, the Baptist Council of Churches experienced systematic persecution by authorities in the provinces of Navoiy, Qashqadaryo, and Xorazm, and the city of Tashkent. Police reportedly raided Baptist places of worship, homes, and businesses; searched, seized, and destroyed property without a warrant; and threatened Baptists with jail time for the peaceful practice of their religion. In January 2018, police reportedly took the eight-year-old son of Baptists from his school in Navoiy for questioning without the knowledge or presence of his parents. In November 2018, the military for the first time participated in a raid against Baptists in the Yashnobod District of Tashkent in what was characterized as a “special operation.” Authorities confiscated approximately 7,800 pieces of literature and media and took 14 people to a police station, temporarily detaining them. In addition to Baptists, police have also raided a number of other Protestant congregations, including an ethnic Korean church in Tashkent in September 2018.

Some Uzbek officials have publicly expressed regret for the raids, attributing recent police conduct to challenges with the implementation of laws at the local level. Nevertheless, the Uzbek government was unable to effectively restrain this persistent and longstanding practice. Moreover, it is often the police’s Struggle with Extremism and Terrorism Department (SETD) that conducts the raids. After a raid conducted on a Protestant home in December 2018, the SETD in Urgench reportedly called a woman’s mother-in-law to the police station and instructed her to beat her daughter-in-law until she signed a statement implicating local Protestants of holding “unauthorized religious meetings.”

### Other Religious Minorities

In May 2018, local authorities announced plans to appropriate part of the grounds of the “Compassion” Buddhist Temple located on the outskirts of Tashkent. Described as the only active Buddhist temple in Central Asia, authorities claimed the land was needed to expand the nearby road. In October 2018, officials in Tashkent intervened and the expansion plans were allegedly changed to circumvent the temple. However, at the end of the reporting period, reports again emerged that local authorities intended to move

forward with the original plans to expand the road into the territory of the temple.

### U.S. POLICY

Bilateral relations between the United States and Uzbekistan have focused on regional security in Central and South Asia, including combating terrorism, illegal narcotics, and human trafficking. Uzbekistan has also served as an important partner for the North Atlantic Treaty Organization (NATO) and U.S. forces in Afghanistan, which rely on Uzbekistan as a critical route for supplies as part of the Northern Distribution Network. In March 2018, Uzbekistan hosted the Tashkent International Conference on Afghanistan, which then Under Secretary for Political Affairs Thomas A. Shannon Jr. [attended](#), to discuss the ongoing peace and reconciliation process. Uzbekistan contributed to efforts to stabilize Afghanistan through both infrastructure development and economic assistance, and is a participant in the [C5+1](#) diplomatic forum for dialogue between the countries of Central Asia and the United States.

In May 2018, President Mirziyoyev [visited](#) the White House to meet with President Donald J. Trump, the first visit of a president of Uzbekistan to the United States since 2002. President Trump noted the progress Uzbekistan has made in terms of recent political, economic, and social reforms, and highlighted the positive steps taken so far to improve the human rights conditions in the country. Both sides collaborate on defense through participation in a five-year military cooperation plan, and continue to pursue closer trade relations, signing an estimated \$4.8 billion in business deals over the course of President Mirziyoyev’s visit. That same month, the United States announced the beginning of a [new era of strategic partnership](#) with Uzbekistan that will focus on regional security, human rights reform, and economic cooperation.

In July 2018, Uzbek diplomats attended the State Department’s inaugural [Ministerial to Advance Religious Freedom](#). In his [remarks](#) delivered at the Ministerial, Secretary of State Michael R. Pompeo applauded the steps Uzbekistan had taken to expand religious freedom. Also, in September 2018, Ambassador-at-Large for International Religious Freedom Samuel D. Brownback [visited](#) Uzbekistan to assess the state of religious freedom and encourage legislative reform. In November

2018, the State Department removed Uzbekistan from the CPC list and [placed](#) it on a Special Watch List for governments that have engaged in or tolerated “severe violations of religious freedom.” This marked progress for Uzbekistan, which had previously been designated as a CPC from 2006 through November 2018. While encouraged by the government of Uzbekistan’s sincere intent to reform and improve religious freedom conditions, there was not sufficient positive progress made during the 2018 reporting period to warrant removal from the CPC list. Therefore, USCIRF recommends maintaining the CPC designation as a means to engage, encourage, and advise the government of Uzbekistan as it makes historic efforts to improve freedom of religion or belief for all.





### KEY FINDINGS

In 2018, religious freedom conditions in Vietnam trended negative. Although the new Law on Belief and Religion, which came into effect on January 1, 2018, granted recognized religious organizations status as legal persons and reduced the waiting period for applications, it also required those organizations to seek prior approval for routine religious activities. Furthermore, the law closed the gray area in which independent religious groups had previously operated by outlawing groups that do not register, effectively criminalizing many peaceful religious practices and activities. During 2018, the government continued a nationwide crackdown on religious leaders, human rights defenders, peaceful activists, and other critics across the country, particularly in response to widespread protests against the draconian new Cybersecurity Law and a draft bill on special economic zones. As of December 31, 2018, there were an estimated 244 prisoners of conscience in Vietnamese jails, as well as 20 detained activists still awaiting trial, including some who advocated for freedom of religion or belief, and others who simply professed or practiced their faith. Local authorities continued to seize property from Catholic churches, Buddhist temples, and other religious groups for economic development projects

without providing just compensation. Vietnamese police harassed Catholic, Hoa Hao, and Cao Dai religious leaders for participating in religious freedom conferences overseas and for meeting with foreign diplomatic personnel. Ethnic minority communities faced especially egregious persecution for the peaceful practice of their religious beliefs, including physical assault, detention, or banishment. An estimated 10,000 Hmong and Montagnard Christians in the Central Highlands remain stateless because local authorities have refused to issue ID cards, in many instances in retaliation for refusing to renounce their faith.

Based on these systematic, ongoing, egregious violations of religious freedom, USCIRF again finds that Vietnam merits designation in 2019 as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA), as it has recommended every year since 2002. Although the U.S. Department of State removed Vietnam from the CPC list in 2006, the government of Vietnam has continued to persecute religious individuals and organizations—despite some modest improvements—and the overall situation for religious freedom has regressed since the short-lived progress under the CPC designation.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Enter into a binding agreement with the Vietnamese government, as authorized under section 405(c) of IRFA, setting forth mutually agreed commitments that would foster reforms to improve religious freedom;
  - Pursue both public and private high-level engagement with Vietnamese government officials about prisoners of conscience and religious freedom concerns, not only in the context of the annual U.S.-Vietnam Human Rights Dialogue, but also as part of discussions about security, economic, and development issues; and
  - Prioritize funding for programs that build the capacity of religious leaders, human rights defenders, and civil society organizations to negotiate with local authorities, especially as pertains to disputes over property and land.
- The U.S. Congress should:
- Send regular delegations focused on religious freedom and related human rights to Vietnam and request to visit areas impacted by restrictions on religious freedom, such as the Central Highlands, Northern Highlands, and Mekong Delta, as well as request to visit prisoners of conscience.

## COUNTRY FACTS

### FULL NAME

Socialist Republic of Vietnam

### GOVERNMENT

Communist State

### POPULATION

97,040,334

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

43 religious organizations from 16 religious traditions: Buddhism, Catholicism, Hoa Hao, Cao Dai, Protestantism, Islam, the Baha'i faith, Church of Jesus Christ of Latter-day Saints, Buu Son Ky Huong, Tinh Do Cu Si Phat Hoi, Tu An Hieu Nghia, Phat Duong Nam Tong Minh Su Dao, Minh Ly Dao Tam Tong Mieu, Khmer Brahmanism, Hieu Nghia Ta Lon Buddhism, and Vietnam Adventist Church; officially atheist

### RELIGIOUS DEMOGRAPHY\*

(Note: figures are outdated and difficult to confirm)

7.9–14.9% Buddhist  
6.6–7.4% Catholic  
1.5–1.7% Hoa Hao  
0.9–1.2% Cao Dai  
1.1% Protestant  
0.1% Muslim (including ethnic Cham Muslims)  
45.3% Folk Religion/Animism/Traditional Practices

### OTHER GROUPS

The Baha'i faith, Falun Gong, Hindu, members of the Church of Jesus Christ of Latter-day Saints, Jehovah's Witnesses, and practitioners of local religions or other forms of traditional worship

\*Estimates compiled from the CIA World Factbook and the U.S. Department of State

## BACKGROUND

The Socialist Republic of Vietnam is officially atheist, but the constitution allows citizens to “follow any religion or follow none.” According to article 70, “All religions are equal before the law” and the government “respects and protects” freedom of religion. However, article 14(2) authorizes the government to override human rights, including religious freedom, for reasons of “national security, social order and security, social morality, and community well-being,” which government officials have sometimes exploited to impede religious gatherings and the spread of religion to certain ethnic groups.

The government has officially recognized 39 religious organizations and granted operating licenses to four other religious organizations, representing in total more than 25 million followers affiliated with 16 different religions—including Buddhism, Catholicism, Protestantism, Hoa Hao, and Cao Dai. However, some Buddhist, Protestant, Hoa Hao, and Cao Dai religious communities do not participate in government-approved religious associations due to fear of persecution or concern for their

independence, leading to both government-sponsored and independent organizations competing to represent the religion. For example, the government created the Vietnam Buddhist Sangha (VBS) in 1981 as the sole representative of Vietnamese Buddhism and required all Buddhist monks to join the organization, effectively banning the independent Unified Buddhist Church of Vietnam (UBCV).

In June 2018, tens of thousands of people across the country protested draft laws on cybersecurity and special economic zones—the largest public demonstrations since reunification in 1976. Catholic priests were among the most vocal critics of both laws. After the National Assembly passed the Cybersecurity Law (which went into effect on January 1, 2019, just after the reporting period), the Federation of Vietnamese Catholic Mass Media criticized the law's lack of privacy protections and claimed it had already reduced online traffic to Catholic websites. Rights defenders expressed concern that the proposed law on special economic zones would give China too much influence over the economy. The government took an aggressive approach against any perceived criticism

of these two bills. According to human rights groups, by November 2018 at least 127 people had been arrested and convicted for participating in the protests.

In January 2019, after the reporting period, Vietnam went before the United Nations (UN) Human Rights Council for its third [Universal Periodic Review](#); the outcome of the review is expected later in 2019. Several international civil society organizations submitted information and recommendations about religious freedom in Vietnam to be incorporated into the formal review process.

## RELIGIOUS FREEDOM CONDITIONS 2018

Although the Vietnamese government generally embraces its religious diversity and publicly expresses support for religious freedom, the overall situation for religious groups deteriorated in 2018.

Communities in rural parts of some provinces, especially in ethnic minority areas, face ongoing and severe violations of freedom of religion or belief. However, religious freedom violations are not equally distributed across Vietnam. Religious followers in urban, economically developed areas usually are able to exercise their religion or belief freely, openly, and without fear.

### Positive Developments

Vietnam has taken some positive steps to improve religious freedom and related human rights. Certain parts of the government have demonstrated the willingness to listen to and engage with international stakeholders about religious freedom concerns. Moreover, the central government reportedly has tried to intervene in or mediate property disputes on behalf of religious communities.

The Law on Belief and Religion (discussed in more detail below) did bring some positive changes, including granting registered religious organizations legal personhood and reducing the waiting period for religious groups to apply for recognition from 23 years to five years. USCIRF has received reports that local governments are now more likely to reply in writing to registration applications for new houses of worship,

which seldom happened before the enactment of the law. In 2018, the government approved registration for the Full Gospel Church and the United Gospel Outreach Church, which previously had faced serious persecution. In December, the state-recognized Evangelical Church of Vietnam (South) held an outdoor, public Christmas event for 20,000 people—the first time in eight years it was permitted to do so.

Although the Vietnamese government released several prominent prisoners of conscience in 2018, their freedom was conditional upon them immediately leaving the country. In June, authorities released Christian human rights lawyer Nguyen Van Dai and his colleague Le Thu Ha; both immediately boarded a flight to Germany. In October, environmental activist Nguyen Ngoc Nhu Quynh, a Catholic woman popularly known as

“Mother Mushroom,” was freed and sought asylum in the United States, along with her elderly mother and two young children. These releases, while welcome, stood in stark contrast to the overall

increase in the number of prisoners of conscience in 2018 (see below).

### Law on Belief and Religion

On January 1, 2018, Vietnam’s new Law on Belief and Religion went into effect. The law nominally obliges the government to protect religious freedom and, for the first time, gives Vietnamese religious organizations a right to legal personhood. However, it also requires religious groups to register with the Government Committee for Religious Affairs (GCRA) and to report on routine activities like festivals and conferences. Article 5 grants the government discretion to reject religious activities that “infringe upon national security” and “violate social morality.” The implementing regulations, which came into force in June 2018, impose fines on organizations deemed to abuse “religion to infringe upon the interests of the state or engage in fabrication or slander.” Several human rights organizations have expressed concern that these provisions are overly vague and potentially allow authorities to arbitrarily punish religious groups.

*Communities in rural parts of some provinces . . . face ongoing and severe violations of freedom of religion or belief.*

During the year, some recognized religious groups found it more difficult to obtain government approval for routine activities since the law went into effect. For unrecognized groups, the law criminalizes activities not approved in advance by the government, effectively closing the gray area in which they had previously operated. Indeed, throughout 2018 local authorities cited the law to justify prohibiting informal religious activity that the previous legal framework had tolerated, if not endorsed. For example, local authorities in Quang Binh Province banned Catholic priest Cao Duong Dong from making home visits to conduct prayer services, as he had been doing since 2014. In January 2018, the Quynh Ngoc Province People's Committee cited the new law to declare a Catholic Mass illegal because the parish allegedly had not registered the meeting. Local authorities also cited the law as justification for seizing religious sites and temples associated with independent religious groups.

*Local authorities also cited the law as justification for seizing religious sites and temples associated with independent religious groups.*

### Harassment of Religious Groups and Individuals

Vietnamese local authorities, police, or hired thugs regularly target certain religious groups and individuals because of their faith; ethnicity; advocacy for democracy, human rights, or religious freedom; historic ties to the West; or desire to remain independent of government control. During 2018, USCIRF received multiple reports of local police “inviting” individuals for questioning without citing a specific charge and subsequently interrogating them about their religious beliefs or association with certain religious organizations. In March 2018, police in Soc Trang Province summoned the Venerable Lieu Ny—a Khmer Krom Buddhist monk who advocated for the linguistic and cultural preservation of the Khmer Krom people—to question him about his activities since his 2017 release from prison. Throughout 2018, state-run media and local authorities in northern Vietnam continued to publicly denounce Catholic priests for their role in protesting the government’s handling of the 2016 Formosa Steel Plant

environmental disaster. Occasionally, this harassment led to violence. In June, after local authorities imposed a fine on Hua Phi—sub-dignitary of the independent Cao Dai—for his religious activities, men in civilian clothes reportedly broke into his house, assaulted him, and cut off his beard.

Local authorities also have prevented religious groups from holding public activities, even if the under-

lying activity does not violate the law. In July 2018, police and plain-clothes security agents surrounded the UBCV’s Long Quang Pagoda in Hue to prevent children from attending a Buddhist youth camp. There were

also reports that security forces and government employees prevented monks and adherents from entering An Cu Pagoda in Danang and Lien Tri Temple in Ho Chi Minh City during major religious festivals. Local authorities in An Giang Province kept followers of the unrecognized Central Church of Pure Hoa Hao Buddhism (CCPHHB) from celebrating important holy days, including the founder’s birthday, by erecting roadblocks and temporary police stations. In January 2018, members of the government-run Cao Dai Tay Ninh Sect (or 1997 Sect) in Tay Ninh Province—supported by local officials—attempted to prevent several independent Cao Dai from burying a deceased relative in Cuc Lac Thai Binh Cemetery, insisting the ceremony use clergy from the 1997 Sect.

Ethnic minorities in Vietnam face particularly severe and persistent harassment because of their religion or belief. Throughout 2018, USCIRF received reports of local government officials and police interrupting house worship sessions in Hoa Thang Commune, Ea Drong Commune, and other Montagnard Christian communities. In April 2018, police in Tuong Duong District disrupted a Hmong worship group affiliated with the government-sponsored Evangelical Church of Vietnam (Northern Region), claiming it was not properly registered (an estimated 40 percent of Hmong are Christian). In numerous instances, local authorities attempted to coerce members of independent religious groups to renounce or recant their faith, sometimes employing threats of physical assault or banishment. Local

authorities in Krong Pac District publicly berated and humiliated Montagnards for their affiliation with the unrecognized Evangelical Church of Christ. Meanwhile, an estimated 2,000 Protestant Hmong and Montagnard households—approximately 10,000 individuals—in the Central Highlands continued to be stateless because local authorities refused to issue ID cards, household registration, and birth certificates, in many instances in retaliation for refusing to renounce their faith.

“Red Flag” militant groups continued to harass dissidents during the reporting period, particularly Catholics in Nghe An Province. Unlike plain-clothes thugs, Red Flag groups are organized and do not pretend to be a spontaneous mob; they often work closely with—and sometimes at the direction of—local authorities. Moreover, the government has shown little willingness to prosecute or discipline those involved in the attacks. For example, when Father Nguyen Duc Nhan of Ke Gai Parish asked provincial authorities to investigate members of a Red Flag group who attacked individuals involved in a land dispute, the police instead summoned his parishioners for questioning.

Government agents reportedly harassed, interrogated, or restricted the freedom of religious leaders and activists because of their association with foreign diplomatic personnel. Several of the incidents involving Sub-Dignitary Hua Phi occurred shortly before he was scheduled to meet with diplomats from the United States, Europe, and Australia.

### Arrests and Imprisonments

According to the NOW! Campaign—a coalition of human rights organizations working for the unconditional release of all Vietnamese prisoners of conscience—as of December 31, 2018, there were 244 prisoners of conscience serving sentences in Vietnam, as well as 20 detained activists still awaiting trial, including many who “promoted or protected the right to freedom of religion or belief and others who simply professed or practiced their faith.”

Throughout 2018, the government arrested and convicted members of religious organizations for protesting limits on their freedom. In February 2018, local authorities in An Giang Province tried and convicted six independent Hoa Hao Buddhists—Bui Van Trung, his wife Le Thi Hen, his daughter Bui Thi Bich Tuyen, his son Bui Van Tham, Nguyen Hoang Nam, and Le Thi Hong Hanh—to between three and five years in prison for staging a public protest against religious repression in April 2017. In April 2018, the government sentenced Nguyen Bac Truyen—a Hoa Hao Buddhist who ran the independent civil society organization the Vietnamese Political & Religious Prisoners Friendship Association and provided legal advice to rights victims—to 11 years in prison. Four Falun Gong practitioners were sentenced to three years’ imprisonment for “stealing from a police station” because they sought to retrieve items police had confiscated.

According to the NOW! Campaign, almost one quarter of prisoners of conscience were Hmong, Montagnard, or Khmer Krom. In March 2018, Gia Lai Province police, in coordination with the Central

Highlands Security Department, arrested 25 Montagnards for allegedly proselytizing Dega Protestantism—which combines aspirations for independence with evangelical Christianity—under the direction of

Montagnards living overseas. The arrests included former prisoner of conscience Siu Blo, who was forced to publicly renounce his religion and confess his alleged wrongdoings.

USCIRF also received reports about poor prison conditions for detained religious leaders and activists, as well as their access to religious services and facilities. Pastor Nguyen Trung Ton, president of the Brotherhood for Democracy, was sentenced in April 2018 to 12 years in prison for allegedly undertaking “activities aiming to overthrow the people’s administration” and reportedly denied hospital treatment for various medical conditions and kept in solitary confinement. In November 2018, authorities reportedly transferred both Bui Van Trung and Nguyen Hoang Nam from a detention center

*Government agents reportedly harassed, interrogated, or restricted the freedom of religious leaders and activists because of their association with foreign diplomatic personnel.*

in Tien Giang Province after the two prisoners complained about the use of forced labor in the prison. Do Thi Hong—a leader of the Buddhist An Dan Dai Dai sect who was sentenced to 13 years’ imprisonment in 2013 on the charge of “plotting to overthrow the government”—is reportedly in poor health. The Venerable Thach Thuol, a Khmer Krom Buddhist monk, has been imprisoned since 2013 for peacefully exercising his right to teach Khmer in his temple school. Several Montagnard and Hmong religious freedom activists—including Nhi, Nuh, Kpa Binh, Sui Wiu, Siu Koch, Roh, Ro Mah Klit, Ro Lan Ju, and Kpa Sinh—were scheduled to be released upon completion of their sentences in late 2018, but USCIRF had not received confirmation of their release by the end of the reporting period.

In a positive development, after 19 years under effective house arrest the Most Venerable Thich Quang Do—UBCV patriarch—was able to leave Thanh Minh Zen Monastery in October 2018 and travel to his home province of Thai Binh. He later returned to Ho Chi Minh City—to reside at Tu Hieu Pagoda, but at the end of the reporting period continued to face pressure from the government to return to Thai Binh where he would be isolated from fellow UBCV members. USCIRF has advocated on his behalf as part of the [Religious Prisoners of Conscience Project](#).

### Land Grabbing and Destruction of Property

Expropriation and destruction of religious property at times may have little to do with religious freedom, as when authorities expropriate land for economic development projects. However, such actions do disrupt or interfere with religious practices and can increasingly threaten how religious communities observe their faith. Often these incidents are precipitated by local authorities rather than the national government. In some instances, human rights groups allege that the primary purpose of seizing property was to intimidate adherents of independent religious groups.

Incidents of land grabbing and destruction of property significantly affect Vietnam’s Catholic communities. Throughout 2018, there were reports that

developers had built ancestor temples and other structures on land owned by the Thien An Benedictine monastery in Hue. In early November, the local government said it would investigate the monastery’s claims. In November 2018, local authorities in Danang seized land from seven households in Con Dau Parish on behalf of Sun Group, a private real estate corporation. Rights groups were concerned that the local government would seize the remaining 80 households in the parish. Also in November, the state-run Trang An Elementary School began construction on land owned by the Hanoi Archdiocese, despite protests by church leaders. According to church records, the government has confiscated 95 hospitals, schools, and other facilities run by the Hanoi Archdiocese since 1954. Local authorities in some of these cases reportedly granted developers illegal or inaccurate ownership papers. In January 2019, after the reporting period, authorities in Ho Chi Minh City demolished at least 112 residential houses on land claimed by the Catholic Church.

Land grabbing and destruction of property have also affected other religious communities in Vietnam. By the end of 2018, the UBCV had only 12 temples. In November 2018, the People’s Committee of Son Tra District demolished Ang Cu—a UBCV-affiliated temple—and evicted the Venerable Thich Thien Phuc in order to build a road. In Tra Vinh Province, Khmer Krom Buddhists reported concerns with the government’s ongoing confiscation and demolition of structures and land used by followers. Of the more than 300 Cao Dai temples in Vietnam, all but approximately 15 have been seized by the government-sponsored 1997 Sect

*. . . local authorities in Danang seized land from seven households in Con Dau Parish . . .*

during the previous two decades. In November, authorities in Long An Province allegedly set fire to a storeroom on a farm owned by Sub-dignitary Hua Phi, which he believed was an act of retaliation for meeting with U.S. diplomats in Ho Chi Minh City. Between April 20 and June 30, the 1997 Sect demolished at least 15 graves at Cuc Lac Thai Binh Cemetery belonging to independent Cao Dai followers whose families refused to join the 1997 Sect. The government has long harassed followers of Duong Van Minh, a small

Christian sect, and destroyed or burned funeral sheds central to the group's core practices; in 2018, authorities destroyed at least 36 sheds in Tuyen Quang, Bac Kan, and Cao Bang provinces. Such destructions also often involve arrests and physical assaults.

## U.S. POLICY

As part of their Comprehensive Partnership, the United States and Vietnam have a robust defense relationship and regularly cooperate on maritime security, peacekeeping, counterterrorism, and humanitarian issues. In March 2018, the [USS Carl Vinson visited Danang](#), becoming the first U.S. aircraft carrier to visit Vietnam since 1975. In the past two decades, U.S.-Vietnam bilateral trade grew by 8,000 percent to \$49 billion worth of goods and services through October 2018. In September, the State Department [expressed condolences](#) at the passing of Vietnamese president Tran Dai Quang, calling him a strong supporter of the U.S.-Vietnam relationship.

On May 17, 2018, the State Department hosted the 22nd [U.S.-Vietnam Human Rights Dialogue](#), where U.S. officials raised concerns about religious freedom generally and individual prisoners of conscience with Vietnamese government officials. In addition, a State Department spokesperson condemned the imprisonment of [Le Dinh Luong](#), [Nguyen Van Dai](#), [Le Thu Ha](#),

[Pham Van Troi](#), [Pastor Nguyen Trung Ton](#), [Nguyen Bac Truyen](#), [Truong Minh Duc](#), [Hoang Duc Binh](#), and [Nguyen Nam Phong](#), and called upon the government of Vietnam to release all prisoners of conscience immediately. On June 7, the U.S. House of Representatives Committee on Foreign Relations held a [hearing](#) about human rights in Vietnam, which included testimony about religious freedom conditions. Also in June, the U.S. Embassy in Hanoi [condemned](#) Vietnam's new Cybersecurity Law, claiming it would violate Vietnam's international trade commitments and stifle online dissent.

Due to Vietnam's systematic, ongoing, and egregious religious freedom violations, the State Department designated Vietnam as a CPC from 2004 to 2006 and entered into a binding agreement with the government under IRFA. When the CPC designation was lifted, USCIRF concurred with the State Department's assessment that the designation and binding agreement had brought about modest improvements in religious freedom. Nevertheless, USCIRF felt it was too soon to determine if the new policies would be permanent or effective over the long term. Since the CPC designation was lifted, the government of Vietnam has continued to persecute religious individuals and organizations, at times even regressing from the short-lived progress under the CPC designation and binding agreement.





# AFGHANISTAN

TIER 2

## KEY FINDINGS

In 2018, religious freedom conditions in Afghanistan trended negatively. Afghanistan's leadership struggled to maintain security in the country, especially for religious minority groups. The ongoing operation of terrorist groups, such as the Islamic State in Khorasan Province (ISKP), threaten the country's overall security but particularly endanger the nation's Shi'a Muslim population who have faced increased attacks in recent years. In fact, 2018 was one of the most fatal in Afghanistan for all civilians—and particularly religious minorities—due to terrorist activity, and the government often was unable to protect civilians from attacks. Also, during the reporting period, non-Muslim groups like Hindus, Christians, and Sikhs remained endangered minorities—many fled the country and many of their community leaders who remained were killed in a largescale July 2018 terrorist attack. In general, religious minorities in Afghanistan have endured severe human rights violations since the 1990s under the Taliban's rule and subsequently have suffered ongoing attacks by extremist groups. Sikhs and Hindus have been driven underground without the ability to publicly practice their religious traditions for fear of reprisal by terrorist groups or society at large. While the government has provided assurances to religious minority communities and made limited attempts to include them in the policy-making process, socioeconomic

discrimination and lack of security continued to challenge the survival of these groups, which include other vulnerable populations, such as women and girls. This trend could worsen if religious freedom is not made a focal point for talks between the U.S. government, the Afghan government, and the Taliban.

Based on these concerns, USCIRF again places Afghanistan on its Tier 2 in 2019, as it has since 2006, for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). USCIRF is concerned about the degree to which the Afghan government has control, both in general and with respect to religious freedom violations. As such, USCIRF will monitor religious freedom conditions to determine whether developments worsen and warrant a change in Afghanistan's status during the year ahead. USCIRF also finds that the Taliban continued to commit particularly severe religious freedom violations in 2018 while controlling parts of Afghanistan's territory, and therefore again recommends in 2019 that the group be designated as an "entity of particular concern," or EPC, under December 2016 amendments to IRFA. The U.S. Department of State designated the Taliban in Afghanistan as an EPC, most recently in November 2018.

## RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Press the Afghan government to acknowledge the significant threat to freedom of religion or belief posed by the Taliban and raise these concerns during peace negotiations between the U.S. government, the Afghan government, and the Taliban by:
  - Emphasizing the need to protect vulnerable groups—including women and girls—whose religious freedoms and related rights have been endangered in the past due to the Taliban's actions and policies; and
  - Highlighting the interconnected role of government officials, security forces, and former affiliates of the Taliban in ensuring religious freedom rights throughout the country;
- Ensure the integration of religious freedom concerns with related issues such as countering religious extremism and resolving sectarian conflict into U.S. Department of State, U.S. Agency for International Development (USAID), the Millennium Challenge Corporation, and U.S. Department of Defense strategies and policies concerning Afghanistan;
- Urge the Afghan government to revoke the 2004 media law prohibiting "un-Islamic" writings and overturn through appropriate legislation the 2007 decision by the Supreme Court that the Baha'i faith is blasphemous and converts to it are apostates through cooperation between the embassy, leading parliamentarians, the Ministry of Law, and the Directorate on Fatwa and Accounts in the Supreme Court;
- Encourage the Afghan Ministry of Education and Ministry of Information and Culture to:
  - Ensure—and, if possible, in coordination with USAID's [Textbook Printing and Distribution Project](#)—that inflammatory and intolerant textbook and curricula content is discontinued and removed from usage; and
  - Create a civic space for the open discussion of diverse opinions on matters of religion and society in the country; and
- Advocate for the Ministries of Interior, Defense, and Hajj and Religious Affairs to work collectively to provide security for and facilitate cooperative meetings between faith leaders and scholars from various religions and from the various Muslim communities that exist in Afghanistan.

## COUNTRY FACTS

### FULL NAME

Islamic Republic of Afghanistan

### GOVERNMENT

Unitary Presidential Islamic Republic

### POPULATION

34,940,837

### GOVERNMENT RECOGNIZED RELIGIONS/FAITHS

Islam

### RELIGIOUS DEMOGRAPHY\*

98.99% Muslim (80% Sunni; 10–19% Shi'a Muslim, including Ismailis)

>1% Other (Hindu, Sikh, Baha'i, Christian, Buddhist, and Zoroastrian)

\*Estimates compiled from the CIA World Factbook

## BACKGROUND

Afghanistan is home to a diverse array of ethnic groups, including Pashtuns (42 percent), Tajiks (27 percent), Hazaras (9 percent), Uzbeks (9 percent), Turkmen (3 percent), and Baloch (2 percent). Historically, the nation was also home to a religiously diverse population; however, the vast majority of non-Muslims fled the country after the Taliban took over the government in 1992. The country continues to be used as a center of operations for international terrorist groups like the Taliban, the ISKP, and al-Qaeda. Further, there are regional terrorist groups operating within Afghanistan and across the border in Pakistan, including the Haqqani network, Lashkar-e-Jhangvi, Lashkar-e-Taiba, and Tehreek-e-Taliban Pakistan.

The United Nations and other nongovernmental organizations (NGOs) declared 2018 as one of the bloodiest years in the Afghan conflict, with 2,798 civilians killed and at least 5,000 injured due to terrorist activity. While the overall population is facing increasing threats to their security, religious minorities in particular continued to face threats as the nation's leadership has not been able to prevent attacks against them. In fact, the national government of Afghanistan only controls 50 to 60 percent of the overall territory in the country, with extremist groups contesting or outright controlling the remaining areas. Further complicating matters, the

Afghan government continued to engage in peace talks with the Taliban during the reporting period, despite the fact that the latter does not acknowledge the government's role in the peace process.

The constitution recognizes Islam as the official religion of the state and requires all parliamentary laws to respect Islamic principles. Non-Muslims are prohibited from holding the highest offices in the land, including president and vice president. Although chapter 18 of Afghanistan's Penal Code protects all religions by criminalizing assault against those publicly practicing any faith and the destruction of any religious places, there have been few cases enforcing this protection.

Since 2004, a vaguely worded media law criminalized "anti-Islamic content" and assigned enforcement to a commission of government officials and members of the media. The constitutional rules for the judiciary require the use of Hanafi Shari'ah jurisprudence in the absence of laws or constitutional provisions governing a case. This has impacted the criminalization of blasphemy, which is not listed in Afghanistan's Penal Code but is punishable by death for Muslims under Hanafi jurisprudence. There have been no recorded cases involving the death penalty for a person accused of blasphemy since 2001.

Article 2 of the constitution, which makes Islam the state religion, also states that non-Muslims are free to practice their "religious rites," but must do so "within

the bounds of law.” This means that laws can be created to limit the religious practices of non-Muslims. Moreover, the limited right to worship that is permitted for non-Muslims differs greatly from the more expansive right recognized under international human rights standards. This is especially important because Afghanistan’s constitution explicitly requires respect for international law, in particular the [Universal Declaration of Human Rights](#) (UDHR).

## RELIGIOUS FREEDOM CONDITIONS 2018

### Treatment of Shi’a Muslims

Since the U.S. invasion of Afghanistan in 2001, a few historically disadvantaged ethnic and religious minority groups have overcome generations of discrimination to hold prominent positions in the public and private sectors. This is especially true for the Shi’a Muslim community, whose sociopolitical influence has grown over the last two decades as its members increasingly hold leading positions in the government, media, and private industry. There are now more than 10,000 Shi’a mosques in the country, 400 of which are in the capital city of Kabul. There are also several prosperous neighborhoods and enclaves throughout the country that are predominantly inhabited by the Shi’a Muslim community.

Shi’a Muslims’ sociopolitical ascendance has been one of the reasons some extremist groups have continued to target the community, whom they consider to be apostates. Yet, a superficial division has formed between extremists allied with the ISKP and those working for the Taliban. For example, in the aftermath of an attack in November 2018, the Taliban’s website explained that its aim was not to target any “specific race, ethnicity or sect” but rather to attack anyone abetting the government.

On the other hand, extremists affiliated with the Islamic State of Iraq and Syria (ISIS) have intentionally escalated their attacks and increased their public hate speech dehumanizing Afghanistan’s Shi’a Muslims. This is, in part, due to the fact that some of Afghanistan’s Shi’a Muslim population fought against ISIS in

Syria. As a result, many ISIS leaders who fled from Syria to Afghanistan to establish bases have exported their intent to exact revenge against all Shi’a Muslims in the country. This is especially significant because an increased number of local Taliban fighters have started to switch their allegiance to the ISKP. In 2018, this culminated in an increasingly lethal series of ISKP attacks against Shi’a mosques, such as an attack in March 2018 that left one dead and eight wounded and another in August that resulted in the deaths of 29.

While the ISKP carried out attacks that targeted all civilians in general, its attacks targeting the Shi’a Muslim community have been more lethal, with nearly 300 fatalities from almost two dozen attacks in 2018 alone. Such attacks often have coincided with Shi’a religious festivals like Ashura or Muharram. In response to this threat, the Afghan government has attempted to provide additional security and offered weapons to civilians living near Shi’a mosques.

In 2018, extremist groups, including the ISKP, continued targeting one specific ethnic group in particular: the overwhelmingly Shi’a Hazaras. Some examples include the ISKP’s twin bombings on September 5 of a Shi’a Hazara enclave that resulted in the deaths of 20 and injuries to 70, along with an attack on August 15 that resulted in 48 young Shi’a Muslims

*Due to persistent attacks on these communities, loss of property through land grabs, and socioeconomic exclusion, only 3,000 to 7,000 Sikhs and Hindus remain in the country.*

being killed and 67 injured. These kinds of attacks were not limited in 2018 to major cities like Kabul, but increasingly occurred at the provincial level, such as a series of attacks in Ghazni Province. Hazara advocates have complained that

the government has failed to provide proper security to the community and that Hazara political leaders were granted limited influence over the government’s policy-making process.

### Treatment of Non-Muslim Communities

Before the fall of the government to the Taliban in 1992, there were nearly 200,000 Hindu and Sikh citizens in Afghanistan. Due to persistent attacks on these communities, loss of property through land grabs, and

socioeconomic exclusion, only 3,000 to 7,000 Sikhs and Hindus remain in the country. Small numbers have represented the communities in the parliament since 2016, and the president has employed Sikhs and Hindus in government service.

Yet, several prominent leaders from both communities were killed in a July 2018 ISKP terrorist attack in Jalalabad that left 19 dead. The attack took place as leaders from the community were awaiting a meeting with President Ashraf Ghani; one of the victims was Awtar Singh Khalsa, the only Sikh candidate running in the October 2018 elections. The attack increased both communities' level of fear of further persecution in the absence of leaders capable of representing their interests.

There were increasing calls from the communities to leave the country as they feel the government is unwilling and unable to provide adequate security. Many have fled to India where they have been given rights to residence, while the remaining members of the community

complain of limited access to housing and employment. Some Sikh community members have been relegated to living inside their temple (or *gurdwara*) due to lack of financial means and secure housing options.

Further, in order to avoid attacks, the remaining Hindu families—as well as Christians—have abandoned visually distinguishable temples and churches in favor of plain buildings. With few crematoria in the country, these communities are unable to carry out their religious funeral rites. When ceremonies were carried out in residential areas, conflicts with the neighborhood's Muslim community increased in 2018.

For nonbelievers in Afghanistan, authorities interpret Shari'ah law to allow for capital punishment. The number of nonbelievers is unknown because admission of such a status could lead to death.

Similarly, for the Baha'i community in Afghanistan, there are few population data available. The community has lived in anonymity since the 2007 declaration by the General Directorate of Fatwas and Accounts of

the Supreme Court of Afghanistan, which proclaimed Baha'is to be a blasphemous group.

## Women and Religious Freedom

During the reporting period, the status of women's rights in Afghanistan remained much the same as in 2017. Extremist groups continued to cite their interpretation of Islamic principles when attacking the basic rights of women to hold and inherit property, gain an education or employment, and marry according to their own wishes. Also, during 2018, governmental and societal actors continued to enforce religious and social norms in ways that discriminated against women and restricted their right to freedom of religion or belief. For example, leaders updated the nation's Penal Code in February 2018 but excluded a section criminalizing violence against women. Honor killings based on allegations of extra-marital or premarital sex continued to impact Afghan women due to strict interpretations of Shari'ah.

Further, while the government in 2017 created a National Action Plan to Eliminate Early and Child Marriages to stem the practice of arranged marriages of female children under the age of 18, there has been little progress in enforcing the plan. This lack

of progress could partly be attributed to some political leaders who often argue that the modernization of women's rights is anti-Islamic. Nevertheless, women in Afghanistan continued to advocate for their rights and have increasingly sought justice by submitting family disputes to specialized units created by the Ministry of Women's Affairs in local shura or jirga councils and the Huquq (Rights) Department in the Ministry of Justice.

## Elections

Elections remain a point of conflict in Afghanistan. During the leadup to the October 2018 parliamentary elections, the ISKP carried out several attacks on religious minorities—such as Shi'a Muslims—at voter registration or polling centers. For example, an April 22 attack in Kabul left 57 people dead and 117 wounded.

*[D]uring 2018, governmental and societal actors continued to enforce religious and social norms in ways that discriminated against women and restricted their right to freedom of religion or belief.*

Both the Taliban and the ISKP have carried out similar attacks in connection to the upcoming 2019 presidential election. Not only have the attacks been violent, but their collateral damage of delaying the electoral process also has been criticized by ascendant religious minority groups like the Hazara Shi'a community.

## U.S. POLICY

Mired in a seemingly intractable civil war with international implications, Afghanistan continues to challenge U.S. policymakers. The year 2018 was one of the most lethal periods in the conflict since 2014, and evidence suggests the number and capability of terrorist groups like the Taliban and the ISKP is rising. Attempts to resolve the conflict through peace talks with the Taliban have largely failed, and the ISKP and other extremist groups are likely to try to stymie future attempts. There are two military missions operating within Afghanistan: the North Atlantic Treaty Organization (NATO) Resolute Support mission and the joint U.S.-Afghan mission. In 2017, both President Donald J. Trump and the NATO Resolute Support mission committed to provide additional troops in Afghanistan. Yet, in December 2018, President Trump ordered the U.S. military to withdraw 7,000 U.S. troops

from Afghanistan during the first few months of 2019. This will put even greater pressure on the U.S. government and its Afghan civilian allies to settle a peace deal with the Taliban in order to resolve the conflict.

During several high-level visits in 2018, U.S. government officials emphasized the president's policy for peace talks. Highlighting the importance of these talks, Secretary of State Michael R. Pompeo visited Kabul in July 2018 and met with President Ghani to discuss the status of negotiations with the Taliban. On September 7, 2018, then Secretary of Defense James Mattis visited Kabul, echoing those sentiments. While each of these U.S. government officials have discussed the importance of an Afghan-led peace process, few have publicly raised the protection of religious minorities as a substantial issue in negotiations with the Taliban. In January 2019, after the reporting period, U.S. and Taliban interlocutors discussed a tentative plan that would ensure international terrorists—both individuals and groups—do not use key Afghan territories for their extremist activities and could lead to a withdrawal of U.S. troops.

In November 2018, the State Department redesignated the Taliban in Afghanistan as an EPC.



# AZERBAIJAN

## TIER 2

### KEY FINDINGS

In 2018, although the Azerbaijani government made a number of positive overtures to engage in and discuss matters of freedom of religion or belief with the United States and the international community, religious freedom conditions did not measurably improve. The government continued to control religious activities through the 2009 Law on Freedom of Religion and related amendments of the administrative and criminal codes, which require religious communities to register with the government and criminalize all unregistered religious activity. In a positive development, four non-Muslim religious communities received registration from the government. However, throughout the year, local police forces continued to harass, raid, detain, and fine religious communities that did not comply with registration requirements and various restrictions on the production, possession, and dissemination of religious literature, although one community did report a lessening in police harassment. During the year, Protestants, Jehovah's Witnesses, and some Muslim groups were targeted, with some members of the Muslim community being forced to endure an additional layer of scrutiny by authorities who suspect and seek

to limit Iranian-government influence or subversive activity in the country. In July 2018, the government held "religious radicals" responsible for an assassination attempt that month on the mayor of Ganja and the deaths of two police officers. While it is difficult to ascertain the veracity of what transpired in Ganja, human rights activists accused the government of using the events as a pretext to clamp down on political dissent and inflame fears of Islamist terrorism. Nongovernmental organizations (NGOs) contended that approximately 68 prisoners of conscience—many of whom are members of the Muslim Unity Movement (MUM)—remained imprisoned in Azerbaijan on religious grounds. Throughout 2018, claims of "systemic and endemic" torture persisted, particularly against members of the MUM.

Based on these conditions, in 2019 USCIRF again places Azerbaijan on Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Urge the Azerbaijani government to:
  - Reform the 2009 law on religious organizations to bring it into conformity with recommendations by the Council of Europe's Venice Commission and the Organization for Security and Cooperation in Europe (OSCE) in 2012;
  - Permit all religious communities—particularly those located outside of Baku and those belonging to non-traditional communities—to operate freely regardless of their registration status; and
  - Release prisoners of conscience—particularly those imprisoned for their faith—and ensure detainee access to family, human rights monitors, adequate medical care, legal counsel, and religious accommodations;
  - Specify freedom of religion or belief as a grant category and area of activity for the U.S. Agency for International Development and U.S. Embassy in Azerbaijan, and encourage the National Endowment for Democracy to make grants for civil society programs on tolerance and freedom of religion or belief; and
- Ensure continued U.S. funding for Radio Azadliq, the Azerbaijani Service of Radio Free Europe/Radio Liberty (RFE/RL), and the Azerbaijani Service of the Voice of America, so that uncensored information about events inside Azerbaijan, including incidents related to religious freedom, continues to be disseminated.



## COUNTRY FACTS

### FULL NAME

Republic of Azerbaijan

### GOVERNMENT

Presidential Republic

### POPULATION

10,046,516

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

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

### RELIGIOUS DEMOGRAPHY\*

96% Muslim (65% Shi'a Muslim and 35% Sunni Muslim)  
4% Other (including Baha'is, Hare Krishnas, Jehovah's Witnesses, Jews, Protestants, Roman Catholics, Russian Orthodox, and others)

\*Estimates compiled from the U.S. Department of State

## BACKGROUND

Azerbaijan's constitution affirms the equality of all religions before the law, provides for the freedom of religion and belief, and prohibits discrimination on religious grounds. Theoretically, the right to profess belief in a religion individually or together with others, or to profess no religion, and the right to disseminate religious ideas are protected. However, the constitution also prohibits "the spread or propaganda of religions which humiliate human dignity" and limits religious activities that disturb public order or are "contrary" to public morals. Azerbaijan's 2009 law on religious organizations tightly controls religious activity: it sets complex registration procedures; limits religious activity to a group's registered address; restricts the content, production, import, export, distribution, and sale of religious texts; and requires state approval of religious education for religious leaders. Failure to comply with the law may result in significant fines. In 2014, the European Court of Human Rights (ECtHR) noted that the law gives officials "unlimited discretionary power" to define and prosecute "illegal" religious activity. Under 2015 religion law amendments, religious groups must file official reports documenting their activities and limit religious expression—such as displaying banners or slogans—to places of worship. The State Committee for Work with Religious Associations (SCWRA) is the government agency responsible for regulating and overseeing religious

activities. The Caucasus Muslim Board (CMB) is the administrative body that manages the practice of Shi'a and Sunni Islam.

Approximately 96 percent of Azerbaijan's population identifies as Muslim, the majority of whom—an estimated 65 percent—identify as Shi'a Muslim. The remaining 35 percent adhere to Sunni Islam. Azerbaijan's non-Muslim religious minorities make up approximately four percent of the population, and include members of the Armenian Apostolic, Baha'i, Georgian Orthodox, Hare Krishna, Jehovah's Witness, Jewish, Protestant, Roman Catholic, Russian Orthodox, and other faith communities. According to the constitution, the state is secular, with no state religion.

In 2018, the Azerbaijani government continued to grapple with the legacy of Soviet-era laws and policies that negatively impact human rights in the country. In addition, Azerbaijan's proximity between Russia and Iran contributed to the government's ongoing challenges to address legitimate security concerns while also balancing its commitments to improve its human rights and religious freedom record. In part due to this, throughout 2018, the government of Azerbaijan continued to suppress political dissent and crack down on civil society, with little improvement in the overall human rights situation. In April 2018, President Ilham Aliyev, in power since 2003, was reelected to his fourth consecutive term in a snap presidential election that was

boycotted by opposition parties and characterized as “restrictive” by international observers.

In 2018, Azerbaijan underwent its [Universal Periodic Review](#) at the United Nations (UN). Several countries expressed concerns about religious freedom conditions in Azerbaijan—such as mandatory registration requirements; restrictions on nontraditional religious communities and the ability, generally, of religious groups to practice in private and in public; and individuals imprisoned and tortured for their beliefs. In addition, civil society organizations submitted similar information and recommendations about religious freedom concerns in Azerbaijan.

## RELIGIOUS FREEDOM CONDITIONS 2018 Government Control through Registration

The 2009 law requires religious groups to register with the government in order to conduct religious activities, though the government claims that lack of registration does not preclude private worship. Religious groups that are denied registration or refuse to register on theological grounds are considered “illegal” and may face police raids, detainment, arrests, or fines. According to the SCWRA, 877 Muslim religious associations and 32 non-Muslim religious associations have been registered, with 2,250 mosques, 14 churches, and seven synagogues legally functioning throughout the country. Religious minority groups in Azerbaijan, however, including some Baptist and Jehovah’s Witness communities, continue to be unable to register with the SCWRA. Some government officials have acknowledged that the state is not fully equipped to deal with smaller religious minorities. In some cases, instead of denying outright applications for registration, the SCWRA indefinitely delays the process by finding “technical flaws” in applications that require resubmittal, or by failing to take action on a submitted application. For example, Jehovah’s Witnesses have sought registration in the city of Ganja since 2010 and have yet to receive a response on their most recently submitted application from May 2016. Baptists in the

village of Aliabad outside of Zaqatala have similarly sought registration since 1994 and been denied. They

have reportedly been informed that they cannot even meet to celebrate Christmas together. In 2018, four non-Muslim religious communities—the New Apostle, Vineyard Azerbaijan, Jehovah’s Witnesses in

Baku, and the Seventh-day Adventists in Ganja—were granted registration.

## Repression of Independent Muslims

Muslim communities face additional legal restrictions that do not apply to non-Muslim religious groups in Azerbaijan. In order to apply for registration with the SCWRA, Muslim communities and applications to build mosques must first be approved by the CMB. The CMB is also responsible for appointing all imams. Government officials generally attribute the more stringent policies regarding Muslims to the need to combat Iranian-government supported religious extremism and alleged terrorist activity in the country. By the end of 2018, Sardar Babayev, an Iranian-educated Shi’a Muslim imam, remained imprisoned for violating a law that prohibited individuals with foreign religious education from performing religious ceremonies. Although the law was amended in May 2017 just before Babayev’s July 2017 conviction—allowing the CMB to grant exemptions to approved foreign-educated citizens in order for them to lead religious ceremonies—the Supreme Court rejected his appeal in February 2018.

According to Forum 18, the state also mandated that all Muslims follow a Shi’a Muslim calendar, which Sunni Muslims reject due to differences in prayer times and dates for religious observances such as Ramadan. In September 2018, leading up to the Shi’a Muslim commemoration of Ashura, government officials reportedly warned participants against engaging in self-flagellation, allowing children to participate in ceremonies, or permitting any observances to take place outside of mosques. According to news outlets, participation in the commemorations had decreased from the previous year due to government pressure,

*Baptists in the village of Aliabad . . . have reportedly been informed that they cannot even meet to celebrate Christmas together.*

and mosques saw an increased police presence during the holiday. In addition, members of the Muslim Unity Movement (MUM) continued to serve lengthy prison sentences of between 10 and 20 years on numerous dubious charges, including terrorism. International human rights organizations continued to report serious allegations of torture, particularly against MUM members, and [reports](#) released by the Council of Europe in 2018 described a “generalized culture of violence” in prisons. In February 2018, MUM leader and Shi’a Muslim theologian Taleh Bagirov (also known by the surname Bagirzade) received an additional five-month sentence for allegedly possessing micro-discs containing the text and audio recordings of the Qur’an.

### Religious Prisoners

In 2018, three NGOs—the Center for the Protection of Political Prisoners in Azerbaijan, the Working Group on a Unified List of Political Prisoners in Azerbaijan, and the Union for the Freedom of Political Prisoners of Azerbaijan—continued to maintain lists of political prisoners. The lists for the second half of 2018 indicate that of the estimated 130 to 150 political prisoners, a reported 68 are imprisoned for their religious beliefs. While this marked an improvement in the total number of religious prisoners from the previous year, many prisoners were released following the completion of their sentences. A few prisoners reportedly received a presidential pardon.

In December 2018, Telman Shiraliyev, a Shi’a Muslim man originally sentenced to six years in prison for participating in an October 2012 protest against a ban on headscarves in schools, was sentenced to an additional six months in prison. Azerbaijani authorities claimed that Shiraliyev hid a knife in his prison cell, an accusation that human rights activists have rejected. In a move that has become routine for soon-to-be released political prisoners in Azerbaijan, the new charge was introduced just days before Shiraliyev’s expected release following the completion of his initial six-year sentence.

After the reporting period, Shiraliyev was reportedly released from prison.

### Closure of Places of Worship

In 2018, mosques that the government purportedly had closed for repairs remained shut down years after their closure and with no official timeline for the completion of the renovations or the mosques’ reopening. Critics

*Mosques that the government purportedly had closed for repairs remained shut down years after their closure . . . with no official timeline for . . . [their] reopening.*

of the closures believe it is part of a government effort to target Muslims who are considered “radical.” The Ashur Mosque, also known as the Lezgi Mosque, located in the Old City of Baku, was closed in July 2016 despite protests from the

local Muslim community, which expressed concern that the repairs were an excuse and part of an attempt by the government to disperse the community. At the end of the reporting period, the mosque remained closed. During the year, numerous other “nontraditional” home mosques throughout Baku and other regions, including one that was apparently connected to the Naqshbandi Sufi community, continued to face raids and closure by SCWRA and police officials.

In April 2018, the new building of the Haji Javad Mosque in the Yasamal District of Baku was completed. The original mosque had been destroyed amid protests in July 2017. Although the opening of the mosque was a positive development, some have complained that the new mosque is far from the community, as it was relocated to a site approximately four to five kilometers away from the location of the original mosque.

### Status of Non-Muslim Religious Minorities

Jewish groups have long lived in Azerbaijan and generally have not faced any discrimination or persecution. The Azerbaijani government publicly stresses the absence of anti-Semitism in the country and its good relations with Israel, although officials have also expressed concerns about anti-Semitism and anti-Muslim sentiment. Other “nontraditional” religious communities, however, often face persecution from authority figures. In January 2018, local police raided

the religious services of the Star in the East Pentecostal Church, which were being conducted in the home of a church member in the city of Ganja. The church member who owned the home was detained by police, who cited the church's lack of registration and reportedly took down the names and personal information of all those present, including children.

In 2018, Jehovah's Witnesses continued to face detention and police harassment. During the year, a number of Witnesses were detained in the course of sharing their beliefs publicly and privately. While Jehovah's Witnesses are no longer being arrested or fined, as was the case in previous years, local authorities have continued to raid Witnesses' homes in an attempt to catch them holding "illegal" religious meetings. For example, in January 2018, police raided the Lankaran home of a Witness hosting several families for a social gathering. In February 2018, officials in Gakh similarly accused another Witness of holding religious meetings in her home, and threatened to search her home if they received another complaint. In July 2018, police interrupted a religious meeting that was being conducted in a home in Sumgayit.

Jehovah's Witnesses were also routinely denied the right to conscientious objection—despite a provision in the constitution that allows for alternative service—and faced prosecution for evading military service. In 2018, two conscientious objectors, Emil Mehdiyev and Vahid Abilov, received criminal convictions in July and September, respectively, and each received one-year suspended prison sentences. During the year, local authorities referred at least three additional cases for prosecution; by the end of the reporting period, these cases were ongoing.

### Government Control of Religious Materials

The government requires that all religious literature and materials receive the prior approval of the SCWRA in order to be produced in or imported into the country. Similarly, the sale and distribution of religious literature can only be carried out at preapproved stores or sites.

The SCWRA reportedly prepares an expert opinion on all religious literature, including printed material and electronic media, in order to determine its potential impact on society and whether it will incite religious hatred or hostility. No official list of banned literature or materials exists or is publicly available, but materials from Jehovah's Witnesses and the followers of Said Nursi—a Kurdish Sunni Muslim theologian from Turkey—have been confiscated in the past. In February

*Local authorities have continued to raid Witnesses' homes in an attempt to catch them holding "illegal" religious meetings.*

2018, the State Committee banned Muslim theologian Elshad Miri's book, *Things Not Found in Islam*, for fear that it would "have a negative influence on religious stability." However, the author contended that the book was banned due to

officials' theological objections.

Throughout 2018, authorities continued to raid shops across the country for selling unauthorized religious literature or selling approved religious literature without state permission. In March 2018, the State Committee reportedly raided numerous shops in the small city of Masalli, seizing literature and fining one shop owner the equivalent of four months' average wages for selling religious literature without state permission. In April 2018, a court dismissed a Baku shop owner's appeal to overturn a similar fine for selling unauthorized religious literature. Throughout 2018, government raids, seizures of religious literature, and fines were also carried out and imposed in the cities of Sheki, Shirvan, and Zaqatala.

### U.S. POLICY

The United States and Azerbaijan cooperate primarily on issues of regional stability, including combating terrorism and countering transnational threats, expanding bilateral economic relations, and promoting European energy security. The United States continues to seek the peaceful resolution of the Nagorno-Karabakh conflict through negotiations in the framework of the Organization for Security and Cooperation in Europe (OSCE) Minsk Group, which is cochaired by the United States, France, and Russia. The United States provides assistance

to Azerbaijan to build capacity against security threats, support economic development, and promote independent institutions and civil society. U.S. companies also cooperate with Azerbaijan in offshore oil development.

On the occasion of President Aliyev's reelection in April 2018, the U.S. Mission to the OSCE made a [statement](#) concurring with the OSCE's findings that the presidential election was conducted in a restrictive political environment, and that it included limits on fundamental freedoms, a lack of genuine competition, and other irregularities such as ballot box stuffing. In October 2018, U.S. National Security Advisor John R. Bolton [visited](#) Azerbaijan and met with President Aliyev and Minister of Foreign Affairs Elmar Mammadyarov to discuss bilateral relations and regional issues, including Iran. Publicly available information about the visit indicated that Bolton discussed human rights issues with President Aliyev.

At Azerbaijan's 2018 Universal Periodic Review, the United States [recommended](#) that the country "immediately and unconditionally release all individuals in custody for exercising their fundamental freedoms, including the rights to freedom of expression, association, assembly and religion." Also, during the year the U.S. Embassy in Baku continued to meet regularly with Azerbaijani government authorities to press them regarding registration requirements and literature restrictions. Embassy officials also regularly met with representatives of religious communities to monitor the government's treatment of their religious observance.

## INDIVIDUAL VIEWS OF COMMISSIONER JOHNNIE MOORE

In my estimation, Azerbaijan no longer meets the threshold necessary to be included as a Tier 2 country on this list. For the vast majority of its citizens, it is actually a country increasingly noted *precisely* for its religious tolerance. It is a country where Sunni and Shi'a clerics pray together, where Evangelical and Russian Orthodox Christians serve together, and where a thriving local Jewish community enjoys freedom and total security in their almost entirely Islamic country. It is a Muslim majority country which has hosted prominent Hindu leaders and it is a Shi'a-majority neighbor of Iran whose commitment to peace led it long ago to forge a vibrant and public relationship with the state of Israel. Where legitimate concerns remain in Azerbaijan, and there are certain concerns as it relates to law and policy, I have found the government to be making progress, impressively responsive to requests from members of the religious freedom community. Also, considering its geographic location, the religious freedom community would be wise to not discount too arbitrarily the government's concerns about violent religious extremism and national security. Finally, and most importantly, I join with religious leaders throughout the world in calling upon the governments of Azerbaijan and Armenia to continue to pursue peace for the sake of their children, to work seriously to address the grievances and injustices between them. It's possible for those swords to be turned into ploughshares, and it's time.

### KEY FINDINGS

In 2018, religious freedom conditions in Bahrain trended positive in some areas but remained the same in others. Bahrain continued its significant efforts to promote international religious freedom and interreligious understanding through the announcement of an Ambassador-at-Large for Peaceful Coexistence and Religious Freedom and the opening of the King Hamad Global Center for Interfaith Dialogue and Peaceful Coexistence. Non-Muslim religious communities continued to be able to practice their faith freely, both publicly and privately. In addition, the Shi'a Muslim community generally enjoyed freedom of worship throughout the country. At the same time, a USCIRF visit to Bahrain in March 2019 found that the government continued its discrimination and repression of the Shi'a Muslim community on the basis of their religious identity in certain areas. In 2018, the government arrested

some Shi'a Muslim clerics during Ashura religious observances, allegedly for "inciting hatred." In the November 2018 local and parliamentary elections, some Shi'a Bahraini candidates were prevented from participating, and several party leaders were arrested or remained in jail. Some human rights defenders who advocated for greater religious freedom remained in prison. Furthermore, discrimination against Shi'a Muslims in government employment and some public and social services also continued, even though Bahrain's laws affirm principles of nondiscrimination.

In 2019, USCIRF places Bahrain on its Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Urge the Bahraini government to clarify the terms and enforcement of the 2016 amendment to article 5 of the 2005 Political Society Law, which prohibits religious figures from "inciting hatred," and repeal articles 309 and 310 of Bahrain's Penal Code that impose fines and jail time for blasphemy;
- Work with the Bahraini government to continue to implement reforms consistent with the Bahrain Independent Commission of Inquiry (BICI) report—specifically recommendation 1724a relating to censorship of beliefs and recommendation 1722d relating to holding prisoners incognito—and urge it to conduct and make public an annual progress report;
- Press the Bahraini government to enforce existing laws, including Royal Decree 36 of 2012 and Royal Decree 95 of 2018, prohibiting employment discrimination on the basis of sectarian affiliation;
- Continue to train security officials, prosecutors, and judges to better address sectarian violence and incitement by enhancing programs that promote sectarian reconciliation, support the rule of law, and counter violent extremism—such as ongoing community policing initiatives; and
- Press Bahrain's government to ensure freedom of religion and reduce sectarian incitement by passing the bill pending in the Ministerial Committee for Social Services, Communication and Media, providing accountability for past abuses against the Shi'a Muslim community, and unconditionally releasing prisoners of conscience and religious freedom advocates.

## COUNTRY FACTS

### FULL NAME

Kingdom of Bahrain

### GOVERNMENT

Constitutional Monarchy

### POPULATION

1,442,659

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Registered religious organizations represent Sunni and Shi'a Islam, as well as Christianity (including Catholic, Evangelical, Anglican, Seventh-day Adventist, Syrian Orthodox, Malankara Orthodox, and Indian Orthodox churches), Hinduism, the Baha'i faith, Buddhism, and Judaism

### RELIGIOUS DEMOGRAPHY\*

70% Muslim (60% Shi'a, 35–40% Sunni)

14.5% Christian

9.8% Hindu

2.5% Buddhist

0.6% Jewish

2.6% Other (including Folk Religions, Unaffiliated, Sikhs, and Baha'is)

\*Estimates compiled from the U.S. State Department and CIA World Factbook

## BACKGROUND

According to Bahrain's constitution, Islam is the religion of the state and Shari'ah is a principal source for legislation. The constitution provides for freedom of conscience, the inviolability of places of worship, and freedom to perform religious rites. Of the country's population of approximately 1.4 million, slightly less than half are Bahraini citizens, with a small majority comprising expatriate workers, primarily from South and Southeast Asia. The majority of Bahraini citizens are Shi'a Muslims.

In recent years, Bahraini authorities have cited increased efforts by Iran to expand its influence in the country as the reason for heightened government concern about subversive activity by Iranian-backed Shi'a militants. While Iran's support for such activities in Bahrain has been documented widely, the Bahraini government has sometimes used this pretext to crack down on some Shi'a opposition leaders, clerics, and activists without substantiating charges of subversion or criminal activity.

In 2011, Bahraini citizens protested in public spaces, including Pearl Roundabout in Manama, calling for political reforms. While the government

initially allowed these protests to take place, it eventually cracked down with the assistance of Saudi Arabia, killing scores of protestors, demolishing dozens of Shi'a mosques, and destroying Pearl Roundabout itself. In June 2011, Bahrain's king established the BICI to investigate these events. The BICI released its report to the king in a live televised event in November 2011 along with a set of 26 recommendations. Bahrain's government committed to implementing these reforms, and announced full implementation in 2016. However, a June 2016 U.S. Department of State [assessment](#) of this implementation challenged that conclusion and noted that "more work remains to be done."

Since then, the government has continued its crackdown on political opposition, prosecuting Bahrainis whose beliefs differ from the government's position. In March 2018, Bahrain's Ministry of Interior threatened punishment against those who criticized the government online despite a BICI report recommendation to "consider relaxing censorship" and "provide opposition groups with an adequate voice." Activist Ebrahim Sharif was summoned by the public prosecutor in December 2018 for a tweet urging Sudanese president Omar Bashir to leave office

amid protests. Also, in December, Bahrain's Court of Cassation upheld the conviction and five-year prison sentence of human rights defender Nabeel Rajab for tweeting in opposition to the Saudi military campaign in Yemen, which Bahrain's government supports, and accusing Bahrain's prison authorities of torture. During USCIRF's March 2019 visit after the reporting period, Bahrain's government did not grant the USCIRF delegation a request to visit Rajab in prison; he has in the past advocated for religious freedom in the country as head of the Bahrain Center for Human Rights. Bahrain also has not yet enacted a draft law that would curb incitement to violence, hatred, and sectarianism; by the end of the reporting period, the bill had been referred to the Ministerial Committee for Social Services, Communication and Media, which is expected to be introduced for debate in parliament.

Article 169 of Bahrain's Penal Code imposes up to two years' imprisonment and a fine for publishing "falsified" or "untrue" reports, and states that laws on freedom of expression must be "compatible with values of a democratic society." Such broad language, subject to varying interpretations, increases the likelihood of infringement on freedom of expression, including religious expression. Furthermore, articles 309 and 310 of the Penal Code criminalize insulting a recognized religious community, its rituals, or religious symbols—with a term of imprisonment up to one year or a fine not exceeding \$265 (100 Bahraini dinars). Despite charges and convictions in previous years, there were no known convictions during the reporting period.

On November 24, 2018, Bahrain held parliamentary and municipal council elections. While Shi'a Muslim candidates faced barriers to participating, six women were elected to parliament, as well as Bahrain's first woman parliament speaker, Fouzia Zainal. Jewish member of parliament Nancy Khedouri was also appointed vice president of the parliament's Foreign Affairs, Defense, and National Security Committee.

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*In December, Bahrain's Court of Cassation upheld the conviction of human rights defender Nabeel Rajab . . . [who] has . . . advocated for religious freedom in the country . . .*

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## RELIGIOUS FREEDOM CONDITIONS 2018

### Positive Developments

In July 2018, at the State Department [Ministerial to Advance Religious Freedom](#), Bahraini foreign minister Khalid bin Ahmed Al Khalifa announced the

creation of an Ambassador-at-Large for Peaceful Coexistence and Religious Freedom, though this position had not been filled by the end of the reporting period. As part of its "This Is Bahrain" public diplomacy initiative run by

the Bahrain Federation of Expatriate Associations under the patronage of King Hamad bin Isa Al Khalifa, Bahrain endowed a chair in interfaith dialogue and coexistence at Sapienza University in Rome, Italy, in November 2018. It also continued to support the King Hamad Global Center for Interfaith Dialogue and Peaceful Coexistence, which hosts interreligious dialogues, conferences, and events related to religious freedom and peaceful coexistence. The Center also announced plans to create a Museum of Tolerance in Manama. During 2018, Bahrain's crown prince also hosted a delegation from the Syrian Orthodox Church and highlighted the country's commitment to religious tolerance. Throughout the year, Bahrain's government engaged proactively and constructively with USCIRF on religious freedom issues, including during a visit to the kingdom in March 2019 where USCIRF met with civil society leaders, government officials, and His Highness Sheikh Nasser bin Hamad Al Khalifa, and attended the 200th anniversary celebration of Bahrain's Hindu community.

In addition, internal accountability institutions created in response to recommendations from the 2011 BICI report—including the Special Investigations Unit, National Institute for Human Rights, Ombudsman's Office, and High Commission on Prisoners and Detainees—continued to follow up on complaints of abuse and mistreatment to the extent permitted by law. For example, an Ombudsman's Office investigation led to the reopening of a death penalty case that was retried in early 2019, just after the reporting period.



## Treatment of Shi'a Muslims

In 2018, Bahrain's government continued its targeting of some Shi'a Muslims in the country. While government officials discouraged sectarian language in media outlets, progovernment and private media at times used inflammatory, sectarian rhetoric. Sheikh Isa Qasim, Bahrain's leading Shi'a cleric, had his citizenship revoked by administrative order in June 2016; such orders are usually unappealable, but past removals of citizenship required a royal decree or an order from the Ministry of Interior, both of which are subject to an extra layer of appeals. Nevertheless, Sheikh Qasim was granted a temporary passport in 2018 to travel to London for medical treatment following almost two years under house arrest. Shortly after the reporting period, upon completion of his medical treatment in London, Sheikh Qasim continued on to Iraq and Iran. He remained in Iran at the time of this report and visited the shrine of the leader of the 1979 Iranian Revolution, Ayatollah Ruhollah Khomeini. Sheikh Qasim subsequently released statements from within Iran criticizing the Bahraini government. Bahraini officials have claimed the latter visit constituted evidence of their longtime accusation that Sheikh Qasim supports Iran's alleged political activities in the kingdom. Bahraini opposition leaders have differing views on Sheikh Qasim's apparent exile in Iran, some noting that Sheikh Qasim also visited a number of Shi'a shrines in both Iraq and Iran.

Bahrain also continued to arrest and detain Shi'a clerics on the basis of their religious identity. Shi'a cleric Sayyed Adnan al-Sayed Hashim was arrested in Diraz in January 2018 and held incognito for two weeks. This arrest contravened the BICI report's recommendation not to detain individuals "without access to the outside world for more than two or three days." A Bahraini appeals court also upheld a verdict against the imam of the Shi'a al-Kheif mosque, Sheikh Isa al-Moemen, for "inciting hatred" in a July 2017 sermon. Moemen served a three-month sentence and was released in May 2018. In September 2018, during Ashura, three Shi'a clerics—Sheikh Yassin al-Harami, Sheikh Hani al-Bana', and Sheikh Mohammed al-Sahlawi—were arrested for

allegedly "encouraging acts of terrorism" and "inciting hatred against the regime"; according to groups that monitor religious freedom in Bahrain, these charges were unsubstantiated. In November 2018, Bahrain's Ministry of Interior arrested leading Shi'a cleric Sheikh Khalid Fadhil al-Zaki during security raids in Shakhura and Abu Saiba and held him until mid-December 2018.

As in previous years, in September 2018 Bahraini security officials clamped down on peaceful Shi'a Muslim religious rituals during Ashura observances. While Bahrain is the only Gulf state to recognize Ashura as a public holiday, authorities restricted celebrations in some areas. More than 15 Shi'a clerics, chanters, and lay assistants reportedly were summoned and interrogated over their sermons. Bahraini authorities claimed 13 preachers were arrested in 2018 for violating sermon laws, seven of whom were Sunni Muslim and six of whom were Shi'a Muslim, and that all offenders were suspended from preaching. Bahraini security forces destroyed banners and signs advertising Ashura rituals claiming that the displaying of banners across streets posed a safety hazard. In April 2018, Bahrain's Ministry of Interior demolished a temporary building meant to replace the Shi'a Imam al-Askari mosque in Hamad Town, northern Bahrain, for the second time and without prior notice, claiming it was subject to demolition under the Building Regulations Code Law No. 13 of 1977 and the Road Works Law No. 2 of 1996. In August, the Ministry of Interior demolished the fence and the foundation marking the outline of the al-Alawiyat mosque in al-Zinj, which had been destroyed in 2011. Since 2011, Bahraini authorities have [destroyed more than 38 mosques](#) and Shi'a religious institutions. The Bahraini government has stated that the mosques it destroyed did not comply with safety and zoning laws, and that a small number of mosque destructions in a country with 608

places of Shi'a worship is not evidence of a religious freedom violation.

Members of Bahrain's Shi'a Muslim community reportedly still cannot serve in the active military, only in administrative

positions, and there are no Shi'a Muslims in the upper levels of the Bahraini government security apparatus,

*Members of Bahrain's Shi'a community reportedly still cannot serve in the active military.*

including the military and police, with the exception of a Shi'a Muslim who holds the rank of brigadier general. Many Shi'a public sector employees who were dismissed from their jobs because of participating in the 2011 protests were reinstated in lower-level jobs, positions outside of their specialty, or positions without actual responsibilities. The Bahraini government continued to deny any discrimination against the Shi'a Muslim community in government employment, and has asserted there has been progress to diversify the military and security apparatus, for example, by recruiting from all segments of society—including the Shi'a Muslim community—into its community policing program. Activists informed USCIRF during its March 2019 visit that the government refused to track the exclusion of Shi'a Muslims from employment in the military and government on the grounds that keeping such records would be a violation of privacy. Several activists noted that while there is no formal hiring discrimination against Shi'a Muslims, many employers ask questions that indirectly reveal an applicant's religious affiliation. Bahraini government officials noted that members of the royal family have intervened when cases of discrimination were brought to their attention.

### Discrimination against Shi'a Muslims in the November Elections

The Bahraini government continued its discrimination against Shi'a electoral candidates in 2018. No candidates were allowed to run from the Shi'a al-Wefaq party, which the government dissolved in 2016 after accusing it of providing “a nourishing environment for terrorism, extremism, and violence.” A 2016 amendment by King Al Khalifa to Law 14 of 2002 banned anyone who had received a prison sentence of six months or longer from participating in elections, disqualifying hundreds of Shi'a activists and opposition figures who had previously protested mistreatment. Ahead of the elections, Sheikh Ali Salman, the former secretary-general of the banned al-Wefaq party, and Sheikh Hassan Sultan, a senior Shi'a cleric, were sentenced to life in prison on

spurious national security charges. Ali Salman had his sentence extended from four years to life in prison three weeks before the elections took place. Prior to the elections, Bahraini authorities arrested former Shi'a al-Wefaq parliament minister Ali Rashed al-Asheeri for a tweet expressing his intent to boycott the November 2018 elections.

In 2016, King Al Khalifa amended a 2005 law banning religious parties from political participation to also preclude anyone engaged in politics from giving religious speeches, sermons, or spiritual guidance.

Bahrain's government continued to use this amendment to prevent Shi'a Muslim religious figures from running for and holding political office, while allowing Sunni religious figures to do so. In the 2018 elections, six candidates affiliated with

the Sunni Salafist Asalah Islamic Society ran for office, three of whom were elected to parliament. Candidates linked to the Muslim Brotherhood-backed Al Menbar Islamic Society also ran, but did not win any seats.

### Treatment of Non-Muslims

Approximately half of the expatriate workers in Bahrain are non-Muslim. The government officially recognizes 19 religious entities, including more than a dozen Christian denominations, a tiny Jewish community, Hindus, Sikhs, Buddhists, and Baha'is. Generally speaking, these communities are able to publicly and privately practice their faiths without interference or limitation. Bahrain hosts the Arabian Peninsula's only intact synagogue and the seat of the Catholic Vicarate of Northern Arabia, which includes Kuwait, Qatar, and Saudi Arabia. In March 2019, after the reporting period, USCIRF participated in a celebration of the 200th anniversary of the Hindu community in Bahrain at the Hindu Temple in Manama (the oldest in the Gulf) with Prince Abdullah bin Hamad Al Khalifa and Bahrain's Foreign Minister Khalid bin Ahmad Al Khalifa. Prince Nasser bin Hamad Al Khalifa also hosted USCIRF and dignitaries for a reception at his reception hall (*majles*) to commemorate the event.

*Bahrain . . . prevent[ed] Shi'a Muslim religious figures from running for and holding political office, while allowing Sunni religious figures to do so.*

Christians in Bahrain comprise 14.5 percent of the population and are generally free to practice their faith. There are several churches representing Catholic, Anglican, Evangelical, Orthodox, and nondenominational communities, among others. A third Catholic church under construction, Our Lady of Arabia, will be the largest Catholic church in the Gulf region upon its completion, scheduled for 2021. However, two letters written to the Bahraini royal court in 2018 requesting new land for a Christian cemetery have not been returned. In addition, since only umbrella Christian organizations are formally registered with the government, several congregations that meet under the auspices of these organizations have had their assets frozen because they are not formally registered. Some of these congregations waited months for these issues to be resolved so that they could spend money on salaries and programs.

## U.S. POLICY

U.S.-Bahraini relations are based on shared geopolitical concerns, including the regional influence of Iran and security cooperation to combat extremism. Bahrain, a longstanding U.S. ally in the region, has hosted a U.S. naval presence since 1946 and is home to more than 8,300 members of the U.S. armed services, mostly affiliated with the Fifth Fleet of the United States Navy. In 2002, the United States designated Bahrain as a major non-North Atlantic Treaty Organization (NATO) ally, allowing the country access to defense research cooperation and purchase of certain otherwise-restricted U.S. arms. Bahrain and the United States cooperate on regional security, counterterrorism, and counter-smuggling operations. The United States has also assisted Bahrain in implementing a version of the Drug Abuse Resistance Education (D.A.R.E.) program that targets extremism. Economically, Bahrain and the United States also benefit from the 2006 [U.S.-Bahrain Free Trade Agreement](#), which in recent years has generated nearly \$2 billion annually.

The 2011 BICI report has provided the major framework in recent years for U.S. assessments of progress on human rights reforms in Bahrain. In both 2013 and 2016, Congress directed the secretary of state to submit an assessment of Bahrain's progress in implementing the BICI report's 26 recommendations, including a description of specific steps taken and an assessment

of compliance with each recommendation. The State Department produced two such reports, most recently in 2016. Both found that while the Bahraini government had made some progress, it had not achieved full implementation of the report's recommendations, particularly relating to the independence and accountability of investigative bodies and promotion of national reconciliation. The 2016 report noted progress in rebuilding demolished Shi'a mosques and in implementing tolerance in school curricula. However, it cautioned that "more work needs to be done" for Bahrain to fully implement the recommendations outlined in the report.

The Trump administration has prioritized a close defense relationship with Bahrain in order to counter Iran's influence in the region and attempts to destabilize Bahrain. In July 2018, the State Department [designated](#) the al-Ashtar Brigades (AAB) as a Foreign Terrorist Organization, citing material support provided to the group by Iran. In August 2018, the State Department [sanctioned](#) AAB's leader, Qassim Ali Ahmed, as a Specially Designated Global Terrorist. In September 2018, the State Department announced the potential sale of rocket launchers to Bahrain worth \$300 million; the sale was approved in November.

In July 2018, Bahrain participated in the State Department's International Religious Freedom Ministerial, where it announced the creation of an Ambassador-at-Large for Peaceful Coexistence and Religious Freedom. Then Secretary of Defense James N. Mattis [visited](#) Bahrain in March 2018 and returned for a meeting later in October 2018. Secretary of State Michael R. Pompeo visited Bahrain in early 2019 and [discussed](#) "religious coexistence and freedom of religion" with Bahrain's king, crown prince, and foreign minister. State Department officials have emphasized freedom of religious expression for Shi'a clerics and prisoners in conversations with Bahraini officials, and continue to advocate for reforms that take into consideration the needs of all citizens regardless of religious affiliation.

## INDIVIDUAL VIEWS OF COMMISSIONER JOHNNIE MOORE

Respectfully, I do not personally believe that Bahrain any longer meets the threshold of Tier 2 status when one compares it to other countries that obviously do meet

that threshold. One needs only to consider the amount and types of progress the kingdom has made in such a short period of time on the basis of direct engagement with the religious freedom community and I do believe the religious freedom community has had a tendency to underestimate the legitimate security questions the kingdom has long faced given its location and the sad role religion has played in regional conflict. Bahrain's level of substantive engagement with the religious freedom community is beyond compare with any other country cited on this list. They have gone so far as to change laws and policy resulting in some of the progress cited in this report, established a regional center to promote peaceful coexistence, and the king's own Bahrain Declaration for Religious Freedom was the first-ever such document in the Arab world to clearly endorse "choice" as it relates to determining one's religion, written by an Arab monarch, nonetheless. Of course, there remain certain questions which merit continued engagement, which this report cites, but I could not bring myself to compare this country to others on Tier 2, based upon my personal experience.



### KEY FINDINGS

During 2018, religious freedom conditions in Cuba trended the same, although some of the tactics employed by the Cuban government to repress religious freedom changed. Cuba continues to be a one-party system with no independent judicial bodies and where the state tightly controls religious institutions. After Fidel Castro's death and Raúl Castro's resignation as president, the Cuban Communist Party in April 2018 appointed Miguel Díaz-Canel to the presidency without an election. The change in leadership did not result in increased religious freedom. A new constitution, which was ratified after the reporting period, weakened protections for freedom of religion or belief. The Cuban government engaged in harassment campaigns targeting religious leaders and activists who advocated for stronger religious freedom protections. Gathering detailed information on religious freedom conditions in Cuba remains a challenge, but open and flagrant attacks on religious leaders and property appear to have decreased since 2017. Because the Cuban government is concerned about international public opinion, it has changed some of its tactics, including by subtly increasing its harassment of religious leaders and activists countrywide in ways that are difficult to track. The new forms of harassment include the issuance, as a scare tactic, of pre-arrest warrants to religious leaders and believers and charging them with criminal and civil code

violations to disguise religious repression. The government continued to use a restrictive system of laws and policies, surveillance, and harassment to control religious groups. The Office of Religious Affairs (ORA), an entity within the Cuban Communist Party, arbitrarily controls all religious activity. The ORA requires religious organizations to register, which, in theory, allows communities to receive foreign visitors, import religious materials, meet in approved houses of worship, and apply to travel abroad. However, the ORA can still arbitrarily interfere in any church matters—whether the church is registered or not. The Cuban government publicized the building of a Catholic Church in Sandino, which is the first new religious building that the government has allowed to be constructed in six decades. While this is overall a positive step, other religious groups have not been allowed to construct new religious buildings. Almost every Sunday in 2018, the government violently prevented members of the Ladies in White and other activists from attending Mass.

Based on these concerns, in 2019 USCIRF again places Cuba on its Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the “systematic, ongoing, egregious” standard for designation as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Highlight religious freedom violations in specific prisoner of conscience initiatives, such as the U.S. Mission to the United Nations’ [“Jailed for What?”](#) campaign and the Tom Lantos Human Rights Commission’s [Defending Freedoms Project](#);
- Prioritize adequate coverage of religious freedom issues as well as access to consular services for religious leaders in Cuba to obtain visas given gaps in personnel at the U.S. Embassy;
- Press the Cuban government to include in the new constitution legal protections for religious associations and institutions;
- Facilitate multi-entry visas for both registered and unregistered Cuban religious leaders to travel to and interact with coreligionists in the United States; and
- Encourage key countries, particularly those in Latin America, to ensure that violations of freedom of religion or belief are part of all multilateral or bilateral discussions with or about Cuba.

## COUNTRY FACTS

### FULL NAME

Republic of Cuba

### GOVERNMENT

Communist State

### POPULATION

11,116,369

### GOVERNMENT RECOGNIZED RELIGIONS/FAITHS

Religious groups may be granted registration; a reported number of at least 58 officially registered denominations in Cuba existed at the end of 2018

### RELIGIOUS DEMOGRAPHY\*

60–70% Roman Catholic\*\*

5% Protestant

25–30% Unaffiliated or Other (includes Jehovah's Witnesses, Methodists, Seventh-day Adventists, Anglicans, Presbyterians, Episcopalians, Jews, Muslims, Quakers, members of the Church of Jesus Christ of Latter-day Saints, Greek Orthodox, Russian Orthodox, Buddhists, and Baha'is)

\*Estimates compiled from the U.S. Department of State and CIA World Factbook

\*\*Self-identified Catholics also include followers of syncretic religions

## BACKGROUND

In April 2018 the Cuban Communist Party named Miguel Díaz-Canel the president of Cuba after six decades of rule by Fidel and Raúl Castro. After the transfer of power, the Cuban Communist Party remained the only constitutionally recognized party and continued to rule with absolute authority. During the reporting period, the transfer of power did not appear to have resulted in meaningful change for religious groups in Cuba.

President Díaz-Canel launched a process to adopt a new constitution. From August to November 2018, the government held “public consultations” to debate a draft constitution and convened thousands of public assemblies. Religious leaders and activists reported being excluded from the constitutional process and pressured to support the new constitution. Following the consultation period, the Constitutional Commission, chaired by former president Raúl Castro, produced a final constitution that the National Assembly approved in December 2018.

The new constitution weakens protections for freedom of religion or belief. While article 15 asserts that “the State recognizes, respects and guarantees religious freedom,” the right of freedom of conscience was removed from that article. And while the new

constitution stipulates that different beliefs and religions enjoy equal treatment and religious institutions are separate from the state, it does not eliminate or reform the Office of Religious Affairs (ORA). The ORA is an entity of the Central Committee of the Cuban Communist Party and maintains direct authority over religious groups and activities.

During the public consultation period, a cross-denominational group of Christians, initiated by the leaders of the Methodist Church of Cuba and Assemblies of God, put forth a petition appealing for greater protections of religious freedom. These leaders expressed alarm regarding the omission of the words “freedom of conscience” and the failure of the draft to comply with international standards. Catholic bishops also called for more comprehensive protection, while Protestant church leaders asked for language that prohibits the Cuban government from interfering with the internal life of religious associations. Rather than respond to this unprecedented call for stronger freedom of religion protections, the Cuban government pressured many religious leaders to cease their opposition and publicly support the new constitution.

The government restricts religious practice by denying independent religious communities’ access to state media, limiting religious organizations

from conducting religious education and providing humanitarian support, requiring the registration of publications, limiting the entry of foreign religious workers, and restricting certain religious texts from entering the country. In March 2018, the Cuban government blocked 17,000 copies of the New International Version of the Bible from entering the country on the basis that only older translations of the Bible are permitted.

In 2018, the Cuban government continued to closely monitor internet use and communication. Access to the internet is hindered by the lack of infrastructure (and the government's continued refusal to build the necessary infrastructure), the high and inaccessible costs of using the internet, extremely slow internet connections, and the narrow limits placed on where the internet can be accessed.

## RELIGIOUS FREEDOM CONDITIONS 2018

### Office of Religious Affairs

The Cuban government controls all religious activities through the ORA, which operates out of the Ministry of Justice (MOJ). The government requires religious communities to apply to the MOJ for official registration. Despite existing criteria for registration, decisions are arbitrary and often politically motivated. Registered religious associations have to request permission from local Cuban Communist Party officials for virtually any activities other than regular worship services, including holding a public event or procession outside religious buildings, owning a vehicle, and repairing a building. As the ORA has final authority over all decisions and is accountable only to the Party, it holds broad, largely unchecked power over religious practice in Cuba. The ORA also controls the religious activities of unregistered religious organizations, who are particularly vulnerable as their operation is considered illegal. Membership or association with an unregistered religious group is a crime, with potential punishments ranging from a fine to imprisonment.

*The harassment of religious leaders intensified with the launch of the constitutional campaign in August.*

## Detention and Harassment of Religious Leaders and Activists

Throughout 2018, the Cuban government engaged in harassment campaigns against religious leaders who advocate for religious freedom, especially after the launch of the public consultations on the constitution in August 2018. To increase pressure, the government also targeted family members of religious leaders. As a result of the intensifying harassment, activists reported that more religious leaders fled to seek asylum abroad. Most who have fled are long term religious leaders from both registered and nonregistered denominations.

In January 2018, three Catholic priests (Father Castor José Álvarez Devesa, Father José Conrado Rodríguez, and Father Roque Nelvis Morales Fonseca) published an open letter to then President Raúl Castro calling for religious freedom. In a February meeting with USCIRF, Fr. Álvarez expressed concern about potential backlash for releasing the letter. Nevertheless, he was able to travel to the Vatican to present the letter and return to Cuba later in February.

In January 2018, Yoruba priest Alexei Mora Montalvo was arrested along with Guillermo del Sol Pérez, an independent journalist who reports on religion. During Montalvo's detention, state security agents tried to coerce him into joining the government-controlled Yoruba Cultural Association of Cuba. His arrest is believed to be due to his questioning the religious authority of Yoruba Cultural Association of Cuba's right to publish annual predictions. He was arrested, beaten, and interrogated multiple times in 2018. At the end of the reporting period, he was not detained.

In February 2018, authorities arrested and detained for two days without charge Leonardo Rodríguez

Alonso, the regional coordinator for the Patmos Institute, an independent civil society organization that promotes freedom of religion or belief. He was arrested on his way home to Villa Clara after

meeting with human rights activists.

The harassment of religious leaders intensified with the launch of the constitutional campaign in August. During 2018, state security agents frequently visited and threatened pastors involved in calls for



stronger religious freedom protections at the national and local levels. In addition, several religious leaders were arrested due to their engagement in public consultations. In September, Pastor Alain Toledano of the Emmanuel Church of the Apostolic Ministry received a warrant for his arrest allegedly related to a noise complaint received during church services. During his arrest, authorities interrogated Pastor Toledano about his views of the constitution and threatened to prosecute him or confiscate church property if he did not offer his public support for the draft. Pastor Manuel Alberto Morejón Soler was similarly summoned by authorities and questioned on his views of the constitution several times. Other activists and religious leaders briefly detained for speaking out against the constitution and its religious provisions include Alexei Mora Montalvo, Irenaldo Sosa Báez, Guillermo del Sol Pérez, and Gabriel Barrenechea Chávez.

To mask religious repression, the Cuban government charges religious leaders and community members through criminal and civil code violations. While it is difficult to track these cases, one organization reported that 194 individuals were imprisoned or detained because of

their religious beliefs and activities between July 2017 and April 2018. Even when not charged, religious leaders are frequently threatened with criminal proceedings through the use of pre-arrest warrants (*actas de*

*advertencia*) that are used to justify arrests and more severe penalties for future alleged crimes. For example, a pastor of an unregistered church in Camagüey reported that the police served him with two pre-arrest warrants in 2018 as part of a larger pattern of hostility and intimidation by state officials. Religious leaders report that government security agents routinely attend, monitor, and record religious services. Local government officials and police encourage an environment of harassment against pastors and their churches and interruption in services and religious celebrations.

During 2018, the Cuban government continued to restrict Cuban religious leaders and activists from

international travel. In 2018, the Patmos Institute recorded 121 instances in which individuals—including several religious leaders—were prevented from traveling abroad, including to attend meetings on freedom of religion or belief, including Leonardo Rodríguez Alonso and Alexei Mora Montalvo. Dr. Óscar Elías Biscet, recipient of the 2007 Presidential Medal of Freedom and former prisoner of conscience, was also blocked from leaving Cuba. In 2016, USCIRF met with Dr. Biscet and his wife Elsa Morejón.

Some activists and their family members in detention were denied access to religious materials, practices, or visits by religious leaders. For example, Eduardo Cardet, national coordinator of an organization that advocates for democracy called the Christian Liberation Movement and who is currently serving a three-year prison sentence, was not allowed to receive visits from religious leaders and his Bible was confiscated.

## Threats to Churches

While there were no new reports of property confiscation in 2018, officials used Legal Decree 322, which the Cuban government announced in 2015 to purportedly

regulate private properties and zoning laws, to threaten confiscation or demolition of multiple churches.

Religious organizations reported that the ORA granted authorization for construction, renovations, and repairs

on existing religious structures more frequently in 2018, although the resources needed for such building improvements remain scarce and the government limits access to construction materials. In March 2018, government officials in Santiago banned members of the Apostolic Movement network of churches from buying the materials needed to rebuild their church that was arbitrarily demolished in early 2016. At the end of the reporting period, the congregation continued to meet under a makeshift tent.

The Cuban government permitted the Catholic Church to build its first new church in six decades. The congregation, which had previously been operating as

*To mask religious repression, the Cuban government charges religious leaders and community members through criminal and civil code violations.*

an illegal house church in Sandino, held its inaugural mass in January 2019, just after the end of the reporting period. The Cuban government has permitted construction of two other Catholic churches in Havana and Santiago. While this is a positive step, other religious groups continue to be denied permission to construct new religious buildings.

### Other Religious Groups

Non-Christian groups are subject to similar levels of restrictions, including practitioners of the syncretic tradition of Santería, which draws upon the Yoruba religion and is among the most popular traditions in Cuba. The government intensified its attempts to coopt this tradition throughout 2018, including through its targeting of Alexei Mora Montalvo as described above. The Bnei Anusim and Messianic Jewish communities, which are unregistered in Cuba, also reported harassment and interruptions in religious services during 2018.

In 2005, the Cuban government implemented a law to regulate house churches, which are commonly used by Protestant denominations due to government restrictions on new building construction. According to the State Department, there are an estimated 2,000–10,000 Protestant house churches in Cuba. The law requires all house churches to register and submit to the government detailed information on their membership, the house church’s inhabitants, and the schedule of services. The law further requires that house churches of the same denomination must be at least two kilometers apart. Once registration is granted, the law empowers the authorities to supervise religious meetings, limit the number of services that are held each week, and set the maximum number of attendees. The law also explicitly prohibits foreigners from participating in religious services without official permission.

### Denial of Religious Freedom for Democracy and Human Rights Activists

In 2018, the Cuban government denied some prodemocracy and human rights activists their right to freedom

of religion or belief. Activists detained on their way to religious services, usually Catholic Mass, were frequently beaten and held without charge, sometimes for more than 24 hours. In attempts to keep the religious and political spheres separate, government officials routinely pressured religious leaders to expel or shun such activists and threatened to close their churches if they did not comply.

Almost every Sunday, the government prevented more than 60 activists from attending religious services. Most blocked were members of the Ladies in White—wives and relatives of dissidents imprisoned in 2003—but also increasingly included other activists acting in solidarity. Every week, Ladies in White wear white

*Almost every Sunday, the government prevented more than 60 activists from attending religious services.*

clothing and march to Sunday Mass to increase attention to the imprisonment of their families. They are often detained on their way to Mass or other religious services and released hours later. Detainees report that

arrests are often violent; law enforcement officials and state security agents dressed as civilians beat them, release them in remote areas far from their homes, and subject them to arbitrary fines. Some Ladies in White were charged with fabricated petty crimes, such as failing to pay penalties and contempt. In 2018, those held on such charges include Marta Sánchez, Nieves Matamoros, Aimara Nieto, Yolanda Santana, Xiomara Cruz, Daysi Artiles, and Micaela Roll Gibert.

Ladies in White leader Berta Soler Fernández is often targeted for violent arrest by security forces. The Cuban government also blocked Soler from leaving the island to raise awareness about the Ladies in White. The government prohibited her from traveling to the United States to receive the Cato Institute’s Milton Friedman Prize for Advancing Liberty in May and refused to renew her passport in November.

### U.S. POLICY

U.S.-Cuban relations remained tense in 2018. The Trump administration policy toward Cuba continued to be guided by the [National Security Presidential Memorandum](#) entitled “Strengthening the Policy of the United

States Towards Cuba,” issued in November 2017. This policy focuses on the need for human rights, democracy, and free enterprise in Cuba. It further instructed the secretary of state to provide a report to the president on the degree to which the Cuban government has fulfilled the requirements of a transition government, as outlined in the [Cuban Liberty and Democratic Solidarity \(LIBERTAD\) Act of 1996](#).

In 2017, the United States pulled most of its embassy staff from Cuba. In March 2018, staffing numbers were permanently reduced from around 50 to 18. In June 2018, Secretary of State Michael R. Pompeo established the interagency [Health Incidents Response Task Force](#) to investigate the 2017 health attacks on 26 U.S. diplomats and family members, but the cause and source of the attacks remain unknown. The State Department’s [Integrated Country Strategy](#) noted that the staff reduction has resulted in the suspension of most visa processing and a decrease in bilateral engagement. A congressional memorandum concluded that the United States’ ability to monitor Cuba and defend human rights is being undermined by the staff reduction.

The State Department convened the [Cuba Internet Task Force](#) in January 2018, which is mandated by the policy memo to “examine the technological challenges and opportunities for expanding internet access in Cuba.” The Task Force is expected to release in May 2019

its final report with recommendations to support media, freedom of information, and internet access.

During a November 2018 [speech](#), National Security Advisor John R. Bolton dubbed Cuba, as well as Venezuela and Nicaragua, the “Troika of Tyranny.” He accused the three countries of being “the cause of immense human suffering, the impetus of enormous regional instability, and the genesis of a sordid cradle of communism in the western hemisphere” and emphasized that the United States “is taking direct action” against these regimes to defend the rule of law, liberty, and basic human decency. Following his speech, the State Department added [26 tourist attractions to the Cuba Restricted List](#), which forbids doing business with dozens of entities that have links to Cuba’s military, intelligence, and security agencies.

In 2018, the U.S. Mission to the United Nations launched a campaign called “Jailed for What?” to highlight the plight of the estimated 130 prisoners of conscience in Cuba. While Cuban diplomats attempted to disrupt the October [launch](#) event, the commotion brought more attention to repression in Cuba. In addition, Secretary Pompeo in December published an [open letter](#) urging the Cuban government to provide more information on the charges against political prisoners, including Eduardo Cardet Concepción, national coordinator of the Christian Liberation Movement, and Martha Sánchez, a member of the Ladies in White.

### KEY FINDINGS

In 2018, religious freedom conditions in Egypt generally trended in a more positive direction related to high-level official discourse and actions. However, persistent challenges at the community level and a poor, broader human rights situation remained consistent with recent years. President Abdel Fattah El-Sisi heightened the inclusion of religious tolerance in public discourse, including continuing his now-annual tradition of attending Coptic Christmas Eve Mass. He also personally oversaw the opening of a Coptic Orthodox cathedral and a mosque in the new administrative capital in January 2019—after the reporting period—encouraging the inclusion of churches in plans for new urban developments and calling for wider freedom of belief and worship. By March 2019, shortly after the reporting period, the cabinet-level committee tasked with approving the registration of churches and church-related buildings under Law 80/2016 approved 783 of the between 5,515 and 5,540 properties slated for registration. The Ministry of Education began issuing a new primary school curriculum for religious instruction. Officials shared its new curriculum with USCIRF during its January 2019 country visit in order to demonstrate the removal of intolerant concepts and language from the state-mandated curriculum. During USCIRF’s visit, Grand

Sheikh of al-Azhar Ahmed El-Tayeb stated that non-Muslims, including Baha’is and Jehovah’s Witnesses, should be permitted public places of worship in Egypt, representing a notable shift in rhetoric. Nevertheless, despite these prominent gestures, systematic and ongoing challenges to religious freedom remained widespread at the community level, particularly in rural areas. Anti-Christian mob violence occurred with impunity and regularity in Upper Egypt; on several occasions, these incidents came in direct response to efforts by local Christians to legally register their churches. Meanwhile, Egyptian affiliates of the Islamic State of Iraq and Syria (ISIS) and domestic terror groups continued to target local Christians in addition to government officials and security forces. Baha’is and Jehovah’s Witnesses remained unrecognized, and blasphemy laws, which have not been repealed, continued to be used in targeting Muslims, Christians, and nonreligious persons.

Based on these concerns, USCIRF again places Egypt on its Tier 2 for engaging in or tolerating systematic and ongoing religious freedom violations, thereby meeting at least one of the three elements of the standard for designation as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Urge the Egyptian government to accelerate approvals for churches and church-related buildings that have applied for renovation, construction, or registration under Law 80/2016; enforce the law’s provision that churches awaiting approval can continue to operate; and initiate a national discussion into supplanting that law with one that would uniformly apply to all houses of worship, regardless of religious affiliation;
- Allocate a portion of U.S. assistance—including through Foreign Military Funding (FMF) and Economic Support Fund sources, as appropriate—to programs through the U.S. Agency for International Development (USAID) to train and equip Egyptian security forces to protect the places of worship and other holy sites of religious minority communities;
- Press the Egyptian government and security services to immediately end the practice of ceding legal authority to customary reconciliation councils to resolve incidents of anti-Christian mob violence;
- Encourage the Egyptian government to repeal decrees banning Baha’is and Jehovah’s Witnesses, remove religion from official identity documents, and pass laws consistent with article 53 of the constitution, such as creating an independent antidiscrimination body that includes non-Sunni Muslim representatives; and
- Urge the Egyptian government to repeal or revise article 98(f) of the Penal Code, which criminalizes contempt of religion, or blasphemy, and in the interim provide the rule of law and due process for those individuals charged with violating article 98(f).

The U.S. Congress should:

- Require the U.S. Department of State to provide justification for the release of any foreign military financing withheld to Egypt, including public disclosure of its assessment and certification of Egypt’s progress toward improving human rights and religious freedom conditions.

## COUNTRY FACTS

### FULL NAME

Arab Republic of Egypt

### GOVERNMENT

Presidential Republic

### POPULATION

99,413,317

### GOVERNMENT-RECOGNIZED FAITHS

85–90% Sunni Islam, 10–15% Christianity (Orthodox, Catholics, Protestants), <1% Other (Baha'is, Jehovah's Witnesses, Shi'a Muslims, Jews)

### RELIGIOUS DEMOGRAPHY

90% Muslim (predominantly Sunni)

10% Christian (majority Coptic Orthodox; other Christians include Armenian Apostolic, Catholic, Maronite, Orthodox, and Anglican) (2015 estimate)

\*Estimates compiled from the CIA World Factbook and U.S. Department of State

## BACKGROUND

Egypt's constitution identifies Islam as the state religion and the principles of Shari'ah as the primary source of legislation. While article 64 of the constitution states that "freedom of belief is absolute," only Muslims, Christians, and Jews can practice their religion publicly and build places of worship. Of the country's estimated 99 million people, 85 to 90 percent are Sunni Muslims, and non-Sunni Muslims comprise less than one percent. Ten to 15 percent are Christians, the vast majority of whom belong to the Coptic Orthodox Church; others belong to various other denominations, including Catholic, Protestant, Maronite, Armenian Apostolic, Greek and Syrian Orthodox, and others. There are at least 2,000 Baha'is, approximately 1,500 Jehovah's Witnesses, and fewer than 20 Jews.

Egypt has experienced both progress and setbacks during its political transition since 2013. President El-Sisi has overseen several key economic reforms and initiatives that returned the Egyptian economy to a position of relative—if fragile—stability, garnering praise from partners such as the International Monetary Fund. The government has, however, paid less attention to other social concerns during this transitional period, including endemic gender-based challenges such as the sexual harassment of women

in public spaces and the practice of female genital mutilation (FGM)—a practice that is formally banned but persists at an alarming rate. At the same time, the Egyptian military has been unable to decisively end an insurgency by a North Sinai-based affiliate of ISIS, despite a campaign since mid-2015 to do so. Attacks by ISIS or other domestic terror groups on the Egyptian mainland slowed in 2018 in comparison to prior years, but they continued to pose a serious danger to security forces, religious minorities, and the general public.

Furthermore, the government's initial effort to combat Islamist violence and ideology has evolved into a more general and severe crackdown on all perceived dissent or criticism toward the country's leadership. Thousands of sympathizers and members of the Muslim Brotherhood have faced arrest, trial, and conviction, but the government has similarly jailed journalists, secular and liberal activists, and other non-Islamist critics. Egyptian independent media continued to be prevented from expressing dissenting political views, and presenters or outlets that defy this expectation are silenced. Crackdown on public dissent became particularly acute ahead of the March 2018 presidential election when journalists and potential candidates alike faced harassment and arrest in a clear effort to remove any perceived barriers to President El-Sisi's reelection. Hundreds of nongovernmental

organization (NGO) workers have faced widespread legal obstacles such as closures and arrests under Law 70/2017, which severely restricts operations and foreign funding of NGOs. However, the government launched an effort in late 2018 to conduct a thorough review of the law following President El-Sisi's public pledge to address its well-documented flaws.

In March 2018 and January 2019, just after the reporting period, USCIRF delegations traveled to Egypt to assess religious freedom conditions and met with a range of Egyptian government officials, including Minister of Education Tarek Shawki; Grand Sheikh El-Tayeb; Pope Tawadros II, head of the Coptic Orthodox Church; and religious leaders and human rights defenders. During the latter visit, USCIRF members also joined national political and religious leaders at the formal opening of the Cathedral of the Nativity and al-Fatah al-Alim Mosque, both in the country's new administrative capital.

## RELIGIOUS FREEDOM CONDITIONS 2018

### Positive Developments

Senior Egyptian leadership made positive gestures toward recognizing the need for greater religious freedom and representation of religious minorities in public life. President El-Sisi publicly commented on this subject on multiple occasions during 2018. In December, he insisted that new residential development projects include churches and in November, during the World Youth Forum, he stated his belief that all people should be allowed to believe or not believe as they choose, and to have their own places of worship. Grand Sheikh El-Tayeb, the country's senior most Sunni Muslim scholar, told USCIRF that all religious communities in Egypt should be allowed to have their own places of worship and the state should guarantee their protection, even communities such as the Baha'is and Jehovah's Witnesses, who are formally banned as falling outside accepted Abrahamic traditions ("heavenly religions").

During his public remarks at the January 2019 opening of the new Coptic Orthodox cathedral, Grand Sheikh

*Grand Sheikh El-Tayeb, the country's senior most Sunni Muslim scholar, told USCIRF that all religious communities in Egypt should have their own places of worship . . .*

El-Tayeb also called for tolerance and unity among Muslims, Christians, and Jews while admonishing fellow Muslims to take responsibility for protecting churches as well as mosques. In fact, just one day earlier a Muslim police officer had died and two others were injured while attempting to defuse a crude bomb planted near a church in the Nasr City neighborhood of Cairo.

The Egyptian government also took some important but limited practical steps toward the improvement of religious freedom conditions. In 2018, and just after the reporting period, the cabinet committee tasked with approving the registration of churches and church-related buildings under the Church Building Law of 2016 (Law 80/2016)—the first law of its kind in Egypt—granted incremental approval to 783 of the 5,515–5,540 relevant properties that had submitted applications. In September 2018, President El-Sisi appointed Manal Awad as the governor of Dumyat, representing the first Christian woman to hold that post and only the fourth Copt in Egypt's modern history to receive a gubernatorial appointment. Finally, Minister of Education Shawki told USCIRF that plans to reform the public school curriculum had made important progress during 2018, including that new primary school textbooks on religion no longer contained exclusionary or intolerant language.

### Construction, Renovation, and Registration of Churches

Despite these positive signs from Egyptian leadership, there remain significant challenges to religious freedom throughout the country. The 783 churches and church-related buildings that received registration approval during and just after the 2018 reporting

period represent just over 14 percent of the 5,515–5,540 relevant properties. Furthermore, the vast majority of these applications represent preexisting properties that were already in use for religious purposes for years or even decades in some cases, generally

in rural communities in which there were insufficient church facilities—or none at all—to accommodate the

local Coptic population. Neither these approvals, nor the additional facilities that have applied to register, nor the presence of preexisting churches address the country's uneven policies regarding places of worship. Given that governors approved only eight new churches since the passage of Law 80/2016, including three properties in new and currently uninhabited urban developments, that disproportion remains largely overlooked.

There remain other serious problems with the structure and implementation of Law 80/2016. Egyptian security agencies maintain an unnecessary and outsized role in the registration approval process, although they play no such formal role in the approval of mosques. Furthermore, even as the responsible cabinet committee cleared 783

properties for registration during or just after the reporting period, local or provincial authorities closed at least eight other churches during the year. Several of those closures occurred as a result of mob violence directed

toward Christians; rather than uphold the rule of law, authorities instead deferred to mob rule by allowing customary reconciliation sessions to determine the outcome. Relatedly, several such incidents directly resulted from reports that Christians had applied to register church-related properties or planned to do so, such as the March 2018 closure of the Church of the Virgin in al-Toud, Qena Governorate, and the April 2018 closure of the Church of the Virgin and Pope Kirullus in Beni Menin, Beni Suef Governorate.

### Sectarian Attacks and Legal Impunity

While incidents of violence directly targeting Christians resulted in fewer casualties than in previous years, they persisted in various forms throughout 2018. Nongovernmental interlocutors informed USCIRF during a January 2019 country visit that there were at least 25 incidents of violence or attempted violence against Christians during the reporting period. Such incidents included an attempted suicide bombing on a Coptic Orthodox church in Qalyubiya in August, which police successfully thwarted before the would-be bomber reached his

intended target. In November 2018, in the deadliest single attack of the year, gunmen in the governorate of Minya attacked two minibuses of Christian pilgrims who had just left the Monastery of St. Samuel the Confessor, killing seven people and injuring seven others. The Egyptian branch of ISIS later claimed responsibility for that attack.

Egyptian authorities typically single out these large-scale incidents as symptomatic of terrorist organizations that target Christians as well as security forces and police. During 2018, ISIS and remnants of other radical Islamist groups continued to pose a serious threat to Egypt's large Christian population. However, blaming Egypt's sectarian issues on radical Islamist groups belies the reality that societal bigotry and gov-

ernment negligence also play roles in incidents of communal violence. Perceived negligence on the part of Egyptian security forces continued to be an ongoing grievance of the Christian population: for example, at the funeral for victims

*... blaming Egypt's sectarian issues on radical Islamist groups belies the reality that societal bigotry and government negligence also play roles in incidents of communal violence.*

of the monastery bus attack in November, eyewitnesses reported a palpable and audible sense of anger toward police who failed to prevent the attack, despite its occurrence at a venue just one kilometer from a nearly identical and even deadlier attack on the same road in 2017. In addition, police officers are sometimes directly involved in such violence: for example, a Christian barber in Beni Suef died in police custody in July 2018 after reportedly receiving a fatal beating from officers when he attempted to report a dispute with a Muslim fellow resident. In another example, a police sergeant tasked with guarding a church in Minya gunned down a Coptic father and son at a worksite in front of his post in December, following a minor dispute. That officer was subsequently found guilty of murder charges in February 2019, after the reporting period.

The prevalence of violence against Christians in Egypt was most clearly on display in incidents of mob violence that occurred in rural towns and villages in Upper Egypt; the perpetrators were moved to action by the words of their local imams and their own deeply rooted prejudices. There were at least eight such mob

attacks in 2018: in three separate attacks in August alone, Muslim rioters attacked Coptic churches, homes, and businesses in Sultan Basha, Minya; Esna, Luxor; and Dimshaw Hashim, Minya, after reports circulated that local Christians had attempted to legally register their places of worship. Although none of these attacks resulted in outright fatalities, they caused significant property destruction and terrified local Christians. Furthermore, none of them produced legal consequences for the perpetrators; instead, by deferring to customary reconciliation sessions, local authorities made concessions to the rioters by agreeing to close the churches or prayer halls in dispute.

### Discrimination and Gender-Based Violence against Coptic Christians

Apart from more overt examples of direct violence, Coptic Christians continued to face widespread societal pressures such as religious discrimination and outright bigotry. Christians continued to be underrepresented among high-ranking officers in the Egyptian police and armed forces as well as among leadership roles in public universities and the judiciary, and they have traditionally been excluded from the country's intelligence apparatus and foreign service. The appointment of a Coptic woman to the governorship of Dumyat in September 2018 was an important step forward, but she remained the only Christian among 27 governors across the country.

The most recent and illustrative example of this reality came in late December, when President El-Sisi appointed a committee to combat sectarianism. While the formation of this committee represented a generally positive,

symbolic move, it failed to include even a single representative from the country's Christian community.

Gender-based issues also play a culturally significant role in these discriminatory pressures. Some Christians continued to claim ongoing abductions of Christian women, often but not always involving coerced conversion to Islam. Although there were

fewer such reports in 2018, particularly in comparison to earlier reporting periods, they remain a persistent feature of Coptic vulnerability. It is exceedingly difficult to verify most of these reports; some may represent cases of intercommunal relationships between young Muslim men and Christian women whose families refuse to accept their choices, and others likely point to individual conversions that took place without any sort of coercion. However, some of these reports are likely authentic, particularly but not limited to those incidents involving a Coptic woman or girl who disappeared, or whose abduction was directly witnessed. Because of the stigma that both religious conversion and the sexual assault implied by forcible abductions carry in Egyptian society, regardless of the victims' religious affiliation, most of these incidents are at best difficult to document and at worst remain underreported or unreported.

### Blasphemy Law and Limits on Religious Expression

Article 98(f) of the Egyptian Penal Code prohibits citizens from "ridiculing or insulting heavenly religions or inciting sectarian strife." Egyptian authorities continued to use this law against "contempt of religion," or blasphemy, to detain, prosecute, and imprison Muslims, Christians, atheists, and members of smaller religious groups whose practices deviate from mainstream Islamic beliefs. At least five resulted in conviction in

2018, one of which was overturned on appeal.

Prosecutors also launched investigations into at least eight new cases; in five of them, the defendants remained in detention awaiting trial at the end of the reporting period.

This blasphemy law also applies to activities

that allegedly jeopardize communal harmony or vaguely insult religion, primarily Islam. Egypt's legal system allows private citizens to bring charges against fellow Egyptians to the public prosecutor for consideration, and this framework is especially susceptible to abuses of the blasphemy law. Furthermore, it is common for prosecutors to tie blasphemy-related charges to unrelated court

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*While the formation of this committee [to combat sectarianism] represented a generally positive, symbolic move, it failed to include even a single representative from the country's Christian community.*

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cases that involve violations of the ambiguous concept of “public order.” For example, in July 2018, a Cairo court convicted a Lebanese tourist, Mona al-Mazbouh, on charges of “spreading false rumors that would harm society, attacking religion, and public indecency” for posting a video to social media in which she complained of sexual harassment during her time in Egypt. She was initially sentenced to eight years in prison for the combined charges, but that sentence was suspended and she was deported to Lebanon in September.

While the majority of those who are charged with blasphemy are Sunni Muslims, most of the individuals who are actually convicted and sentenced to prison terms on related charges are Christians, atheists, and other religious minorities. In December 2018, a Minya court found Abdo Adel, a Coptic Christian, guilty of “insulting Islam in the first degree” for a July Facebook post that reportedly compared the Prophet Muhammad to Jesus, and sentenced him to three years in prison. In a sign of the societal consequences that often surround blasphemy charges, a mob attacked Cop-

tic homes in Mr. Adel’s village after news of his arrest spread, forcing local Christians to hide for days in fear of opening their shops or emerging into public view. None of the rioters faced legal consequences following the predictable outcome of a customary reconciliation session. Meanwhile,

police have detained and released self-professed atheist Sherif Gaber several times since he was first brought up on blasphemy-related charges in 2013, including his most recent arrest and release in May 2018. According to Mr. Gaber’s own account, Egyptian authorities have since prevented him from leaving the country, and fear of long-term imprisonment has forced him into hiding.

### **Smaller Religious Communities: Baha’is, Jehovah’s Witnesses, Converts, Jews**

While Coptic Christians represent the largest non-Sunni Muslim population in Egypt, the country is also home to other, smaller religious communities who face

both unique and common ongoing pressures from the government. The Baha’i community has been formally banned for almost 60 years as a result of a decree issued by then President Gamal Abd al-Nasser. Furthermore, since Baha’i marriage is not recognized, married Baha’is still cannot obtain identity cards, making it impossible for them to register for school, own a car, or conduct daily transactions like banking. Other Baha’is can obtain identity cards only if they list a dash “-” in the required religion section since the only available options are Islam, Christianity, and Judaism. Egyptian officials told USCIRF during a January 2019 country visit that the status of Baha’is is a delicate matter and the government is unlikely to revoke the decree banning their recognition anytime soon. Jehovah’s Witnesses remain banned under a 1960 decree; their meetings have been allowed in private homes in groups of 30 or fewer individuals, but repeated requests for the expansion of this number have been denied or ignored. Jehovah’s Witnesses are still not allowed to have their own places of worship or import Bibles or other religious materials.

The Egyptian government does not recognize conversions of Muslims to other religions. Egyptian-born Muslims who have converted to Christianity or other religions still cannot reflect their change of religious affiliation on identity documents, and in many cases, these converts

continue to face intense social hostility. In past cases in which converts have sued for the right to reflect their new religious affiliation on ID cards, Egyptian courts have ruled that Muslims are forbidden from converting from Islam based on principles of Islamic law because conversion would constitute an insult to Islam and threaten public order by enticing other Muslims to convert. In 2018, there also remained systemic problems for individuals who converted to Islam but then converted back to Christianity to have this change reflected on identity documents. Despite a July 2011 law making it easier to reflect one’s religion on ID cards—and not having to declare “formerly Muslim”—it remained

*In a sign of the societal consequences that often surround blasphemy charges, a mob attacked Coptic homes . . . forcing local Christians to hide for days in fear of opening their shops or emerging into public view*

exceedingly difficult in practice for these individuals to obtain identity cards. Egypt's ancient Jewish community has dwindled to near-extinction with fewer than 20 Egyptian Jews remaining in the country. While anti-Semitic sentiment remained persistent in Egyptian mass media and society at large, senior government officials made a series of public announcements in 2018 that encouraged increased tolerance toward the country's Jewish heritage. In November, President El-Sisi remarked at the World Youth Forum that Jews should have the right like Muslims and Christians to build places of worship in Egypt. The Ministry of Antiquities subsequently announced in December that the president had allotted \$72 million toward the restoration of Egypt's Jewish cultural heritage.

## U.S. POLICY

The United States has a close and longstanding partnership with Egypt, extending back to the 1979 Camp David Accords. Through that partnership, the U.S. government gives \$1.3 billion in military aid to Egypt annually, in addition to lesser amounts of humanitarian and other forms of financial aid. In 2018, it also continued to partner with Egypt in military exercises, counterterrorism assistance, intelligence sharing, and other forms of cooperation, even as U.S. leadership also took personal interest in Egypt's religious freedom conditions.

In September 2018, on the sidelines of the United Nations General Assembly, President Donald J. Trump [raised the importance of religious freedom](#) and the plight of Coptic Christians during a meeting with President El-Sisi. Vice President Michael R. Pence also engaged with Egyptian officials during the reporting period, including an [official visit to Cairo in January 2018](#) and a phone call with President El-Sisi in May. During his January visit, he expressed concern and condolences over recent attacks on Coptic Christians as well as on Muslim places of worship, and in November [he explicitly condemned](#) the ISIS bus attack on Coptic pilgrims, calling such violence "cowardly assaults on the most basic freedoms of the Egyptian people."

However, in 2018, the U.S. government also repeatedly raised concerns regarding Egypt's human rights situation. In March, Congress passed the [Consolidated Appropriations Act of 2018](#), which conditioned the disbursement of up to \$300 million in aid to Egypt on

its progress toward the promotion of democracy and human rights, including a commitment to due process and the protection of religious minorities. In May, the Senate Appropriations Committee held up that \$300 million in response to several human rights concerns, including the damaging effects of Egypt's restrictive policies regarding NGOs (Law 70/2017) and the unresolved investigation into the 2016 abduction and killing of Italian graduate student Giulio Regeni. Despite these ongoing concerns, in July 2018 the State Department ordered the release of \$195 million of the remaining military aid to Egypt.

## INDIVIDUAL VIEWS OF COMMISSIONER JOHNNIE MOORE

Egypt is making progress at a rapid pace and deserves credit for it. Both the substantive actions taken by the presidential administration and parliament, as well as President al-Sisi's important statements and symbolic actions, have together created an environment of greater religious freedom, emanating from the world's most populous Arab country and the theological heart of the Islamic world. There are reasons for optimism.

In my estimation, the two main reasons Egypt remains on Tier 2 relate to: 1) The Egyptian struggle to export Cairo's commitment to peaceful coexistence, religious freedom, and security for all religious communities to Upper Egypt, especially Minya; and 2) the need to enshrine best-intentioned practices into law and policy for other minority communities such as the Baha'is.

The relationship between Egypt's central government and its Christian and Jewish communities, including the vast diaspora of Egyptian Jews, may be at an all-time modern high. However, the government must find the capacity, and local leaders must find the will, to create the same type of environment throughout the less educated, less secure, and more sectarian parts of the country. Based upon my own engagement with the Egyptian President and senior leaders in the country, including the Coptic Orthodox Pope, the government needs more resources to address those challenges.

If the Egyptian government can—*judiciously*—resolve issues in Minya then it will have reduced significantly criticism that it receives from religious freedom communities, which will then more clearly see that the policies and priorities of Cairo have made

it throughout the country. When it comes to other minority communities such as Baha'is, Jehovah's Witnesses and others, I have found the communities to be complementary and supportive of the government, and yet policies carried over from Egypt's past still make it difficult for them to legally marry, establish places to worship, and fulfill other religious rites.

This is a solvable problem for the Egyptian government, particularly given that even religious leaders from Al-Azhar are now in support of such policy changes, as this report cites. The Egyptian government could, for instance, simply create an "office for special cases" in order to facilitate the marriage of Baha'is, facilitate equal rights for other religious communities, change ID cards, etc. even before the parliament is able to expand the church building law to other religious communities or enshrine other rights in the law.

If the situation in Minya were different, and if communities like the Baha'is could overcome these obstacles to full recognition, I personally believe Egypt would likely merit removal from Tier 2 altogether.

### KEY FINDINGS

In 2018, religious freedom conditions in India continued a downward trend. India has a long history as a secular democracy where religious communities of every faith have thrived. The constitution guarantees the right to religious freedom, and the nation's independent judiciary has often provided essential protections to religious minority communities through its jurisprudence. Yet, this history of religious freedom has come under attack in recent years with the growth of exclusionary extremist narratives—including, at times, the government's allowance and encouragement of mob violence against religious minorities—that have facilitated an egregious and ongoing campaign of violence, intimidation, and harassment against non-Hindu and lower-caste Hindu minorities. Both public and private actors have engaged in this campaign. In 2018, approximately one-third of state governments increasingly enforced anti-conversion and/or anti-cow slaughter laws discriminatorily against non-Hindus and Dalits alike. Further, cow protection mobs engaged in violence predominantly targeting Muslims and Dalits, some of whom have been legally involved in the dairy, leather, or beef trades for generations. Mob violence was also carried out against Christians under accusations of forced or induced religious conversion. In cases involving mobs killing an individual based on false accusations of cow slaughter or forced conversion, police investigations and prosecutions often were not adequately pursued. Rules on the registration of foreign-funded nongovernmental organizations (NGOs) were discriminatorily implemented against religious minority groups. Religious freedom conditions varied dramatically from state to state, with some states continuing to be relatively open

and free for religious minorities, while others—if taken on their own—had “systematic, ongoing, egregious” violations of religious freedom. In 2018, the Supreme Court of India highlighted the deteriorating conditions for religious freedom in some states, concluding that certain state governments were not doing enough to stop violence against religious minorities and, in some extreme instances, impunity was being granted to criminals engaged in communal violence. Prime Minister Narendra Modi seldom made statements decrying mob violence, and certain members of his political party have affiliations with Hindu extremist groups and used inflammatory language about religious minorities publicly. Victims of large-scale attacks in recent years have not been granted justice, and reports of new crimes committed against religious minorities were not adequately accounted for or prosecuted. India's substantial population both complicates and limits the ability of national and state institutions to address these issues.

Based on these concerns, in 2019 USCIRF again places India on its Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the “systematic, ongoing, egregious” standard for designation as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA). While the Indian government repeatedly has denied USCIRF access to India, the Commission welcomes the opportunity to openly and candidly engage with the government—including the chance for a USCIRF delegation to visit India—to discuss shared values and interests, including international standards of freedom of religion or belief and related human rights.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Press the Indian government to allow a USCIRF delegation to visit the country and meet with stakeholders to evaluate conditions for freedom of religion or belief in India;
- Work with the Indian government to create a multiyear strategy to ebb the flow of hate crimes targeting religious minorities, including by:
  - Pressing state governments to prosecute religious leaders, government officials, and media personalities who incite violence against religious minority groups through public speeches or articles, as was recommended by the National Minorities Ministry in July 2014;
  - Strengthening the training and capacity of state and central police to prevent and punish cases of religious violence, while also protecting victims, witnesses, and houses of worship and other holy sites;
  - Encouraging passage of the Protection of Human Rights (Amendment) Bill, 2018 to establish national and state human rights commissions and human rights courts; and
  - Assisting the Ministry of Law and Justice to work with state prosecutors to increase the rate of prosecutions for hate crimes and online hate speech targeting religious minorities;
- Increase the U.S. Embassy's focus on religious freedom and related human rights through continued visits to regions impacted by religiously motivated violence and dialogue with religious communities, local governmental leaders, and police; and
- Advocate for the Indian central government to ensure that the Foreign Contribution Regulation Act is not used discriminatorily to target international missionary and human rights groups, and to press states with anti-conversion and anti-cow slaughter laws to do the same.

## COUNTRY FACTS

### FULL NAME

Republic of India

### GOVERNMENT

Federal Parliamentary Republic

### POPULATION

1,210,193,422

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Secular Constitution

### RELIGIOUS DEMOGRAPHY\*:

79.80% Hindu

14.2% Muslim

2.3% Christian

1.7% Sikh

0.7% Buddhist

0.4% Jain

0.7% Other (including Zoroastrians, Jews, Baha'is, and tribal religions)

0.2% Religion Not Stated

\*Estimates compiled from the 2011 Census of India (15th census)

## BACKGROUND

As the world's largest democracy, India is not only a leader in South Asia, but also a unique power with a prominent position in the global economy. Its standing is underpinned by a vibrant and uninterrupted parliamentary system of democracy, which includes an active and independent judiciary and a federal constitutional system that limits some powers of the central government and grants a great deal of policymaking power to the states.

Over the last decade, conditions for religious minorities in India have deteriorated. A multifaceted campaign by Hindu nationalist groups like Rashtriya Swayamsevak Sang (RSS), Sangh Parivar, and Vishva Hindu Parishad (VHP) to alienate non-Hindus or lower-caste Hindus is a significant contributor to the rise of religious violence and persecution. Those targeted by this campaign—including Muslims, Christians, Sikhs, Buddhists, Jains, and lower-caste Hindus—face challenges ranging from acts of violence or intimidation, to the loss of political power, increasing feelings of disenfranchisement, and limits on access to education, housing, and employment. While there is a system of affirmative action for education, housing, and employment that is constitutionally mandated to assist historically disenfranchised groups, especially

lower-caste Hindus, some have called its efficacy and fairness of implementation into question.

In 2017, the Indian government's criminal data collection agency, the National Crime Records Bureau (NCRB), reported that communal violence increased significantly during 2016. However, in 2018, minority rights groups criticized the NCRB's methodology for failing to include more categories on mob violence or lynching. Accordingly, the NCRB delayed its 2018 report to collect data on nearly 30 new crime categories, which will include hate crimes, lynching, and crimes based on fake news.

In 2018, religious minorities remained concerned with their safety and security. In February 2018, Minister of State at the Ministry of Home Affairs Hansraj Ahir reported to parliament that 111 people were murdered and 2,384 injured in 822 communal clashes during 2017 (as compared to 86 people killed and 2,321 injured in 703 incidents the previous year). Positively, in December 2018, Union Minister for Home Affairs Rajnath Singh said that the number of communal attacks dropped 12 percent in 2018 from the high in 2017. Independent hate crime monitoring services reported that in 2018 there were more than 90 religious-based hate crimes, causing 30 deaths and far more injuries.

In addition, institutional challenges impact progress on all issues, including religious freedom. For example, Indian state and central government agencies face an immense task that has left the police and courts overwhelmed by the needs of a growing population and longstanding gaps in their capacity, training, and funding. Also, worsening income inequality has left more Indians suffering from poverty and has exacerbated historical conditions of inequality for certain religious and social minorities.

## RELIGIOUS FREEDOM CONDITIONS 2018

### Positive Developments

Despite an overall deterioration of religious freedom conditions in 2018, there were also positive developments. Some government entities made efforts to counter increasing intolerance in the country, which led to a 12 percent decline in communal violence compared to the previous year, according to Home Minister Singh. The judiciary, exemplified by the Supreme Court of India, decided several cases during the year that protected the rights of religious minorities. In 2017, the Supreme Court called on state governments to establish mechanisms to prevent mob violence, and in June 2018 issued a follow-up call to the central and state central governments to pursue an 11-point plan, including compensation to hate crime victims, fast-tracking prosecutions, assigning senior police officers to deal with communal issues, and other provisions. The lower courts also made some progress in prosecuting mob members; for example, in March 2018 a court in the eastern state of Jharkhand sentenced 11 men to life imprisonment for lynching a Muslim man in June 2017.

In 2018, the government also invested more of its budget in minority development projects. For example, the central government granted the Ministry of Minority Affairs a 12 percent increase in its budget, and it was reported that all of the new minority development projects combined constituted a 62 percent increase for minority affairs. The National Commission for Minorities—created as a statutory body in 1992 and whose members are government nominated—

*Some government entities made efforts to counter increasing intolerance in the country . . .*

continued to document and report incidents in which politicians and government officials engaged publicly in incitement to violence against religious minorities.

### Role of Hindutva/Hindu Extremist Groups

Various nationalist groups in India have expanded the ideology of Hindutva, or “Hinduness,” which has three pillars—common nation, race, and culture—and forms the basis of an oftentimes exclusionary national narrative with a singular focus on the rights of Hindus. The views espoused by individuals belonging to these groups and the activities they undertake vary widely. Nevertheless, both moderate and extreme forces within the Hindutva movement point to the rise in the Muslim population from constituting 10 percent of the national population in 1951 to 14 percent in 2011, which in their view necessitates “mitigation” against the growing Muslim community. While some Hindutva groups want greater influence of Hindu principles in the state’s decision-making process, more extreme elements have stated they would like to see all non-Hindus expelled, killed, or converted to Hinduism. Some members of the ruling Bharatiya Janata Party (BJP) have affiliations with Hindu extremist groups and have used discriminatory language about religious minorities. For example, in 2018, state-level BJP member T. Raja Singh was charged by the police for hate speech after stating that “every Hindu should carry weapons like lathis [clubs] and attack other communities’ members if they said anything wrong.”

The influence of Hindutva groups goes beyond politics and government. For example, Hindutva groups have expanded the scope and size of religious schools—which often teach intolerant religious ideology in nongovernmental private educational systems—to nearly four million students, and have tried to distribute books promoting religious intolerance

in public schools. Some groups have student youth wings, such as the RSS’s Akhil Bharatiya Vidyarthi Parishad (ABVP), which have used intimidation and violence in colleges to

silence their secular or non-Hindu classmates and shut down events that challenge their viewpoints.

In general, both the federal and state governments have done little to condemn the use of inflammatory language, even if it incites violence. And state action to rename numerous cities—such as Faizabad and Allahabad from the names that had been given during the Mughal period—has been perceived as an effort to erase or downplay the influence of non-Hindus in Indian history and as an attack on Muslims within India today.

### Anti-Conversion Laws and Forced Conversion

The fundamental right to freedom of religion or belief includes the right to change one's faith to another or to no faith at all. This right includes the ability to manifest one's beliefs through expression intended to persuade another individual to change his or her religious beliefs or affiliation voluntarily. In India, state level anti-conversion laws prohibit conversion based on force, allurement, inducement, or fraud; however, some contain such broad definitions that they can be interpreted as prohibiting any kind of conversion, whether consensual or not. Anti-conversion laws have gone into effect in seven states: Odisha, Madhya Pradesh, Chhattisgarh, Gujarat, Arunachal Pradesh, Himachal Pradesh, and Jharkhand. In 2018, USCIRF released a report, [Limitations on Minorities' Religious Freedom in South Asia](#), which discussed the trend of anti-conversion laws in India. In some states, anyone engaged in conversion must register with local government authorities.

In 2018, anti-conversion laws were enforced predominantly against Muslims and Christians engaged in proselytization and also limited the freedom of religion or belief of others to discuss, consider, and ultimately convert to other religions.

Also, religious minority leaders and adherents faced intimidation and arrest under the guise of anti-conversion laws. For example, in May 2018, authorities arrested 11 people for conducting a group prayer in a home in Jharkhand, and four others were arrested nearby after locals complained about the group conducting a Christian marriage ceremony.

Two months later in the same state, 25 Christians were arrested due to accusations of induced conversion after they conducted a group prayer at the home of a Christian. While nine were released, the remaining members of the group were charged under Jharkhand's anti-conversion law and remanded to judicial custody while their charges were prosecuted; these cases were ongoing at the end of the reporting period.

In 2018, the media dedicated significant coverage to inflammatory allegations of an organized campaign to coerce Hindu women to marry Muslim men and convert to Islam. In March 2018, the Supreme Court of India set aside a 2017 decision by the High Court of Kerala that had annulled the marriage of a woman by the name of Hadiya; originally from a Hindu family, Hadiya converted to Islam and married a Muslim man in 2016. The Kerala High Court determined that she had been subject to an organized coercion campaign. The Supreme Court reversed and upheld the marriage after being satisfied that she had freely granted consent. The Hadiya case prompted the National Investigation Agency (NIA), India's national counterterrorism investigative agency, to launch an investigation into the existence of a coordinated campaign to force women to convert and marry. In October 2018, the NIA concluded, after numerous investigations, that there was no evidence of such a campaign.

Some Hindutva groups have sought to convert those born Hindu who had converted to another faith back to Hinduism through "homecoming" conversion ceremonies (*ghar wapsi*). In some cases, these conversion ceremonies reportedly involve force or coercion; however, it is often difficult to ascertain whether such conversions take place voluntarily or forcibly. There continued to be reports of

such ceremonies in 2018, although their number and nature were impossible to confirm. For example, in April 2018, a Hindutva group was alleged to have physically assaulted a Dalit man in Uttar Pradesh who had recently converted from Hinduism to Islam and, according to reports,

forced him to undertake *ghar wapsi* to convert back to Hinduism. Video accounts of the incident, although somewhat

*[Some] state level anti-conversion laws . . . contain such broad definitions that they can be interpreted as prohibiting any kind of conversion, whether consensual or not.*

unclear, show a group of men removing the skull cap from the man's head and shaving off his beard. In October 2018, also in Uttar Pradesh, a family who had been Muslim for generations was reportedly forced to convert to Hinduism; 13 individuals from the family were involved.

### Cow Slaughter Laws and Vigilante Groups

Under article 48 of India's constitution, the slaughter of cows is prohibited. Accordingly, 21 out of 29 states in India prohibit cow slaughter in various forms, with prison sentences ranging from six months to 14 years. Since 2005, the Supreme Court of India has accepted the constitutionality of cow slaughter laws. In 2018, several state governments toughened their laws to increase the punishment for cow slaughter. While prohibitions on cow slaughter have a long history in India, "cow protection" mobs are a new phenomenon, and such groups have perpetrated more than 100 attacks since May 2015, resulting in 44 deaths and approximately 300 injured. In 2018 alone, cow protection lynch mobs killed at least 13 people and injured

57 in 31 incidents. Not only do these mobs take the law into their own hands by publicly beating or murdering individuals suspected of cow slaughter—usually with impunity—but they also harass and intimidate

individuals engaged in the dairy industry without connections to cow slaughter.

In July 2018, a dairy farmer named Rakbar Khan was beaten to death in Rajasthan. While the details of his death continue to be corroborated, it appears that the police were complicit or directly involved, along with a local mob. In December 2018, in another incident in Uttar Pradesh, a mob shot and killed police officer Subodh Kumar Singh and another victim after finding cow carcasses. In response, Uttar Pradesh's Chief Minister Yogi Adityanath stated that the mob attack was an accident and generally denied the existence of lynch mob killings in his state.

In a July 2018 ruling on mob violence and cow vigilantism, the Supreme Court of India instructed the government to enact legislation to address extrajudicial

and nonstate actors, particularly when their actions result in hate crimes. The ruling—which also instructed state governments to monitor mob incidents—came in response to petitions to the court regarding vigilantism against Muslims for cattle slaughter, dairy farming, and beef consumption.

### Hate Crimes and Incitement to Violence against Religious Minorities

Hate crimes and incitement to violence directed at religious minority communities remained a prevalent threat in 2018. As one example of the communal violence towards Muslims, in April 2018, during an annual Hindu festival in West Bengal, Hindutva extremists taunted Muslims and used anti-Muslim rhetoric. At least four people died during the ensuing communal clashes. The police reportedly opened investigations into possible links to members of the BJP, although the case remained ongoing at the end of the reporting period.

In addition, Christians have reported threats to

their safety over the past year, as well as increased discrimination and unfair treatment directly related to their religious identity. For example, various research groups affiliated with Christian churches found an increase in hate speech

*[Cow protection] mobs take the law into their own hands by publicly beating or murdering individuals suspected of cow slaughter—usually with impunity . . .*

and hate crimes against Christians across the country, especially in northeastern states, where the Christian community has grown in recent decades. Throughout August and September 2018, authorities arrested several Christian pastors in Uttar Pradesh, some during church services and prayer meetings, while mobs attacked and threatened others. Some of the pastors arrested were accused of alleged conversions. In one set of simultaneous attacks in October 2018, Hindutva extremists issued threats against four churches in the state of Tamil Nadu. Church worshipers were subject to public hate speech, attacks on their church structures, and threats issued to the church's leadership. In December 2018, a mob attacked a small community church in Maharashtra's Kolhapur district, leaving many injured just before Christmas.



## NGO Registration

Several international groups—some with missionary and human rights portfolios—have been prohibited from operating in India since the Foreign Contribution Regulation Act (FCRA) of 1976 was updated in 2010. Under the revision to the law, the government can shut down any internationally funded NGO engaged in “any activities detrimental to the national interest.”

The government has also used this provision to shut down thousands of international NGOs since 2014; some reports estimate that 20,000 NGOs have been denied

licenses to operate or continue operations. The process by which NGOs have to apply for certification lacks transparency, and NGOs who have been denied operational licenses often cannot obtain explanations for the denial. The NGOs were often targeted for political reasons, however, non-Hindu religious organizations were also targeted. In November 2018, the Indian government demanded that 1,775 organizations provide further explanation for their failure to submit use of foreign funds over the last six years; these organizations included many non-Hindu religious groups, some Hindu trusts managing major temples, and secular human rights groups. USCIRF’s 2018 [report](#) on limitations to religious freedom in South Asia and a 2018 Congressional Research Service [report](#) described the FCRA’s impact.

Some among the Hindu population—including some Hindutva extremists—perceive Christian missionaries converting Dalits to be particularly threatening, as there are nearly 200 million Dalits in India. Many observers assert that it was this fear of mass conversion that led to the 2017 shutdown of Compassion International, a U.S.-based Christian charity, which provided services to nearly 150,000 Indian children. Compassion International remained closed at the end of the reporting period; it hopes to reopen operations in India in the future, though this may prove difficult considering the way the FCRA has been applied against Christian groups.

## Continued Impunity for Large-Scale Communal Violence

Numerous instances of large-scale communal violence across India remain unresolved years later, without proper accountability or recompense. Investigations and prosecutions of those involved in large-scale communal violence have too often been ineffective or

*Investigations and prosecutions of those involved in large-scale communal violence have too often been ineffective or absent.*

absent. Further, victims have complained that the government has not provided adequate assistance to rebuild destroyed neighborhoods, homes, and places of worship.

The government has also not taken sufficient

steps to prevent such large-scale communal violence from recurring. The Supreme Court of India and fact-finding commissions, among other institutions, have noted common characteristics and causes of such violence, including incitement to violence against religious minorities by politicians or religious leaders. Yet failing to address those common characteristics and causes or to hold perpetrators accountable have contributed to a culture of impunity for such violence.

The case of the Babri Mosque in Ayodhya, Uttar Pradesh, exemplifies the enduring nature of these conflicts. In 1992, after Hindutva groups destroyed the Babri Mosque, nearly 2,000 people lost their lives after months of rioting. In 2018, this tension continued as politicians and others renewed calls for a Hindu temple to be built on the mosque ruins; the Supreme Court of India in 2018 heard several pleas regarding the site.

## Assam and Citizenship

In 1951, the National Register of Citizens (NRC) was instituted in Assam. The NRC was a way to keep track of all registered Indian citizens, as Assam is a border state with significant security concerns and an ever-changing migrant population. In 2015, a process began to update the NRC, for the first time since 1951. Anyone born after March 24, 1971, had to provide documentation of Indian citizenship. In July 2018, the Indian government released a draft update to the NRC, which excluded approximately four million people from the register due to their alleged inability to provide such documentation.

Since that time, individuals excluded from the draft list have lodged hundreds of thousands of objections. The final NRC list is expected to be released in July 2019; the fear and/or expectation is that anyone not on that list will be rendered stateless and considered a foreigner.

Widespread concerns have been raised that the NRC update is an intentional effort to discriminate and/or has the effect of discriminating against Muslims, and that the discretion given to local authorities in the verification process and in identifying perceived foreigners to be excluded from the draft list will be abused. For some, the exclusion of the four million people from the draft NRC affirmed those concerns. A June 2018 [joint letter](#) by four United Nations (UN) special rapporteurs—including the special rapporteur on freedom of religion or belief—explained that the citizenship registry “has generated increased anxiety and concerns among the Bengali Muslim minority in Assam, who have long been discriminated against due to their perceived status as foreigners, despite possessing the necessary documents to prove their citizenship.” The UN experts reiterated their concerns in a December 2018 [statement](#), which noted that while the exact exclusions were unknown at the time, they appeared to target “ethnic, religious and linguistic minorities.” The State Department highlighted the fraught nature of the National Register of Citizens in Assam in its [2018 Human Rights Report for India](#), released after the reporting period.

Concerns about the targeting of Muslims through the citizenship process were separately exacerbated by the introduction and passage of the Citizenship Amendment Bill in the Lok Sabha (“lower house”) of Parliament, which would provide citizenship to migrants from Pakistan, Bangladesh, and Afghanistan as long as they were not Muslim. In February 2019, after the reporting period, the bill was dropped in the Raj Sabha (“upper house”) of Parliament amid protests.

### Women and Religious Freedom

In 2018, women and girls in India continued to be the targets of intracommunal honor killings, intercommunal violence, and sexual violence along religious lines. In a 2018 incident known as the Kathua rape case, an eight year old girl named Asifa Bano was abducted, gang-raped, and murdered as a message and threat to her Muslim nomadic community in Kashmir. The priest

of a private temple, his son, and a special police officer were charged in the abduction, gang rape, and murder; several other police officers were charged with covering up the crimes. While many decried the young girl’s rape and murder, several others organized in support of the men charged, including members of the BJP.

The year 2018 marked a renewed focus on and discussion of restrictions placed on women’s ability to worship at certain religious sites. In September 2018, the Supreme Court of India ordered that Sabarimala temple in Kerala be opened to adult women, striking down a longstanding ban on women between the ages of 10 and 50 from taking the special pilgrimage to the temple. In response, women attempting to enter the temple were physically attacked and others who publicly stated that they would try to enter the temple received hate messages including death threats both online and in-person. Nearly five million women reportedly initiated a counter-protest movement in January 2019, after the reporting period, by forming a 385-mile human chain near the temple to protest in favor of equal access for all.

### U.S. POLICY

India and the United States have strengthened ties over the last several decades, with India now described as a focal partner in the Indo-Pacific region. For several decades, the United States and India have pursued a strategic relationship based on shared values of democracy and the rule of law and shared interests relating to energy, security, trade, and counterterrorism. The U.S.-India Strategic Dialogue was launched in 2009 through which the countries have discussed a wide range of bilateral, regional, and global issues such as economic development, business and trade, education, technology, counterterrorism, and the environment. Human rights and religious freedom, however, have not been emphasized.

In 2017, when Prime Minister Modi visited the United States, he and President Donald J. Trump agreed to create a 2+2 Dialogue to further deepen security and economic cooperation between the two countries. At the inaugural [meeting](#) of the 2+2 Dialogue in September 2018, Secretary of State Michael R. Pompeo and then Secretary of Defense James N. Mattis conducted a [joint visit](#) to India to negotiate terms for the multi-issue agreement. During a [visit](#) to India in June 2018, then Ambassador to the UN Nikki Haley noted how the

United States and India both respect religious freedom. Similarly, when asked about how human rights and religious freedom may impact the 2+2 Dialogue between the U.S. and India, Deputy Assistant Secretary for South and Central Asia Alice Wells asserted that India respects religious freedom inside its borders.

In 2018, the U.S. Embassy and Consulates continued to engage in discussions with religious representatives and other stakeholders about religious persecution and intolerance and to promote interfaith dialogue. In December 2018, Senior Advisor for Religious Minorities in the Near East and South/Central Asia Knox Thames [visited](#) India and met with religious communities and discussed interfaith relations.

Since 2001, USCIRF has attempted to visit India in order to assess religious freedom conditions on the ground. However, on three different occasions—in 2001, 2009, and 2016—the government of India refused to grant visas for a USCIRF delegation despite requests being supported by the State Department.

## INDIVIDUAL VIEWS OF CHAIR TENZIN DORJEE

While India must address issues related to religious freedom, I respectfully dissent on the views that India's religious freedom conditions continued on a downward trend, the government allowed and encouraged mob violence against religious minorities, and some states are involved in "systematic, ongoing, and egregious violations of religious freedom." India is an open society with a robust democratic and judiciary system.

India is a great civilization, and since ancient times she has been a country of multifaith, multilingual, and multicultural. I lived in India for over 30 years as a Tibetan refugee and mostly witnessed the best of India and sometimes worst due to intractable interreligious conflicts. Unfortunately, religious divides and power struggles not only led to the partition of India and Pakistan but often contribute to the egregious violations of religious freedom and tragedies. Despite these issues, India exists as a multifaith and secular country. His Holiness the Dalai Lama praises India greatly for religious diversity and harmony and secular values such as respect and compassion, and has committed himself to revive and promote them for global harmony among all faiths and nonfaiths.

I mostly grew up and lived in two Indian states, Karnataka and Himachal Pradesh. As a Tibetan refugee—the most vulnerable minority among all minorities there—experienced full religious freedom in India. Inside Tibet, communist China has systematically, egregiously, and continuously destroyed Tibetan religion, language, culture, and environment. However, Tibetan language, religion, and culture thrive in India due to the full support of India and Indian people. In many scholarly publications, I discussed it extensively and as a Tibetan American, I often visit India and observe abundant religious freedom and interreligious harmony there.

As I commented last year, overall, I believe religious harmony exists in India. Last year, in Budhupur, Bihar, a Muslim village donated land and money to build a Hindu temple for their Hindu families, and in a Punjab village, a Hindu temple donated land nearby, and Hindus and Sikhs helped build a mosque for Muslims of their community. Notably, in Hyderabad last year, the Hindu head priest CS Rangarajan carried a Dalit youth Aditya Parasri on his shoulders into the Chilkur Balaji Temple's inner sanctum, and a huge crowd cheered. Relatedly, in Nathowal village near Ludhiana Hindu and Sikh communities helped repair an old mosque in the village, and Muslim and Hindu communities helped work at Sikh Gurudwara Temple. People in this village reported to the *Times of India* that they celebrated together annual multifaith festivals such as Diwali, Dusshera, Rakhi, Eid, and Gurupurab. These stories speak for India's multi-faith civilization, religious freedom, and interreligious harmony. I strongly appeal to the Indian leadership and people of India to continuously respect religious freedom and strive to promote India as a vibrant country of and for the multifaith people.

## INDIVIDUAL VIEWS OF COMMISSIONER ANURIMA BHARGAVA

India is a rich, multi-faith, vibrant democracy that warrants close and constructive engagement with the Commission. For more than a decade, however, the Commission has not been granted the opportunity to interact nor visit India in any official capacity. As a new Commissioner, I look forward to open and productive dialogue and stronger engagement of the Commission with India in the year to come.

### KEY FINDINGS

In 2018, the overall religious freedom conditions in Indonesia trended negative. Although the number of religious freedom violations committed by state actors decreased in 2018, the Indonesian government continued to enforce several laws and policies that imposed significant obstacles to religious freedom, such as draconian blasphemy laws and an arduous approval process for the construction of new houses of worship. The national government frequently does not intervene when provincial and local governments enact unconstitutional regulations or policies that exacerbate religious divisions. For example, in late 2018, the government released a mobile phone application that provides citizens the ability to report on “deviant” religious practices, creating panic among Indonesia’s religious minorities and underscoring the risks of acceding to pressure from hardliners and other intolerant groups. Moreover, there has been little effort to rein in hardliners and other intolerant groups that commit acts

of discrimination and violence against members of certain faiths. There were increased signs of radicalization in 2018, particularly in Indonesia’s education system. Candidates in the 2018 regional elections appealed to religious sectarianism, raising fears about the politicization of religion ahead of the April 2019 general elections. Violations of religious freedom tended to have the greatest impact on Ahmadiyya and Shi’a Muslims, Christians, believers outside the six officially recognized faiths, and nonbelievers. In October 2018, a USCIRF delegation visited Indonesia to assess religious freedom conditions.

In 2019, USCIRF again places Indonesia on its Tier 2, where it has been since 2004, for engaging in or tolerating religious freedom violations that meet at least one of the elements of the “systematic, ongoing, egregious” standard for designation as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Direct the U.S. Embassy in Jakarta and the U.S. Consulates in Indonesia to urge the Indonesian government at the central, provincial, and local levels to repeal or amend laws that violate religious freedom, including but not limited to: the blasphemy law and related measures; a regulation on houses of worship; a decree banning Ahmadiyya members from spreading their faith; and requirements to name religious affiliation on ID cards;
- Prioritize funding for programs that improve the capacity of civil society and the media to collect, investigate, and clarify provocative information relating to religion that appears online or in text messages;
- Focus U.S. government funding for deradicalization efforts in Indonesia on teachers, students, and school administrators, particularly in Islamic boarding schools; and
- Ensure that U.S.-funded programs for Indonesian police and counterterrorism officials incorporate training on addressing sectarian conflict, religion-related vigilantism, hate speech, and terrorism through practices consistent with international human rights standards.

## COUNTRY FACTS

### FULL NAME

Republic of Indonesia

### GOVERNMENT

Presidential Republic

### POPULATION

262,787,403

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam, Catholicism, Protestantism, Buddhism, Hinduism, Confucianism

### RELIGIOUS DEMOGRAPHY\*

87.2% Muslim

7% Protestant

2.9% Catholic

1.7% Hindu

0.9% Other (includes Buddhist and Confucian)

0.4% Unspecified

\*Estimates compiled from the CIA World Factbook

## BACKGROUND

Indonesia, the world's most populous Muslim-majority country, has a long tradition of religious pluralism. According to article 29 of its constitution, "The State guarantees the independence of each resident to embrace religion and worship according to their respective religions and beliefs." The government has promoted an ideology known as Pancasila, which comprises five principles: monotheism, civilized humanity, national unity, deliberative democracy, and social justice ("monotheism" broadly defined as any religion with a supreme deity, a prophet or holy figure, a scripture, and established rituals). However, the government officially recognizes only six religions: Islam, Catholicism, Protestantism, Buddhism, Hinduism, and Confucianism.

Indonesia has a long history of interreligious conflict, from the Darul Islam insurgency in the 1950s that sought to establish an Islamic state to fighting between Christian and Muslim militias in Maluku during the early 2000s that killed more than 5,000 people and displaced 700,000. Even in the absence of armed conflict, hardliners and other intolerant groups have used religious appeals to provoke riots against certain religious minorities, sometimes causing physical injuries, destruction of property, and even fatalities. As such, many Indonesians have tended to prioritize interfaith harmony over religious freedom. The government claims many of the policies

that violate religious freedom, such as the criminalization of blasphemy and approval process for new houses of worship, are necessary to prevent conflict, but these laws and regulations often have the unintended effect of exacerbating interreligious tensions.

Although the country's largest Muslim organizations, Nahdlatul Ulama (NU) and Muhammadiyah, remain committed to religious pluralism and the principles of Pancasila, since the country's transition to democracy in 1998 hardliners and other intolerant groups—such as the Islamic Defenders Front (FPI) and the Indonesian Council of Ulema (MUI), the country's top Muslim clerical body—have called for increasingly conservative interpretations of Islam. This social undercurrent has been buttressed in part by Saudi investment and influence in Indonesia for decades, which, according to Indonesian academics and think tank experts, has brought a different, more austere form of Islam to the country. The current president, Joko Widodo (also known as "Jokowi"), generally has tried to distance the government from hardliners, an improvement over his predecessor, Susilo Bambang Yudhoyono (2004–2014).

According to KontraS, a local nongovernmental organization, the number of incidents of religious freedom violations in 2018 committed by state actors, including the police, decreased compared to previous years. While this trend is encouraging, the government

continued to enforce several laws and policies that impose significant obstacles to religious minorities practicing their faith. Moreover, the national government frequently does not intervene when provincial and local governments enact unconstitutional regulations or policies that exacerbate religious divisions. By contrast, there has been a marked increase in hate speech, intimidation, and violence against religious minorities committed by nonstate actors, such as vigilante groups and hardliner social movements. According to the Wahid Foundation, a local nongovernmental organization, police are now taking such violations more seriously, but some local authorities still struggle to define hate speech and remain impartial.

There is increasing concern about political opportunists exploiting religious tensions for electoral gain, especially after intolerant groups successfully used a blasphemy accusation to derail the reelection of Jakarta governor Basuki Tjahaja Purnama (also known as “Ahok”) in April 2017. In the June 2018 regional elections, gubernatorial candidates in West Kalimantan and North Sumatra provinces won by using religious appeals, and voting split largely along religious lines. Religious tensions in West Kalimantan did not erupt into serious violence in part because a group of civil society organizations and journalists worked to collect, investigate, and clarify provocative information relating to religion that appeared online or in text messaging.

In August, President Widodo chose Ma’ruf Amin, chair of the MUI and former chief advisor to NU, as his vice-presidential candidate, a move widely seen as an attempt to strengthen his Islamic credentials ahead of the April 2019 general elections. As part of the MUI, Amin signed intolerant *fatwas* (religious edicts), including against Ahmadiyya Muslims in 2005, and testified against Ahok in his politically charged blasphemy trial. However, since becoming a vice-presidential candidate, he has called for a more moderate form of Islam, condemned discrimination against religious minorities, and expressed regret over his testimony against Ahok. Meanwhile, FPI leader Rizieq Shihab, currently exiled in Saudi Arabia,

endorsed Jokowi’s opponent, former general Prabowo Subianto. In September, both presidential candidates pledged to avoid exploiting religious divisions while campaigning. However, on October 25, some of the same groups that mobilized against Ahok in 2016 and 2017 successfully pressured NU to cancel a rally in Yogyakarta after a member of its youth wing burned the flag of Hizb ut-Tahrir, an Islamist group banned by the Indonesian government. The protests were seen by some analysts as an indirect attack against Jokowi because of Amin’s affiliation with NU.

In October 2018, a USCIRF delegation traveled to Indonesia to meet with government officials, civil society leaders, and religious representatives in Jakarta, Surabaya, and Medan.

## RELIGIOUS FREEDOM CONDITIONS 2018

### Blasphemy

Article 156(a) of Indonesia’s Criminal Code prohibits expression or acts “at enmity with, abusing, or staining a religion adhered to in Indonesia,” subject to a maximum penalty of up to five years’ imprisonment. The country has another blasphemy law issued by presidential decree (Law N. 1/PNPS/1965), which prohibits “deviant interpretation” of religious teachings.

After Indonesia’s transition to democracy, the number of prosecutions and convictions for blasphemy increased dramatically. During its October 2018 visit, USCIRF learned that 125 people were convicted for blasphemy under President Yudhoyono’s 10-year tenure; the number of new convictions decreased to 23 under the first four years of President Widodo’s presidency. The blasphemy law is frequently—but not exclusively—used to target religious minorities alleged to have insulted Islam. In 2018, six individuals were convicted of blasphemy

*In 2018, six individuals were convicted of blasphemy and sentenced to prison . . .*

and sentenced to prison, including Meiliana (who uses only one name), an ethnic Chinese Buddhist woman from Tanjung Balai, for a comment she made about the volume of the loudspeaker on a

nearby mosque. On November 16, political opponents reported Grace Natalie, a Protestant and founder of the Indonesian Solidarity Party (PSI), to the police after she

criticized laws prohibiting “immoral acts” like gambling and drinking. At the end of the reporting period, she had not yet been formally charged with blasphemy. On January 24, 2019, after the reporting period, former Jakarta governor Ahok was released early from a prison sentence connected to his May 2017 conviction for blasphemy.

On July 23, 2018, the Constitutional Court rejected a petition challenging the constitutionality of the blasphemy law, declaring that the government could limit religious freedom in order to preserve public order (the third time the court has reaffirmed the law). The legislature is currently considering a Religious Rights Protection Bill, which would expand the legal definition of blasphemy to include acts like conversion between faiths and “tainting” holy books. It is not expected to act on the bill until after the April 2019 elections.

### Houses of Worship

The 2006 Joint Regulation on Houses of Worship requires individuals seeking to establish a house of worship to submit the names of at least 90 congregation members, as well as signatures from at least 60 local households of a different faith, and then obtain recommendations from both the local government’s religious affairs office and the Religious Harmony Forum (FKUB), a council composed of local religious leaders. The regulation provides local governments the authority to close or tear down houses of worship built prior to 2006.

The 2006 regulation was intended to reduce tensions surrounding houses of worship, but in practice it has politicized their construction. Hardliners and other intolerant groups will often allege faulty or missing permits as justification to protest houses of worship and demand their closure. During its October 2018 visit, USCIRF learned that hardliners from outside the community will try to pressure local residents to oppose construction of new houses of worship by certain religious groups. Some smaller congregations cannot meet the signature threshold, so they are effectively prohibited from erecting any houses of worship. According to human rights groups, more than 1,000 churches have

been closed or prevented from being built in Indonesia since 2006. Far fewer state-sponsored closures of houses of worship have occurred under President Widodo, but local authorities still sometimes accede to the demands of hardliners. For example, on September 27, 2018, police sealed three churches in West Kenali village in Jambi Province that allegedly lacked the necessary permits after complaints from the local community.

### Religious Sermons and Worship

Concerns about extremist rhetoric in houses of worship grew in 2018. In November, Indonesia’s national intelligence agency announced the results of an investigation into extremism in mosques, finding that as many as 500 mosques, including 41 connected to government institutions and state-owned enterprises, exposed worshippers to extremist ideologies. In May, the Ministry of Religious Affairs published a list—certified by the MUI—of the names of Islamic preachers “qualified” to give religious instruction. The government justified the list as necessary to counter radicalism, but Muslim groups argued that instead the government should blacklist extremists rather than endorse individual instructors. As of mid-2018, the list contained more than 500 preachers.

Some local governments have attempted to regulate religious sermons for political gain. On October 15, the Cianjur Regency government in West Java instructed local mosques that their Friday sermons should criticize the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community.

During its October 2018 visit, USCIRF learned that some local governments—including Palembang, capital of South Sumatra Province, and Banten Province—have issued decrees requiring Muslim civil servants to attend prayer services.

### Education

In late 2018, the government began drafting a bill to regulate how schools and religious institutions teach religion. In November, Vice President Jusuf Kalla called upon universities to do more to counter radicalism and create a “curriculum of sermons” for campus mosques.

*The 2006 regulation was intended to reduce tensions surrounding houses of worship, but in practice it has politicized their construction.*

These moves are partly in response to concerns about radicalization in the education sector. According to a survey released in October 2018 by Syarif Hidayatullah State Islamic University, nearly six in 10 Muslim teachers in both state and Islamic schools expressed intolerant attitudes toward other religions. Some of the more conservative Islamic schools do not permit students to interact with Christians or Jews. However, some religious schools, especially those affiliated with minority faiths, worried the proposed law would make it harder to obtain permission for peaceful educational activities like Sunday school and Bible classes.

### Religion on ID Cards

The Indonesian government requires all citizens to list their religious affiliation on ID cards. This has made it more difficult for individuals who do not follow one of the country's six officially recognized faiths to obtain licenses and permits, access education and government jobs, and complete financial transactions. During its October 2018 visit, USCIRF spoke with members of other faiths, such as Ahmadis and Sikhs, and learned that they have to either falsely identify as one of the six recognized faiths or leave the religion field on their ID card blank, which not all local officials permit. In November 2017, the Constitutional Court declared that forcing followers of indigenous faiths to identify as Muslim, Catholic, Protestant, Buddhist, Hindu, or Confucian was unconstitutional. The MUI lobbied the Ministry of Home Affairs to list the phrase "Belief in one and only god" on the ID cards of followers of indigenous faiths rather than allow them to list their religion. As of late 2018, the Ministry decided that the legislature would have to review and amend the Indonesian Population Administration Law before it could include indigenous faiths on ID cards.

### "Deviant" Groups

The quasi-governmental Indonesian Council of Ulema has issued *fatwas* declaring certain religious groups, including Ahmadiyya Muslims, Shi'a Muslims, and Gafatar, to be "deviant" and heretical to Islam.

In 2008, Islamic hardliners persuaded the government to issue a joint ministerial decree that bans Indonesia's 400,000 Ahmadiyya from spreading their faith, under a penalty of up to five years in prison. Some local and provincial governments, such as East Java,

have gone even further and banned all Ahmadi activities. Since 2008, local authorities have closed or violent protesters have vandalized more than 100 Ahmadiyya mosques. Intolerant groups have also attacked

*In November, Bakor Pakem . . . launched a mobile phone application called "Smart Pakem" that allows members to the public to report on blasphemy . . .*

Ahmadiyya followers and their property. On May 19, 2018, a mob in the village of Grepek Tanak Eat, East Lombok Regency, torched at least eight houses, forcing seven Ahmadiyya families to leave their homes.

In 2018, public harassment of Indonesia's one to three million Shi'a Muslims continued. For years, authorities in certain localities, such as the city of Makassar, have prohibited them from commemorating Ashura in public. In 2012, 56 Shi'a Muslim houses in Sampang Regency, Madura, were burned down, forcing hundreds of survivors to flee to Surabaya; during USCIRF's October 2018 visit to Surabaya, the Commission learned that 346 Shi'a Muslims—or 83 households—remain internally displaced. Moreover, USCIRF heard that these displaced persons do not have access to a mosque qualified to conduct Shi'a Muslim religious rituals and cannot bury their dead in accord with their customs.

Formed in 2012, the Gerakan Fajar Nusantara movement, known as Gafatar, follows a syncretic blend of Islam, Christianity, and Judaism. The group had attempted to form a commune in Kalimantan, but in January 2016 mob attacks forced 8,000 members to flee. In 2017, three of Gafatar's leaders were convicted of blasphemy. Throughout 2018, members continued to face persecution and pressure from the government and family members to recant their beliefs.

In November, Bakor Pakem, a body charged with religious oversight within the office of the Attorney General, launched a mobile phone application called "Smart Pakem" that allows members of the public to report on blasphemy, as well as on "misguided" religious



beliefs from a list that includes Ahmadiyya Muslims, Shi'a Muslims, and Gafatar. The independent National Commission on Human Rights criticized the app and said it possibly contravenes the Constitutional Court's 2017 decision on indigenous faiths.

### Shari'ah Law

As part of a peace agreement ending a separatist insurgency in 2005, the Aceh provincial government has the authority to enact Shari'ah law. During its October 2018 visit, USCIRF learned that Aceh resumed public caning in July 2018, despite a previous pledge to carry out canings only inside prisons.

Although Aceh is the only region of Indonesia officially permitted to adopt Shari'ah law, as of early 2018 more than 100 Indonesian municipalities had implemented nearly 450 local Shari'ah regulations, often to appease local hardliners. Some of these laws disadvantage and discriminate against religious minorities by limiting their freedom to conduct certain activities openly.

### Terrorism

On February 12, 2018, a man stabbed a Catholic priest and three others during Sunday mass at St. Lidwina Church in Yogyakarta. He also slashed statues of Jesus and the Virgin Mary. Counterterrorism officials suspected his actions were inspired by radical groups, which during the previous week had called for knife attacks in Indonesia.

On May 13, three churches in Surabaya—Immaculate Saint Mary Catholic Church, Indonesia Christian Church, and Surabaya Central Pentecost Church—were attacked by suicide bombers affiliated with Jamaah Ansharut Daulah (JAD), a group with ties to the Islamic State of Iraq and Syria (ISIS). The bombs killed 15 people and injured 57. During a visit to one of the churches in October 2018, USCIRF met with church leaders and heard about the brave sacrifice several church members made to save both lives and property. Moreover, USCIRF heard about the thousands of Muslims who gathered after the bombings to protect churches throughout Surabaya. Indonesian officials suggested the bombings were a response to the imprisonment of JAD leader Aman Abdu-rrahman. The following week, the legislature amended the Terrorism Law to authorize law enforcement to preemptively arrest suspects for up to three weeks and to prosecute individuals who recruit for or join a terrorist

organization. Human rights groups expressed concerns that the law's vague wording could allow the government to crack down on any group seen as a threat, including peaceful activists. In June, the South Jakarta District Court banned JAD under the new law.

### U.S. POLICY

In August 2018, Secretary of State Michael R. Pompeo visited Indonesia, where he met with Minister for Foreign Affairs Retno Marsudi and [reaffirmed](#) the U.S.-Indonesia Strategic Partnership. As part of their defense relationship, the United States and Indonesia regularly engaged on matters such as counterterrorism and maritime security, as well as mutual interests in the South China Sea. After an earthquake and tsunami struck Central Sulawesi on September 28, President Donald J. Trump called Indonesian President Widodo to [express his condolences](#) to the victims and [provided](#) almost \$12 million in assistance for relief efforts. A State Department spokesperson [expressed condolences](#) on behalf of the United States for the victims of a tsunami that struck West Java and southern Sumatra on December 22. At the November 2018 Asia-Pacific Economic Cooperation forum, Vice President Michael R. Pence and President Widodo [agreed to promote](#) shared principles, values, and norms as part of the United States' commitment to a [free and open Indo-Pacific](#) based on Association of Southeast Asian Nations (ASEAN) centrality.

The United States strongly [condemned](#) the May 13 church bombings in Surabaya. USAID Mission Director Erin E. McKee offered to provide the Indonesian government with assistance in its investigation. The U.S. State Department had in 2017 [designated](#) JAD as a "Specially Designated Global Terrorist" (SDGT). Four days after the attacks, Vice President Pence [met](#) with Kyai Haji Yahya Cholil Staquf, supreme leader of NU, at the White House to express his condolences.

In late 2018, the U.S. Agency for International Development (USAID) [launched USAID/Indonesia Harmoni: Towards Inclusion and Resilience Activity](#), a four-year, \$20 million project designed to engage key Indonesian government, civil society, and education stakeholders to mitigate the risk of recruitment into violent extremist organizations and reintegrate reformed extremists into society.

### KEY FINDINGS

In 2018, there continued to be significant challenges to religious freedom conditions in Iraq, trending toward modest but fragile improvement. The Iraqi government continued to show a lack of willingness or ability to provide proper security for vulnerable religious and ethnic minorities. It also eschewed due process for Sunni Muslims and family members accused of supporting the Islamic State of Iraq and Syria (ISIS), while it maintained and enforced restrictions on religious freedom, such as anti-blasphemy laws and official intolerance of some religious communities. Meanwhile, although domestic and international leaders have touted the defeat of ISIS since late 2017, the group continues to operate throughout the country as a diffuse, cell-based insurgency, rather than as a territory-controlling state with a centrally organized military. Its transformation has allowed it to increase its rate of small-scale operations and to maintain an estimated membership of up to 15,000 fighters in Iraq alone. In addition, religious and ethnic minorities whom ISIS had particularly singled out for genocide, such as Yazidis and Christians, continued to face dire uncertainty as to whether conditions would allow them to return to their communities of origin. This uncertainty was especially pronounced in areas that had been liberated from ISIS control and/or that fall within certain sections of northern Iraq whose control has long remained in dispute between the Kurdish Regional Government (KRG) and the Iraqi Federal Government (IFG), such as Sinjar, the Nineveh Plains, and

Kirkuk. As a result, displaced religious minorities' rate of return was far less than that of Sunni and Shi'a Muslim communities who had fled their homes following the rise of ISIS in 2014. For some communities, such as the more than 200,000 Yazidis who were displaced from the vicinity of Sinjar, few of their internally displaced persons (IDPs) returned in 2018 as most remained in camps awaiting reconstruction and the restoration of security in their places of origin. In March 2018, a USCIRF delegation visited both IFG- and KRG-administered territories to assess religious freedom conditions.

Based on these concerns, in 2019 USCIRF again places the government of Iraq on its Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of political concern," or CPC, under the International Religious Freedom Act (IRFA). Also, USCIRF finds that because ISIS no longer "exercise[d] significant political power and territorial control" within Iraq during the reporting period, it does not meet the statutory requirement that would merit its designation as an "entity of particular concern," or EPC, for particularly severe religious freedom violations as defined by December 2016 amendments to IRFA. However, USCIRF still finds that ISIS meets the statutory definition with respect to its territorial control and activities in Syria and therefore recommends its designation as an EPC.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Expedite the dispersal of U.S. assistance for the rehabilitation and stabilization of areas liberated from ISIS control, in order to facilitate the return of displaced and vulnerable communities and others whose religious and ethnic divisions ISIS exploited, in part pursuant to the Iraq and Syria Genocide Relief and Accountability Act of 2018 ([P.L. 115-300](#));
- Encourage both the IFG and the KRG to peacefully resolve outstanding budget, oil, and territorial disputes, such as longstanding delays over implementation of article 140 of the Iraqi constitution, which have impeded their ability to fully address

the ISIS threat and allow displaced communities—including religious and ethnic minorities—to return to their places of origin;

- Encourage both the IFG and the KRG to prevent the expropriation of homes and properties of religious and ethnic minorities by dominant communities, while supporting legal and other forms of assistance to both governments to establish a viable framework for resolving longstanding, intercommunal property disputes; and
- Stipulate in all military or security assistance to the IFG and the KRG the full integration of security forces to better reflect the country's

religious and ethnic diversity, and provide training for recipient units on international human rights standards and how to treat civilians, particularly religious minorities.

The U.S. Congress should:

- Support legislation that would specifically target for sanctions Iranian-controlled factions of the Popular Mobilization Forces (PMF), particularly Asa'ib Ahl al-Haq and Harakat Hizbollah al-Nujaba, which have carried out sectarian violence in both Iraq and Syria and have complicated efforts to restore government-led security and stability throughout Iraq.

## COUNTRY FACTS

### FULL NAME

Republic of Iraq

### GOVERNMENT

Federal Parliamentary Republic

### POPULATION

40,194,216

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam, Christianity, Sabean-Mandaeanism, the Baha'i faith, Zoroastrianism, Buddhism, Hinduism, Judaism, and folk religion

### RELIGIOUS DEMOGRAPHY\*

95–98% Muslim

(64–69% Shi'a, 29–34% Sunni)

1% Christian

<1% Other (includes Yazidis, Sabean-Mandaeans, Baha'is, Zoroastrians, Buddhists, Hindus, Jews, and adherents of folk religions)

\*Estimates compiled from the CIA World Factbook and the U.S. Department of State

## BACKGROUND

Iraq continued to face serious challenges throughout the 2018 reporting period. ISIS remained on the defensive and ostensibly abandoned efforts to recapture direct control over Iraqi territory in the short term. However, its operatives—likely still numbering 20,000–30,000, distributed across Iraq and Syria—returned to pre-2014 tactics of employing small-scale attacks as part of an apparent long-term strategy to preserve the group's operational capabilities by avoiding large-scale military confrontations with Iraqi, Kurdish, or international forces. According to groups that closely track and document conflict data, this strategy allowed ISIS to carry out an average of at least 75 attacks in Iraq each month throughout 2018 while maintaining a visible if diminished presence, particularly in disputed or ungoverned areas where security presence is minimal. In short, ISIS has temporarily retreated to the shadows but remains a grave and imminent threat, particularly to vulnerable minority communities in northern Iraq that have already been a primary target of the group's particular brand of violent intolerance since its emergence in 2014.

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Events elsewhere in the country also complicated efforts to fully eradicate the ISIS threat. Several overlapping factions continued to vie for dominance in disputed areas of northern Iraq: Kurdish Peshmerga forces; Iran-backed PMF; Kurdish People's Protection Units (YPG) from neighboring Syria; and Iraqi Security Forces (ISF). In the southern district of Basra, widespread protests in July and September 2018 against corruption, poor government services, and Iranian influence led the government to deploy a significant contingent of the ISF there and attempt to assert authority over local PMF factions. This civil unrest threatened to devolve into a wider intra-Shi'a conflict and served to

distract the military from focusing its efforts to both fully dismantle ISIS and restore security in the north. However, the worst of that unrest had largely subsided by the end of the reporting period.

Meanwhile, although overt tensions temporarily subsided over the IFG seizure of Kirkuk and other areas following the KRG's referendum on independence in 2017, the Iraqi government held elections in May 2018, and the KRG held its own in October, leading to new

leadership and parliamentary representation for both authorities. At the end of 2018, many positions in both governments remained unfilled as internal power-sharing negotiations proceeded slowly, further complicating the restoration of security, the process of post-ISIS reconstruction, and the ability of leadership to pursue long-term solutions to Iraq's most intractable problems in regard to religious freedom conditions and other critical areas.

Despite these challenges, there was incremental progress in efforts to address the critical humanitarian needs of Iraq's threatened and most vulnerable communities. In May, United Nations (UN) Secretary General António Guterres appointed Karim Asad Ahmad Khanas Special Adviser and Head of the Investigative Team tasked with implementing [UN Security Council Resolution 2379](#). That 2017 resolution authorized an investigative team to hold ISIS accountable by collecting, preserving, and storing in Iraq evidence of acts by the group that may be war crimes, crimes against humanity, or genocide. The team later announced that it planned to begin its work on the ground in Iraq in early 2019.

All of the above, however, is best understood in the wider context of Iraq's more than 15 years of sectarian tensions and violence, which have adversely affected human rights and religious freedom conditions. This longstanding sectarian climate facilitated the rise of ISIS in northern and central Iraq in 2014, and the same conditions still persisted in 2018 despite that group's defeat as an occupying force in the prior year. Former president Saddam Hussein's favoritism of the Sunni population and former prime minister Nouri al-Maliki's favoritism of the Shi'a Muslim population created divisions and significant distrust between the country's two largest religious communities. These tensions have only worsened over time: although former prime minister Haider al-Abadi demonstrated some willingness to reverse his predecessor's overtly sectarian policies, during his four years in office he had little success in addressing these

complex tensions that continue to pervade Iraqi society, government institutions, and security forces. The Sunni Muslim population still does not trust the Shi'a Muslim majority government to protect its community or incorporate its voice effectively in government; the reverse also holds true for the Shi'a Muslim population and its approach to Sunni Muslims, whom many Shi'a Muslims suspect or accuse of having offered direct or tacit support for ISIS during its brief time in power.

In addition, religious minorities, including the Yazidi and Christian communities, are skeptical of the Iraqi government's willingness and capability to protect them from both Shi'a and Sunni violent armed groups, including ISIS and sectarian elements of the PMF—the latter of which the Iraqi government remains unable or unwilling to place under the command structure of the ISF. Although the government of Iraq has made an increasing show of support for minority rights since 2017—especially within Nineveh Province—and the KRG has continued to offer a relatively secure refuge for displaced minority communities, many of them remain wary of the notion that religious freedom and human rights are priorities for Iraqi leadership.

## RELIGIOUS FREEDOM CONDITIONS 2018

### Long-Term Displacement of Religious Minorities

Even before the rise of ISIS in 2014, Iraq's smallest religious communities—including Catholics, Orthodox Christians, Protestants, Yazidis, and Sabeen-Mandaeans—were already significantly diminished, and their numbers have

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continued to decline in the subsequent four years. Iraq is in particular danger of losing its ancient Christian community, whose numbers have dramatically diminished during the last 15 years. According to Christian leaders, there are now fewer than 250,000 Christians in Iraq, down from a pre-2003 estimate of 1.4 million. Although international Christian religious leaders and institutions have encouraged Iraqi Christians to remain in the country, many have continued to flee

their heartland in Iraq’s war-ravaged northwest. Meanwhile, Yazidi leaders claim their community numbers around 400,000–500,000, including more than 3,000 whom ISIS abducted in 2014 and whose whereabouts remain unknown, while the Kaka’i community numbers no more than 300,000. The Sabean-Mandaean community likely numbers between 1,000 and 2,000, and there are fewer than 2,000 Baha’is.

Yazidis, whose adherents in the Sinjar region of Nineveh Province bore the brunt of ISIS’ genocidal actions beginning in mid-2014, remain almost entirely displaced from their ancestral homes, with most lingering in IDP camps in the Duhok region and others still finding refuge in ramshackle tents atop Mount Sinjar. By the end of the reporting period, their towns and villages in the Sinjar region remained essentially untouched by restoration or rebuilding, as the contest for military control between rival forces of the PMF, Syrian YPG, Peshmerga, and ISF prevented most efforts at restabilization, such as the reconstruction of homes, infrastructure, businesses, and places of worship.

A limited number of Assyrian and Chaldean Christians returned to their homes in the Nineveh Plains, such as in Qaraqosh where Assyrians celebrated Easter for the first time since 2014. Most did not yet return, however, as a lack of restored infrastructure, danger from ISIS booby traps and unexploded ordnance, and persistent fears of an ISIS resurgence prevented many Christian IDPs from returning to Mosul or villages in its social and economic orbit. Government and community representatives repeatedly echoed these security concerns during USCIRF’s March 2018 visit.

While the above issues are the most dramatic of the challenges facing Iraq’s myriad religious and ethnic minorities, a series of other, secondary obstacles have contributed to the degradation of this once-vibrant societal landscape. Some of these challenges directly represent the lingering shadow of ISIS’ campaign of violence: for example, ISIS fighters obliterated the agricultural resources of many rural communities in

the northwestern region as they retreated in 2016 and 2017, destroying wells, orchards, and infrastructure. There is thus precious little livelihood left to facilitate the return of many farming communities such as Yazidi-majority villages in that area. Meanwhile, hundreds of freed Yazidi women now face impossible choices because they bore children as a result of sexual assault by ISIS personnel while in captivity. They face ostracism from home communities whose traditional leadership insist they could return home, but their children—born to genocidal, non-Yazidi fathers and

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potentially numbering in the hundreds—would have no place among them. Furthermore, years of government corruption and neglect of Iraq’s water resources have displaced many Sabean-Mandaeans—whose rites depend on

access to clean, flowing water—from their traditional heartland in southern Iraq to other, less polluted parts of the country, or out of Iraq entirely.

### Violations by ISIS

Despite former prime minister al-Abadi’s declaration in December 2017 that Iraq had completely liberated all of its territory from ISIS, in conjunction with the U.S.-led Global Coalition to Defeat ISIS, in 2018 ISIS remnants who fled into hiding continued to carry out small-scale armed operations, assassinations, and improvised explosive device (IED) attacks throughout many parts of the country. Their targets have included Iraqi military and police forces, both on the battlefield and in their homes; prominent members of tribes and villages who defied ISIS during its occupation; PMF checkpoints and patrols; civilian bystanders in urban districts of northern Iraq, such as marketplaces and restaurants; and others. While these attacks have focused on striking military targets and carrying out vendettas against prominent Sunni and Shi’a Muslim community members, they signify the present and ongoing threat that ISIS has the resources, capability, and motivation to regroup and again carry out its campaigns of genocide

and violent intolerance toward its perceived enemies among the nation's Shi'a Muslims, Yazidis, Christians, and others.

The country continues to grapple with the violent legacy of ISIS in a variety of other ways. More than 3,100 of the approximately 6,400 Yazidis whom ISIS captured in 2014 remained in captivity, likely within the group's few remaining pockets of territorial control in Syria. At the same time, government and humanitarian efforts continued to uncover the mass graves of ISIS victims, including Yazidis, Shi'a Muslim civilians, and IMF soldiers. As of November 2018, the [United Nations had identified 202 such burial sites](#), including at least 95 in Nineveh Province and the remainder spread across the regions of Kirkuk, Salah al-Din, and Anbar that ISIS once controlled. Those mass graves reportedly contain the remains of up to 12,000 victims, some of them in graves holding as few as eight and others in large pits that are estimated to hold thousands.

### Violations by the Iraqi Government

As in the prior year, following the recapture of Mosul from ISIS, suspicion of Sunni Muslims on the part of the Iraqi government and ISF remained deeply entrenched.

The Iraqi government has denied families suspected of any possible ties to ISIS the right to return home and has placed some of them in "ISIS family camps." International observers continued to find evidence of extrajudicial executions of Sunni Muslims in and around Mosul well into 2018,

months after the fall of the city to Iraqi and international forces in late 2017. Meanwhile, reports emerged from various sources throughout 2018 on the rapid pace and disdain for due process and evidence that Iraqi criminal courts have demonstrated while convicting thousands of Sunni Muslims on charges of directly joining or supporting ISIS, at an estimated 98 percent rate of conviction. The social, religious, and ideological dynamics that led to the rise of ISIS were complex and varied, and likely beyond the capacity of Iraqi courts to equitably

disentangle for each individual defendant. Even so, the Iraqi government made little apparent effort in 2018 to demonstrate a commitment to transitional justice that would bolster the rule of law while creating a framework of reconciliation capable of breaking the cycle of sectarian violence. Local leaders, activists, and international analysts alike have repeatedly expressed that the Iraqi government must address Sunni grievances in order to prevent either an ISIS resurgence or the reemergence of other forms of sectarian violence.

### Other Iraqi Government Issues

The Iraqi government held nationwide elections in May 2018, resulting in a largely peaceful if protracted transition of power to a new administration in early October, headed by Prime Minister Adel Abdul Mahdi and President Barham Salih. Both leaders were widely seen as relatively conciliatory choices, further inching the country away from the overly sectarian policies of Nouri al-Maliki, who held the premiership from 2006 and 2014, and the centrist government of Haidar al-Abadi, whose time in office was largely consumed by the threat of ISIS. In a potential sign that the government had taken note of increased international scrutiny on

the status of its religious and ethnic minorities, the Cabinet approved in December 2018 a new law that declared December 25 a national holiday in honor of Iraqi Christians' celebration of Christmas Day. Also, the Federal Supreme Court ruled in January 2018 that Yazidi representation in parlia-

ment should be increased from one seat to five, in order to proportionally reflect that community's population. However, parliament failed to implement this ruling ahead of the 2018 elections. Such representation was among the most persistent concerns that religious and ethnic minority leaders expressed to USCIRF during its March 2018 visit.

Despite these tentative areas of progress regarding the country's transition of power, systemic challenges to Iraq's religious freedom conditions remain. The

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government has largely ignored claims by Assyrian and Chaldean Christians of the illegal expropriation of their lands in the wake of their temporary displacement by ISIS, even as reports emerged of the illegal seizure and attempted re-registration of more than 300 Christian properties in Nineveh Province. Property is a complicated issue in the Iraqi context, with many disputes stretching back decades to efforts by the Ba'athist government of former president Saddam Hussein to forcibly transform demographics in the traditionally Kurdish-majority north into an ethnic Arab majority. However, the IDP crisis that erupted surrounding ISIS-controlled territories from 2014 to 2017 led to an additional layer of contestation, as Christian families sought to return home but found that some of their properties had been claimed by Sunni Arabs or Kurds.

Furthermore, the Iraqi government continued to prevent other communities or individuals from freely expressing or practicing their beliefs. The 2015 National Identity Card Law remains problematic for Iraq's minorities: Article 26 forces children with one Muslim parent to identify as Muslim. It reinforces existing restrictions that Muslims cannot change their religious identification on their identity cards after conversion to any other religion. Christian leaders have said that in some cases, families that are formally registered as Muslim but practice Christianity have fled to avoid registering their children as Muslims or to have their children remain undocumented. The law remains in place, despite periodic promises by successive Iraqi administrations since 2015 to revisit it. Meanwhile, the government has pursued legal action against reported atheists, including its issuance in April 2018 of a court order for the arrest of four such individuals on charges of "promoting the idea of the non-existence of God." In December, Deputy Justice Minister Hussein al-Zuhairi reiterated during a dialogue with the UN Committee on the Elimination of Racial Discrimination the government's longstanding insistence that the Baha'i faith is not a legitimate religion. In doing so, he drew renewed

attention to Law No. 105, which has banned Baha'is from operating in the country since its passage by the early Ba'athist government in 1970.

### Issues in the KRG

KRG-controlled areas have been a crucial refuge for many of northern Iraq's religious and ethnic minorities, most recently during the ISIS crisis but extending back into the era of post-2003 sectarian violence as

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well, and KRG officials have exerted substantial effort to promote their territories as havens of religious and ethnic tolerance. Many members of minority communities fled to and settled in those areas following ISIS' rise, where their voices—which had not

been given the attention they deserved by Iraq's central government—had more weight, particularly in local governance and KRG decision making. There was increasing space for religious freedom in the KRG prior to 2017 clashes between Baghdad and the KRG following the ill-fated referendum on Kurdish independence, and that space does not appear to have shown signs of contraction in the intervening months.

Nevertheless, there are legitimate and ongoing challenges for religious minority communities living in KRG territory. One of the most serious challenges, echoing similar issues that have emerged in areas under IFG control, is that of land disputes. In the Iraqi context, religious and ethnic identity is often closely tied to communal or sacred space, such as a village that has been home to a cluster of Chaldean Christian or Shi'a Muslim Shabak families for countless generations, or a shrine at which Yazidi worshippers might gather for holy days. In these circumstances, especially prevalent in northern Iraq, control over such land and the ways in which governing authorities address disagreements over its ownership can directly impact a community's sense of social and religious inclusion or marginalization. Christian communities in particular have reported seizures of Christian land and homes in Dohuk Province, often but not always involving properties that they had

temporarily fled during the height of the ISIS crisis. As in IFG-controlled territory, it is highly likely that these issues also reflect decades of corruption, nationwide disputes over ethnic identity and land registration, and other complications that predate the KRG's present autonomy in northern Iraq.

## U.S. POLICY

The United States enacted several key measures regarding the crisis facing Iraq's religious and ethnic minorities. First, in January 2018 the [U.S. Agency for International Development \(USAID\) announced](#) that \$55 million of the \$75 million it had already pledged to help restabilize Iraq through the UN Development Program (UNDP) would specifically go toward supporting those communities. In October, the [U.S. Department of State announced](#) an additional \$178 million for the same purposes. Finally, Congress passed [H.R. 390](#) in November, also known as the Iraq and Syria Genocide Relief and Accountability Act of 2018, which President Donald J. Trump signed into law the following month. This act declared that ISIS "is responsible for genocide, crimes against humanity, and other atrocity crimes against religious and ethnic minority groups in Iraq and Syria, including Christians, Yazidis, and Shi'a Muslims, among other religious and ethnic groups." It further directed U.S. policy to assist in meeting the "humanitarian,

stabilization, and recovery needs" of those communities as well as to support the efforts of governments and nongovernmental organizations to hold ISIS members accountable for the above. These measures represented serious U.S. policy and financial commitments to addressing Iraq's dire religious and ethnic catastrophes of the prior several years.

Aid groups and religious leaders in Iraq had earlier expressed growing concerns that relatively few of the promised funds and initiatives had actually reached Iraqi communities in need. However, Vice President Michael R. Pence in particular took an increasing interest in pushing forward initiatives aimed at supporting persecuted ethnic and religious minorities in Iraq directly by increasing U.S. foreign assistance, including in coordination with local and faith-based organizations. In July 2018, Vice President Pence [announced](#) at the [Ministerial to Advance Religious Freedom](#) a new U.S. initiative to help the victims of the atrocities committed by ISIS, leading to the [launch](#) of USAID's Genocide Recovery and Persecution Response (GRPR) program in July and doubling its total assistance to more than \$239 million to support persecuted ethnic and religious minorities in Iraq. In addition, Secretary of State Michael R. Pompeo deployed Max Primorac to the U.S. Consulate General in Erbil in October to oversee these programs as Special Representative for Minority Assistance.





### KEY FINDINGS

In 2018, despite some positive developments, the government of Kazakhstan continued to commit religious freedom violations. During the year, there was a substantial decrease in the number of administrative prosecutions for religious activity: from 279 cases in 2017 to 165 in 2018. Offenses ranged from attending worship meetings and engaging in missionary activity to minor administrative infractions. Of these cases, 139 resulted in punishments—including fines, prison terms, and various restrictions on freedom—as opposed to 259 in 2017. In October 2018, for the sixth time since 2003, Kazakhstan hosted its Congress of the Leaders of World and Traditional Religions, which promoted Kazakhstan’s image as a beacon of religious pluralism and a historical center of religious diversity. On January 29, 2019, after the reporting period, the government unexpectedly abandoned a series of proposed amendments to the country’s already restrictive 2011 religion law. Many observers had feared these amendments would initiate an even harsher crackdown on religious freedom in Kazakhstan. The decision to abandon the amendments came after nearly a year and a half of parliamentary debate. These

positive trends coincided with the continuation of repressive government policies toward religious belief and practice: for example, the government continued to routinely subject the general population to official scrutiny of their religious belief and practice. Dozens of individuals have been arrested and/or fined, or received sentences that restricted their freedoms and—in at least five cases—led to lengthy prison terms for the peaceful expression of religious beliefs. The Kazakhstani government also continued to politicize religion; it frequently charged its opponents with religious extremism and, in some cases, fabricated elaborate terrorism cases against them. The government continued to be particularly suspicious of proselytism, connections to religious movements or institutions abroad, and criticism of or dissent from official policy.

Based on these concerns, in 2019 USCIRF again places Kazakhstan on its Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the “systematic, ongoing, egregious” standard for designation as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Prioritize religious freedom and related human rights into the U.S.-Kazakhstan Strategic Partnership Dialogue and other bilateral interactions, and specifically urge the government of Kazakhstan to:
  - Repeal or amend its religious registration laws, which are frequently used to harass and prosecute religious minorities;
  - Cease the detention and sentencing of individuals for their peaceful religious expression and practice; and
  - Provide an alternative to military service for conscientious objectors;
- Encourage the Kazakhstani government to open the Congress of the Leaders of the World and Traditional Religions to representatives of all faiths; and
- Ensure continued U.S. funding for Radio Azattyq, the Kazakh service of Radio Free Europe/Radio Liberty (RFE/RL), so that uncensored information about events inside Kazakhstan, including those related to religious freedom, can be disseminated widely.

## COUNTRY FACTS

### FULL NAME

Republic of Kazakhstan

### GOVERNMENT

Presidential Republic

### POPULATION

18,744,548

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Technically a secular state with complete religious freedom. In practice, the government gives preference to so-called

“traditional religions,” especially Hanafi Islam and Russian Orthodox Christianity.

### RELIGIOUS DEMOGRAPHY\*

70% Muslim (Sunni Hanafi)

26% Christian (including Orthodox, Protestants, Catholics, and Jehovah’s Witnesses)

3% Other (including Jews, Buddhists, Baha’is, and Hare Krishnas)

1% Non-Hanafi Muslim (including Shi’a and Sufi Muslims)

\*Estimates compiled from the U.S. Department of State

## BACKGROUND

Kazakhstan is territorially the largest state in Central Asia, with 18 million citizens, second only to Uzbekistan in terms of population. About two-thirds of the population are ethnic Kazakhs, a Turkic people, while the rest are ethnic Slavs and other Turkic peoples including Uzbeks and Uighurs (also spelled Uyghur). Kazakhstan is the only Central Asian country that has a large ethnic-Russian population (23.7 percent), most of whom live in the north along the Russian border. The country was ruled by Nursultan Nazarbayev between 1990—when it was still part of the Soviet Union—and March 19, 2019, when Nazarbayev resigned amid growing popular unrest over the government’s neglect of ordinary citizens. Nazarbayev actively opposed the dissolution of the Soviet Union, and maintained his position for almost 30 years by carefully balancing Kazakhstan’s autonomy with Russian, Chinese, and American interests, and by exploiting perceived security threats to expand the power of the state at the expense of civil society.

In the 21st century, the threat from Russia has been overshadowed by the specter of Islamist extremism. Kazakhstan has suffered several terrorist attacks, which have frequently served as a pretext for the extension of authoritarian rule. Organization for Security and Cooperation in Europe (OSCE) election observers have found

that no election in the country has been free and fair, including the most recent April 2015 election in which the president purportedly received almost 98 percent of the vote. New elections are scheduled for June 9, 2019, until which time the former speaker of the Senate, Kassym-Jomart Tokayev, will serve as interim president. Despite his resignation, Nazarbayev will maintain significant power in his unelected roles as “Leader of the Nation,” head of the National Security Council, and head of Kazakhstan’s ruling political party, Nur Otan.

For decades, Nazarbayev sought to cultivate Kazakhstan’s image as a model of religious pluralism. Since 2003, the country periodically hosted an official Congress of the Leaders of World and Traditional Religions, joined by prominent religious and political leaders, including the general secretaries of the United Nations (UN) and OSCE. In October 2018, Kazakhstan hosted the Sixth Congress, devoted to “Overcoming Extremism and Terrorism,” which was attended by 80 delegates from 46 countries. Representatives from religious groups that the government of Kazakhstan considered “extremist” were notably absent—such as the Jehovah’s Witnesses, the Church of Scientology, the Union of Evangelical Baptists, and Tablighi Jamaat.

Before its 2011 religion law was enacted, Kazakhstan had been one of the least repressive post-Soviet Central Asian states with regard to freedom of religion or belief.

The religion law, however, set stringent registration requirements with high membership thresholds, and banned or restricted unregistered religious activities, including those relating to education, distributing literature, and training clergy. Other vague criminal and administrative statutes enable the state to punish most unauthorized religious or political activity. Religious groups are subject to police and secret police surveillance. As a result of the law's registration requirements, the total number of registered religious groups fell sharply after 2011, especially the number of "non-traditional" religious groups, which declined from 48 to 16. Although the religion law considers all religions to be equal, its preamble "recognizes the historical role of Hanafi Islam and Orthodox Christianity."

According to government statistics, Kazakhstan had 3,732 registered religious entities at the end of the reporting period—often, but not always, reflected in a physical house of wor-

ship: 2,599 Muslim entities, 340 Orthodox, 86 Catholic, 594 Protestant, seven Jewish, two Buddhist, six Baha'i, two Church of Jesus Christ of Latter-day Saints, and one Unification. The government restricted many religious minority communities from registering as legal entities and funded "anti-sect centers" that function as quasi-nongovernmental organizations, publicly promoting intolerance against Jehovah's Witnesses, evangelical Christians, and Salafi Muslims, among others.

Throughout 2018, Kazakhstan wavered between a renewed offensive against religion and a more conciliatory posture. The number of cases targeting religious activity noticeably diminished, even as the Senate debated a series of amendments that would, if approved, dramatically expand the government's ability to prosecute religion. Among other things, the proposed amendments would have further restricted who may legally proselytize—already broadly defined under Kazakhstani law to encompass all manner of religious discussion—and under what circumstances. A requirement for the explicit approval of both parents for children to take part in religious activities would have posed another major hurdle to religious groups organizing large events or children's

education. In addition, another requirement that all worship only take place in specially designated religious institutions would have imposed unfair burdens on communities either lacking a separate space or simply exercising their freedom to worship in private.

## RELIGIOUS FREEDOM CONDITIONS 2018

### Positive Developments

On January 29, 2019, after the reporting period, the government of Kazakhstan abandoned its proposed amendments to the country's already restrictive 2011 religion law. The decision to abandon the amendments came after nearly a year and a half of parliamentary debate and followed their approval on September 27 by

the Senate, which then handed the amendments back to the lower house for final passage. During 2018, there was a substantial decrease in the number of administrative prosecutions for religious activity, from 279

cases in 2017 to 165 in 2018. Of these cases, 139 resulted in punishments—including fines, prison terms, and various restrictions on freedom—as opposed to 259 in 2017. During the summer, the Ministry of Religion and Civil Society was renamed the Ministry of Social Development and references to religion were removed from its official designations. Some Muslims reported experiencing an improvement in their treatment during 2018 when compared to the previous year. One self-described Salafi Muslim claimed that in the past, he and his friends were routinely stopped and questioned by the police about their religious beliefs, but in 2018 this practice had largely stopped.

### Government Targeting of Tablighi Jamaat

Although Kazakhstan is a majority Muslim country, the government is avowedly secular and views religion as a potential threat to be controlled. The state maintains influence over, and preference for, the 'traditional' Hanafi Sunni school, while Islamic practice that deviates from the mainstream is viewed with suspicion. In 2018, as in the past, Muslims in Kazakhstan were by far the most persecuted group: 25 of the 37 known administrative

... the government of Kazakhstan abandoned its proposed amendments to the country's already restrictive 2011 religion law.

cases brought against individuals for hosting, holding, or participating in religious meetings involved Muslims. In particular, the government continued to target members of the Muslim missionary organization, Tablighi Jamaat. Tablighi Jamaat was banned as “extremist” in 2013, despite an extensive study undertaken by the secret police and the Religious Affairs Committee between 2010 and 2012, which found the movement is neither extremist nor terrorist. Tablighi Jamaat is avowedly pacifist and apolitical. Nevertheless, the international scope and missionary emphasis of Tablighi Jamaat routinely attracts the ire of the Kazakhstani government, which remains suspicious of religious groups with foreign ties or that actively proselytize.

On April 6, 2018, a court sentenced Kazbek Laubayev, Marat Konyrbayev, and Taskali Naurzgaliyev to three years in prison for membership in Tablighi Jamaat. Three other men arrested with them were fined and placed under restricted freedom, which could include house arrest, the inability to hold certain jobs, or prohibition of travel to another city without official permission. According to Forum 18, a senior police official admitted that none of the six men had committed or called for violence. On July 9, seven more members of Tablighi Jamaat were sentenced to restricted freedom for between one and three years. Four of them were additionally punished with 120 hours of community service. In August, all seven were added to a list of individuals “connected with the financing of terrorism or extremism,” maintained by the Finance Ministry. Those on the list have their bank accounts frozen and their families are only able to withdraw small amounts if given special permission by the state. Anyone helping those on the list, or their families, place themselves in legal jeopardy of financing terrorism. On January 9, 2019, after the reporting period, Abilai Bokbasarov became the 73rd Muslim imprisoned in Kazakhstan for membership in Tablighi Jamaat. He was sentenced to three years in prison and, upon his release, will be forbidden from engaging in religious activity for an additional five years. He was added to the Finance Ministry’s list on February 15.

*The government censors all religious texts, bans religious materials in prison, and restricts where religious materials may be sold.*

## Prosecution for Islamic Literature and Instruction

During the year, the Kazakhstani government routinely prosecuted citizens for possessing or distributing religious literature. Between February 2009 and May 2018, the government banned 815 items for alleged association with “extremism.” The government also censors all religious texts, bans religious materials in prison, and restricts where religious materials may be sold. On September 19, 2018, a 65-year-old man was fined the equivalent of three weeks’ average wages for

selling Islamic pamphlets about how to pray and read the Qur’an. The police had begun investigating him for “inciting religious discord” in June, but the investigation was later dropped “due to the absence of a crime.” He

was then charged with illegally distributing religious literature. In addition to the fine, the judge ordered all 85 copies of the pamphlets to be destroyed, not because they were illegal, but because the defendant “did not need them.” On August 6, a couple was fined the equivalent of three months’ average wages for missionary activity and the illegal production and distribution of religious literature. The two had collected traditional Muslim prayers into booklets, which they taught to local children with the permission of their parents.

Several Kazakhstani citizens have been handed harsh sentences for posting online lectures by Muslim theology student Kuanysh Bashpayev, in which he criticized the state-controlled Muslim Board. In 2017, Bashpayev was jailed for extremism as a result of these lectures and has spent more than a year in solitary confinement, where he remained at the end of the reporting period. His incarceration continued despite an assessment of his lectures commissioned by the national security services, in which two of three independent experts found the lectures did not incite religious hatred or call for the violent overthrow of the state. On October 19, 2018, Galymzhan Abilkairov was sentenced to seven years and seven months in prison for posting the lectures online. On November 16, another Kazakhstani citizen, Dadash Mazhanov, was sentenced

to seven years and eight months in a labor camp for the same offense.

### Headscarves Banned in Schools

At the beginning of the 2018 school year, the government started a renewed campaign against the wearing of headscarves by female students. In one school where students had previously worn headscarves without incident, more than 200 girls were barred entry for refusing to remove them. Psychologists and theologians sent to the school's village by local authorities convinced all but 10 of the girls to remove their scarves. Authorities subsequently fined the parents of seven of the girls. In another district, the parents of 13 girls were fined \$380 each for sending their daughters to school in headscarves. Dozens of girls are reportedly unable to attend school because they refuse to comply with the newly restricted clothing policy. During the year, the government maintained its right to enforce a secular dress code in public schools as a legacy of the "important historical achievement of the Kazakh people." Officials explained that the recalcitrant girls are a product of "nontraditional" religious groups and that the ban on headscarves is necessary to fight religious extremism in affected areas of the country.

### Arbitrary Accusations of Islamist Extremism

Kazakhstani human rights groups, like the Kazakhstan International Bureau for Human Rights, and independent Kazakhstani journalists have provided compelling evidence that the government of Kazakhstan uses charges of religious extremism and terrorism to persecute its political enemies. In June 2018, the government extradited blogger and activist Muratbek Tungishbayev from Kyrgyzstan. Tungishbayev was a member of the banned opposition movement Democratic Choice for Kazakhstan (DVK), which was founded by Mukhtar Ablyazov, a former banker and prominent critic of Nazarbayev's government wanted for allegedly

embezzling five billion dollars. Tungishbayev was charged with propagating terrorism, an offense punishable by up to 12 years in prison; he remained in pretrial detention at the end of the reporting period. On December 21, Kenzhebek Abishev, Almat Zhumagholov, and Oralbek Omyrov, also members of the DVK, were convicted of propagating religious extremism and terrorism. The case against Abishev, Zhumagholov, and Omyrov was based on a video recording of three armed masked men, who claimed to represent the DVK and called for Islamic jihad. According to independent observers, the course of the trial revealed the video to be highly suspect, with compelling evidence that it was fabricated by the security services. Nevertheless, the judge found the men guilty, effectively linking the DVK to Islamist terrorism.

### Government Complicity in Chinese Persecution of Kazakh and Other Muslims

Over the last two decades, the government of Kazakhstan has on several occasions deported ethnic Uighur Muslims to China, violating its obligations under the 1951 UN Refugee Convention, its 1967 Protocol, and the international legal principle of nonrefoulement. In recent years, the Chinese government has actively detained Kazakh and other Muslims within its borders. According to the State Department, since 2017 the Chinese government has detained 800,000 to possibly more than two million Uighur, Kazakh, Kyrgyz, and other Muslims in internment camps. The existence of information about

*Kazakhstani human rights groups . . . and independent Kazakhstani journalists have provided compelling evidence that the government of Kazakhstan uses charges of religious extremism and terrorism to persecute its political enemies.*

these camps owes much to the work of Kazakh activists like Serikzhan Bilash, an ethnic Kazakh originally from the Xinjiang Uighur Autonomous Region of northwest China who has advocated for his compatriots in the camps. While some Kazakh Muslims detained in China were released in 2018 and forced to

remain in the country, approximately 2,000 reportedly received permission to emigrate to Kazakhstan. One ethnic Kazakh on whose behalf Bilash advocated was

Sayragul Sauytbay, a female Chinese citizen who fled one of the camps in April 2018 after being forced to teach there. Kazakhstani authorities arrested Sauytbay in May when she crossed the border, but in August a court declined to deport her to China. At the end of the reporting period, her status remained uncertain after Kazakhstan twice denied her asylum requests. Relatedly, on March 10, after the reporting period, Bilash was detained by law enforcement in the southern city of Almaty and remanded to the capital, Astana. The following day, he was accused of “inciting ethnic hatred” for his advocacy on behalf of ethnic Kazakhs like Sauytbay. Such instances have contributed to popular outrage and ongoing protests over the Kazakhstani government’s systematic neglect of ordinary citizens.

*Being an officially registered church is not a guarantee against harassment by authorities.*

### Harassment of Protestant Christians

Christians in Kazakhstan are frequently penalized for distributing religious texts without a license, discussing religion without the required “missionary” registration, and holding unregistered worship meetings. Churches belonging to the Baptist Council of Churches exercise civil disobedience by refusing to comply with registration laws in any of the post-Soviet states where they exist. Of the eight administrative charges brought against Christians in 2018 for hosting, holding, or participating in religious meetings, seven of the accused were Baptist Council churches.

In late 2018, police raided a Baptist Council of Churches congregation in Almaty; police filmed all those present and confiscated religious literature for “expert analysis.” The pastor, Eduard Neifeld, was charged with violating the religion law by holding an unapproved meeting and distributing religious materials that have not received a “positive assessment from a religious studies expert analysis.” On January 28, 2019, after the reporting period, Pastor Neifeld was fined the equivalent of \$667, or roughly two months’ average wages. Over the next several weeks, two more Baptist Council churches were raided by the police and issued similar fines for their unregistered meetings.

Being an officially registered church is not a guarantee against harassment by authorities. On February 25, 2018, police raided the New Life Protestant Church in the city of Kyzylorda, responding to a report that a child was present. They demanded to see the church’s registra-

tion, surrounded the building with yellow tape, filmed everyone present, and refused to allow anyone to leave. Officers demanded that all children present identify their parents. Each member

was forced to write a statement explaining why they came to church, when they had started coming, whether anyone had forced them to do so, and whether they read any religious literature. About 20 members were taken to the police station and questioned for several hours. Religious literature, including the pastor’s Bible, was seized despite having already received approval by official censors. The pastor was taken to a drug testing center and forced to take an alcohol test before being questioned at the police station. He was detained for six hours, twice the duration permitted by law, and accused of “inciting discord,” a charge that carries up to 10 years in prison. The charges were later dropped.

On March 30, an official from a regional religious affairs department in western Kazakhstan sent a letter to the leaders of local Christian groups, all of which were officially registered. The letter demanded the names, ages, places of study, and state identification numbers of all underage members. The data was allegedly needed for an ongoing official study and “monitoring,” and only Christian groups were selected.

### Jehovah’s Witnesses

Jehovah’s Witnesses reported an improved atmosphere in 2018. The group remained legal in Kazakhstan and congregations were able to register. Like other religious groups that engage in proselytization, Jehovah’s Witnesses have been prosecuted for unauthorized missionary activity in the past. In January 2017, Teymur Akhmedov was arrested for discussing his faith with undercover police informers, who secretly recorded him. On May 2, 2017, he was sentenced to five years in prison, despite being diagnosed with colon cancer while

in custody. In October 2017, and again in January 2018, the UN Working Group on Arbitrary Detention [called](#) for Akhmedov’s immediate release so that he could be effectively treated at a hospital. On April 4, 2018, he was released from prison after receiving a full presidential pardon from Nazarbayev.

### Other Religious Minorities

The Russian Orthodox Church maintained good relations with the government of Kazakhstan and has a strong presence, especially among the Russian minority in the north. Prominent Orthodox clerics vocally support Nazarbayev, and the president gives an annual televised address on Orthodox Christmas that references the unique multiconfessional nature of Kazakhstan’s historical development. Speaking on the recent independence (autocephaly) granted to the Ukrainian Orthodox Church, the chairman of the Kazakhstani Senate claimed that the parishes of the Orthodox Church in Kazakhstan were united and had no need for autonomy.

In addition, the government of Kazakhstan maintained good relations with the Vatican, and Catholics are the only religious group exempt from registration. Nazarbayev marked the beginning of the Sixth Congress of the Leaders of World and Traditional Religions by presenting an award to the Vatican for its “contribution to interreligious dialogue.” Other religious minorities in Kazakhstan were likewise represented at the Congress, reflecting the status they tend to enjoy in the country. Notable attendees included Vice-President of the World Congress of Buddhists Choyzhilzhavyn Dambazhav, Chief Ashkenazi Rabbi of Israel David Lau, Chief Sephardic Rabbi of Israel Yitzhak Yosef, and Iranian Shi’a cleric Mohsen Araki.

### U.S. POLICY

After the collapse of the former Soviet Union, the United States was the first country to recognize Kazakhstan’s independence, and is now the largest direct foreign investor in Kazakhstan. At independence, Kazakhstan

had one of the world’s largest reserves of nuclear weapons, including 1,410 strategic nuclear warheads placed on its territory and an undisclosed number of tactical nuclear weapons. By 1994, it had exchanged all of them for improved relations with the West. Key bilateral issues with the United States include regional security—such as efforts to stabilize Afghanistan—and nuclear non-proliferation. In 2018, Kazakhstan and the United States [signed](#) their fourth five-year plan to strengthen military cooperation via capacity-building programs. U.S. Agency for International Development (USAID) programs in Kazakhstan help support civil society, increase access to information, strengthen citizen initiative groups, promote an independent judiciary, and encourage human

rights protection. USAID also assists in civil society partnerships with the Kazakhstani government.

On January 16, 2018, President Donald J. Trump hosted then President Nazarbayev at the White House, where the two [discussed](#) improving

trade and economic ties between the two countries. On January 17, Vice President Michael R. Pence met with Nazarbayev and stressed the importance of respecting civil liberties, “[especially meeting commitments to protect religious freedoms](#).” Deputy Secretary of State John J. Sullivan reiterated this message in July 2018 when [he](#) met with Kazakhstan Foreign Minister Kairat Abdrakhmanov in Washington, DC, and discussed religious freedom.

In 2018, U.S. Embassy officials met with representatives of the Kazakhstani government to urge respect for religious freedom, raise concerns about the negative impact of the government’s legal prosecution of religion, and emphasize the role of freedom of religion in countering violent extremism.

... the chairman of the Kazakhstani Senate claimed that the parishes of the Orthodox Church in Kazakhstan were united and had no need for autonomy.





### KEY FINDINGS

In 2018, religious freedom conditions in Laos trended the same as in 2017. It continued to be difficult to obtain and confirm details about religious freedom violations due to heavy government censorship and restrictions on freedom of information. Lao officials seek to control all perceived challenges to state authority and often characterize religious and ethnic minorities as potential agitators. The Lao constitution ostensibly protects its peoples' inherent right to religious freedom. However, as exemplified by Decree 315, corresponding rules and regulations pertaining to religious observance are excessively cumbersome, vaguely worded, and open to interpretation. This emboldened some local authorities to implement the spirit of the decree as they understand it rather than according to the decree. In 2018, communication between national and provincial government institutions remained limited, and local-level officials were often unaware of or unwilling to implement or enforce national laws and policies pertaining to religious freedom. As such, religious freedom conditions throughout the country varied widely by district, village, and province. In some parts of the country, religious freedom conditions were generally good, while in others—typically more rural and isolated areas—they remained quite poor. Some Lao authorities

remained deeply suspicious of Christians, sometimes resulting in social exclusion, harassment, and arbitrary detention by law enforcement officials. Throughout 2018, USCIRF continued to receive reports of harassment and persecution of Christians in Savannakhet, a province known for its religious intolerance. The Lao government has a long history of sentencing individuals to indefinite prison terms for expressing open criticism of the government or shedding light on its human rights abuses, including religious freedom violations, and the possibility of government retaliation prompted many people to self-censor. Furthermore, the Lao government maintained its policy of promoting Buddhism through various state institutions, including public school curricula, and at times incorporated Buddhist rituals or ceremonies in official state functions. Religious tensions were also manifest at the village level, indicating a degree of generalized social prejudice toward religious minorities.

In 2019, USCIRF again places Laos on its Tier 2, where it has been since 2009, for engaging in or tolerating religious freedom violations that meet at least one of the elements of the “systematic, ongoing, egregious” standard for designation as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Urge the Lao government to:
  - Amend Decree 315 in order to clarify administrative procedures and enforcement mechanisms, and, in the meantime, hold accountable central, provincial, and local government and law enforcement officials acting in contravention of Laos' laws, the Lao constitution, and international standards; and
  - Permit all religious communities—particularly those located in rural and isolated areas—to operate freely regardless of their recognition status; and
  - Support programs that increase understanding and awareness of Lao government policies and practices relating to religious freedom—including government restrictions and social hostilities—among national and local-level officials, law enforcement, and religious leaders representing all beliefs.
- The U.S. Congress should:
  - Send regular congressional delegations to Laos and hold hearings focused on religious freedom and related human rights to collect and disseminate information about overall conditions and specific violations.

## COUNTRY FACTS

### FULL NAME

Lao People's Democratic Republic

### GOVERNMENT

Communist State

### POPULATION

7,234,171

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Buddhism, Christianity, Islam, and the Baha'i faith

### RELIGIOUS DEMOGRAPHY\*:

64.7% Buddhist

1.7% Christian

31.4% No Religion

2.1% Other/Not Stated

(\*“No Religion” or “Other” include Folk Religions, Animism, the Baha'i faith, Confucianism, and Taoism)

\*Estimates compiled from the CIA World Factbook

## BACKGROUND

Laos is an authoritarian, single-party communist state with a dismal human rights record. In July 2018, the United Nations Office of the High Commissioner for Human Rights (OHCHR) [emphasized](#) the country's highly repressive environment and the government's refusal to respect the Lao people's basic civil and political rights, and criticized authorities for systemic human rights abuses—including enforced disappearances, the treatment of ethnic and religious minorities, and endemic restrictions on the freedoms of expression and peaceful assembly. The OHCHR specifically noted “reports of persecution and discrimination against Christians, including arbitrary arrests.” Lao authorities seek to control all perceived challenges to state authority and regulate individuals or groups they regard as being critical of the government. Furthermore, government officials tend to be highly suspicious of certain ethnic and religious groups, particularly Christians, and often characterize them as potential agitators.

The Lao government is decentralized. As a consequence, religious freedom conditions throughout the country can vary widely by district, village, and province. Laos has a long tradition of highly independent provincial governance. As such, national leaders often are reluctant to pressure provincial authorities to fall in

line with federal policies, and communication between their respective jurisdictions can be lacking. Local officials are often unaware of or unwilling to implement or enforce national laws. In some parts of the country, religious freedom conditions are generally good, while in others they are quite poor.

In addition to the arbitrary arrest of Christians noted above, the Lao government has a long history of sentencing individuals to indefinite prison terms for expressing open criticism of the government or shedding light on its human rights abuses. Throughout 2018, the wife of Lao civil society leader Sombath Somphone—along with family and supporters—continued to seek information regarding his disappearance more than six years ago. However, by the end of the reporting period, Lao government officials had not been forthcoming about their investigation. During a July 2018 OHCHR session in Geneva, Lao delegate Bounkeut Sangsomsak evaded questions regarding Somphone's disappearance, accused him of having possessed up to two million dollars in undeclared assets, and attacked his wife for steadfastly campaigning on Somphone's behalf. The OHCHR subsequently issued a [report](#) detailing more than a dozen enforced disappearances in Laos and the government's persistent failures to adequately investigate.

## RELIGIOUS FREEDOM CONDITIONS 2018

### State Administration of Religious Activity

The Lao constitution guarantees the “right and freedom to believe or not to believe in religion” and ensures all citizens equal treatment before the law, regardless of their ethnic or religious affiliations. The constitution also details various religious regulations, which are implemented through decrees. Decree 315 is the latest iteration in a series of policies and regulations pertaining to religious practice and observance.

It describes the legal space in which religious organizations are required to operate and mandates a complex, multilayered approval process for nearly all religious activities. The language is vague and open to multiple interpretations, often emboldening local authorities to implement the spirit of the decree as they understand it rather than according to the law.

The Lao government officially acknowledges four religions: Buddhism, Christianity, Islam, and the Baha’i faith. Within Christianity, the government recognizes three denominations—the Lao Evangelical Church (LEC), the Catholic Church, and the Seventh-day Adventist Church. Lao authorities typically urge Christians of other denominations to register with the LEC, which serves as an umbrella organization for all other Christian groups. Animist beliefs, characterized by the notion that all living and inanimate things possess a spirit and consciousness, are also widespread throughout much of Lao society and often blend with the practices of religious groups.

Some Christians find the government-prescribed religious labels too narrow or at odds with their own personal doctrine or beliefs. As a result, some choose not to join a recognized religious institution and instead attend services at unofficial house churches. While technically illegal, house churches are fairly common throughout much of the country, and in some areas they are more or less tolerated by local authorities. In other—predominantly rural—areas, Christians worshipping in unregistered house churches face social exclusion from their community, harassment, and occasional deten-

tion by local authorities. For example, in August 2018, authorities in Nakai District, Khammouane Province, arrested a man for performing worship services in his home without paying weekly fees to local officials and for refusing to renounce his faith. Because village elders sometimes disapprove of Christian religious activities,

local authorities often feel justified in committing these abuses under the misguided notion of preserving communal peace and stability.

The Lao government oversees religious affairs through two primary administrative bodies:

the Ministry of Home Affairs (MOHA) and the Lao Front for National Construction (LFNC). MOHA regulates virtually all aspects of religious life. MOHA approval is required to assemble for religious purposes, construct new houses of worship or modify existing facilities, and establish new congregations in districts or villages that previously had none. In addition, MOHA offices have authority to restrict religious activities they perceive to be at odds with local customs or national policies. MOHA may also shut down any religious activity it deems to threaten national stability, peace and order, the environment, or unity between religious and ethnic groups. Furthermore, all religious groups holding religious services—or even secular community events—must register with MOHA, submit annual plans for all scheduled activities outside the scope of routine operations, and provide information on individuals internally elected or appointed to positions of influence or authority. These regulations pose obstacles to routine religious observance and often preclude collaboration between faith communities operating in separate administrative jurisdictions, a necessity in many remote, rural areas where clergy are scarce. For example, in 2018, clergy and members of the Catholic diocese in Luang Prabang Province had difficulty traveling; authorities required priests and parishioners to request permission first before visiting other villages and assigned a soldier to accompany them, allegedly for their protection.

The LFNC works broadly with both religious organizations and local officials to inform and educate

*[Decree 315] describes the legal space in which religious organizations are required to operate and mandates a complex, multilayered approval process for nearly all religious activities.*

stakeholders on national religious policies. The LFNC's stated purpose is to alleviate ethnic and religious tensions and clarify existing regulations by meeting with and facilitating dialogue between provincial authorities, local religious leaders, clergy, and members of faith communities. In the past, the LFNC has sometimes used these engagements to promote intolerant views toward certain religious groups and institutions. In December 2018, LFNC and other officials in Khammouane Province reportedly told a Christian man he was not permitted to hold meetings or organize ceremonies, and more ominously, that he would have no recourse if anything happened to him because Christianity was not an officially recognized religion, which is untrue.

### Violations against Christians

Throughout 2018, it remained difficult to obtain and confirm information regarding religious freedom violations in Laos. The Lao government continued to control virtually all domestic media outlets, prompting many people to self-censor. Religious believers, civil society advocates, and some ethnic minority groups continued to regulate their own statements and public behavior in order to avoid scrutiny and possible retaliation for exposing information or abuses that may discredit the government.

In 2018, local officials in some provinces, particularly Savannakhet Province, continued to mistreat ethnic and religious minorities. In November 2018, authorities in Vilabouly District arrested four Christians, including a 78-year-old grandmother, for holding worship services without a permit; all four were held for a week before being released. In December 2018, authorities in Nakanong Village arrested seven Christians after deeming their Christmas church service to be illegal. Local authorities also demolished the church's stage, cut its power line, destroyed its sound system, and seized personal property from the congregation. The detainees were freed several days later in early January 2019, after the reporting period. Also, in December, four Christians

were arrested and held for several days for conducting what local authorities interpreted as unlawful religious services in Keovilai

Village, and another five were detained in Non Soung Village for communicating with a pastor from a neighboring village about the prospect of working together without obtaining the required

*... authorities in Nakanong Village arrested seven Christians after deeming their Christmas church service to be illegal.*

approval in advance.

Although Christians represent only a small minority of the population, many local religious leaders assert they are now the fastest-growing religious community in Laos. Some Lao authorities harbor an acute distrust of Christians, often conflating individual believers with what they perceive as European and American imperialism. For example, local officials and even fellow community members have threatened Christian families to renounce their faith or face eviction from their villages or the confiscation of their land titles if they do not. In November 2018, a regional governor in northern Laos stated he would not tolerate Christianity in the area because it was a "foreign religion." He issued an ultimatum to 20 Christian families: leave the village within one month or go to jail. At least five families renounced their faith to avoid imprisonment.

### Promotion of Buddhism

Throughout 2018, the Lao government continued to promote Buddhism through various state institutions, and at times incorporated Buddhist rituals or ceremonies in official state functions. Authorities usually framed these efforts as an attempt to instill pride in Lao customs and reinforce national identity by regarding Buddhism not solely as a religion, but also as an integral component of the country's cultural heritage. The Lao government also reportedly urged highly influential Buddhist leaders to include progovernment messaging in their religious sermons.

The Lao government continued to promote Buddhist practices throughout the public school system. Although education officials insisted the Buddhist curriculum is taught in a secular manner and that non-Buddhist parents have the right to remove their

children from these lessons if it makes them uncomfortable, in the past some students have reportedly been required to pray in Buddhist temples as a precondition for grade advancement. However, this practice appears to be limited and may reflect the individual prejudice of some Buddhist teachers rather than official government policy.

### Communal Religious Tensions

In 2018, some Christians living in multifaith communities reportedly chose not to attend village-level Buddhist or animist ceremonies because they stated even passive engagement conflicts with their own religious beliefs. The apprehension of some Christians to participate in ceremonial offerings to the village guardian spirit has in some areas agitated local animists because they fear the spirit may collectively punish the village. This has at times sparked

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*Animists have also reportedly interfered in Christian burial rituals, as some believe that burying rather than cremating the dead will result in disharmony and conflict with village spirits.*

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localized tensions in rural villages and led to some Christians being asked to leave their homes. In February, the chief of Nasathoung Village in Khammouane Province threatened at least nine Christian families with incarceration if they did not leave the village or renounce their faith. Animists have also reportedly interfered in Christian burial rituals, as some believe that burying rather than cremating the dead will result in disharmony and conflict with village spirits.

### Treatment of Muslims and Baha'is

There are only two active mosques in Laos, both located in the capital, Vientiane, and the Muslim community does not report much difficulty practicing their faith openly. Leaders of the Muslim Association, a small group that manages Muslim community affairs and government outreach, reportedly meet and maintain good relationships with MOHA and LFNC officials. Likewise, Baha'i leaders in Vientiane, Savannakhet, and Luang Prabang seldom report interference in or restriction of their religious activities.

### U.S. POLICY

The United States and Laos continue to cooperate on many levels under a Comprehensive Partnership announced in 2016. Throughout 2018, the two governments worked jointly to facilitate economic development and global health security, promote education and strengthen people-to-people ties, partner on counternarcotics activities, and address various Vietnam War legacy issues including the clearing of unexploded ordnance and accounting for missing American personnel. The U.S. government also continues to assist the Lao government in developing legal and regulatory tools to facilitate greater participation in

regional and international trade agreements and to better integrate the Lao economy with the Association of Southeast Asian Nations (ASEAN).

In February 2018, two of the largest, highest-ranking congressional delegations to visit Laos met with counterparts in

the Lao government to discuss ways to strengthen ties between the U.S. Congress and the Lao National Assembly. Additionally, in April 2018, Representative Jackie Speier of California [met](#) with Lao government officials in Vientiane to discuss ways to enhance cooperation on defense issues, public security, and law enforcement under the Comprehensive Partnership. In addition to her official engagements, Speier visited two Buddhist temples to learn about local silk weaving traditions and to give alms, gestures that served to highlight social and cultural ties between the two countries.

Ongoing cultural engagement—along with the sustained military relationship between the two countries—have helped build trust that, over time, has strengthened the United States' position to raise human rights and religious freedom issues with Laos. In May 2018, a high-level military [delegation](#) from the U.S. Indo-Pacific Command met with Lao government officials to discuss the bilateral defense relationship, emphasize the United States' commitment to the Indo-Pacific region, and consider ways to enhance the Comprehensive Partnership by expanding military-to-military ties. In September, the U.S.

military [hosted](#) members of the Lao Ministry of National Defense at Camp Smith, Hawaii, for the 13th Lao-United States Bilateral Defense Dialogue. Participants identified and discussed various opportunities for enhanced bilateral and multilateral cooperation.

### KEY FINDINGS

In 2018, religious freedom conditions in Malaysia trended the same as in 2017, despite some optimism about the potential for overall human rights improvements following a historic change of government in the 2018 general elections. Malaysia has a highly pluralistic society, but some public attitudes and government policies on race, ethnicity, and religion have at times contributed to societal intolerance. In general, the Sunni Muslim majority must adhere to a strict, state-approved interpretation of Islam and have little freedom to practice according to their conscience. Federal and state-level government authorities continued to forbid so-called “deviant” religious minority groups—including Shi’a Muslims, Ahmadiyya Muslims, Baha’is, and the Al-Arqam sect—from assembling or worshiping in public. In addition, deeper, institutionalized barriers to religious freedom remained firmly intact. Ethnic Malays—who are constitutionally defined as Muslim—comprise more than half the country’s population and have benefitted from affirmative action policies. These special privileges are allocated strictly on the basis of ethnicity, and by extension, adherence to Islam. Furthermore, Malaysia’s dual-track legal system includes both civil and Shari’ah courts. When their respective jurisdictions intersect, civil courts usually ceded to religious courts, which means

non-Muslims were sometimes subjected to Shari’ah court rulings. In 2018, Sunni Muslims remained free to proselytize, and the proselytization of Islam to non-Muslims was reportedly widespread in Malaysia’s public school system. Individuals who identify with minority faiths were barred from proselytizing Sunni Muslims and faced possible criminal charges such as caning or imprisonment for attempting to do so. Throughout 2018, non-Sunni Muslims continued to suffer from varying degrees of discrimination, including baseless accusations of extremism and unprovoked acts of vandalism directed at their places of worship. While non-Muslims had little difficulty converting to Islam, Muslims who wished to convert to another religion continued to face persistent legal and administrative difficulties and generally struggled to secure official government recognition of their faith.

Based on these concerns, in 2019 USCIRF again places Malaysia on its Tier 2, where it has been since 2014, for engaging in or tolerating religious freedom violations that meet at least one of the elements of the “systematic, ongoing, egregious” standard for designation as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Request that the Malaysian government clarify administrative procedures and develop tangible mechanisms for individuals to leave Islam when they choose to convert to another faith;
- Press the Malaysian government to remove the religion field from national ID cards and allow for marriage between Muslims and non-Muslims without conversion;
- Urge the Malaysian government to facilitate independent institutions, including the judiciary, in order to guarantee that everyone residing in Malaysia, regardless of religion or ethnicity, enjoys equal representation before the law and freedom of religion or belief; and
- Urge the Malaysian government to acknowledge all peaceful religious activity as legitimate and cease the arrest, detention, or forced “rehabilitation” of religious minorities, particularly members of Shi’a Muslim, Ahmadiyya Muslim, Baha’i, and Al-Arqam groups, among others, and to release unconditionally those detained or imprisoned for related charges.



## COUNTRY FACTS

### FULL NAME

Malaysia

### GOVERNMENT

Federal Constitutional Monarchy

### POPULATION

31,809,660

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam (official state religion); other religious groups may be granted registration, excluding those deemed “deviant”

### RELIGIOUS DEMOGRAPHY\*

61.3% Muslim

19.8% Buddhist

9.2% Christian

6.3% Hindu

1.3% Confucian, Taoist, and other traditional Chinese religions

0.4% Other

0.8% None

\*Estimates compiled from the CIA World Factbook

## BACKGROUND

Malaysia has a highly pluralistic society with an expansive range of ethnic, religious, cultural, and linguistic diversity. Nevertheless, some longstanding public attitudes and government policies pertaining to race, ethnicity, and religion that discriminate against minority communities have, at times, contributed to periodic intolerance between and within well-established social groupings. For example, federal and state-level religious authorities have banned a number of so-called “deviant” minority religious groups including Shi’a Muslims, Ahmadiyya Muslims, Baha’is, and the Al-Arqam sect. Also, some individuals have previously objected to public displays of religious iconography outside Hindu and Buddhist temples. The government, along with state-level Shari’ah courts, have authority to send converts from Sunni Islam and members of deviant groups to “rehabilitation centers,” which function as extrajudicial detention facilities. Non-Sunni Muslims can also be prosecuted for apostasy, which can result in fines or prison sentences. In some states, the criminal penalty for apostasy includes caning or even death, although in practice the latter has never been enforced.

In the May 2018 general elections, the Pakatan Harapan coalition (PH) won a simple majority in Malaysia’s lower house of parliament. This outcome ended more than 60 years of Barisan Nasional (BN) rule and

marked the first post-independence regime change in Malaysia’s history. Former BN coalition leader Mahathir bin Mohamad was sworn in as prime minister on May 10 (he previously served as prime minister under the BN government from 1981 to 2003). Despite the optimism resulting from his election and the change of government, Mahathir’s long political career has not been without controversy, some of which was revived in 2018. For example, Mahathir has been accused of making a number of anti-Semitic remarks regarding the global Jewish community and the state of Israel. In August 2018, he claimed anti-Semitism is “a term that is invented to prevent people from criticizing Jews for doing wrong things,” and went on to assert his right to openly criticize anyone.

The Malaysian constitution states that “every person has the right to profess and practice his religion.” However, the constitution also specifies Islam as the “religion of the federation” and grants state and federal government officials the authority to forbid proselytizing to Muslims. While the constitution makes no distinction between Sunni and Shi’a Islam, in practice, Shi’a Muslims experience various forms of discrimination. Malaysian authorities surveil and harass Shi’a Muslims, ban literature that promotes non-Sunni Islamic beliefs, prohibit public worship or assembly, and threaten arrests for observing Shi’a Muslim holidays.

Only Sunni Muslims are free to proselytize unimpeded. Members of all other faiths can only proselytize followers of other minority communities. The act or mere accusation of proselytizing Muslims can result in criminal charges, such as caning or imprisonment. Foreigners are not exempt from this law, and, in November 2018, four Finnish nationals were detained and later deported for distributing Christian materials in public.

Some Sunni Muslims continue to feel alienated or judged when their own practice or interpretation of Islam does not align with official government-approved teachings. Malaysia's constitution grants state and federal governments power to regulate the content of Muslim religious services. In practice this amounts to a strict, state-backed version of Islam with no room for personal interpretation. Most Sunni mosques and imams receive government funding and pre-approved talking points for religious sermons from the federal Department of Islamic Development Malaysia (JAKIM). Government-sanctioned themes sometimes feature pointed critiques of Shi'a Muslim religious doctrine.

The constitutional construct stipulating all ethnic Malays are Muslim has been used to advance social policies—many of which amount to legally mandated religious discrimination—aimed at giving ethnic Malays preferential treatment in order to offset historical economic disparity.

The benefits for Malays include, but are not limited to: set quotas for university admissions, academic scholarships, and civil service jobs; and real estate subsidies for land and property purchases.

While these policies are somewhat controversial, Malays have been reluctant to give up their preferential status. The end result is a mostly unspoken social contract in which non-Malays enjoy the benefits of Malaysian citizenship, but must also accept second-class status in Malaysian society. In October 2018, Prime Minister Mahathir publicly asserted these policies were still necessary to bridge the economic gap between Malays and non-Malays and would remain in place for the foreseeable future. The salience of these affirmative action policies was exemplified in September

*The constitutional construct stipulating all ethnic Malays are Muslim has been used to advance social policies—many of which amount to legally mandated religious discrimination . . .*

2018, when Prime Minister Mahathir made a commitment at the 73rd United Nations (UN) General Assembly to ratify all unresolved UN conventions. Some Malays feared this would negatively affect their privileged status and, by extension, the supremacy of Islam in Malaysian society. In November 2018, between 55,000 and 100,000 demonstrators rallied in Kuala Lumpur against ratification of the [International Convention on the Elimination of All Forms of Racial Discrimination](#) (ICERD). The Malaysian government ultimately reversed course and chose not to ratify the convention, demonstrating the challenge Malaysian leaders have in addressing policies that touch on issues of race, ethnicity, and religion.

## RELIGIOUS FREEDOM CONDITIONS 2018 Discrimination against Religious Minorities

In recent years—prior to the 2018 general elections—religious minorities and even Sunni Muslims have voiced concern about deteriorating religious freedom conditions throughout Malaysia. The historic change in government ushered in a new wave of optimism, in part underpinned by the PH coalition's campaign promises to improve religious harmony and overall human rights conditions. For example, the PH coalition proposed to repeal the vaguely worded Sedition Act, which in the past the government has used to suppress political and religious dissent. Yet

at the end of the reporting period, the Sedition Act remained in effect. Encouragingly, in August 2018 the new government also took steps to repeal Malaysia's controversial Anti Fake News Act (AFNA), which came into effect ahead of the general

elections and instituted jail terms for the dissemination of so-called "fake news." But the effort was thwarted when in September the opposition-controlled Senate blocked the repeal. This law, too, remained in effect at the end of the reporting period.

In short, many of the PH coalition's campaign proposals with respect to human rights have yet to bear fruit, and in 2018, religious freedom conditions in Malaysia remained largely unchanged. While most Malaysian citizens were free to worship, non-Sunni Muslims continued

to experience varying degrees of discrimination. In January 2018, Mohd Asri Zainul Abidin, the mufti of Perlis, declared that Shi'a Muslims posed a threat to national security, though there is no evidence to suggest that any Malaysian Shi'a Muslims have been linked to extremist groups or implicated in domestic terror attacks.

In the past, vandals have targeted non-Muslim houses of worship, and this practice continued in 2018. Shortly after midnight on January 1, during a late-night worship service to celebrate the new year, assailants detonated an explosive device in front of the Luther Centre, a Lutheran church in Petaling Jaya. Three church-goers were injured in the attack. One week later, a disgruntled civil servant threw two burning water filters at the Kota Bahru Methodist Church and smashed windows at the nearby Arulmigu Siva Subramaniyar Hindu temple; the man was later arrested. The church's pastor claimed it was the second attack to happen that week, and Reverend Hermen Shastri, general secretary of the Council of Churches of Malaysia (CCM), described the attack as "motivated by extremists who are out to stoke the flames of religious intolerance in the country."

In January 2018, Malaysia's highest court ruled that both parents' consent is required to convert a minor from one religion to another. The ruling was unexpected because the government had previously withdrawn a measure that would have prohibited the unilateral conversion of children after giving in to pressure from conservative Muslim groups. This ruling was largely inspired by the M. Indira Gandhi case, a Hindu woman whose former husband converted to Islam, then converted their three children without her knowledge. Malaysia's Federal Court ultimately decided the unilateral conversion of their children was invalid and that Ms. Gandhi should be awarded custody.

In November 2018, rioting occurred outside Seafield Sri Maha Mariamman, a Hindu temple in Selangor, killing at least one person and injuring another dozen. Authorities initially described the incident as a rivalry

between temple factions and went on to arrest 83 Muslim men for their involvement. Details later emerged that these men were likely hired to foment unrest and that the resulting chaos stemmed primarily from an ongoing property dispute. The incident inflamed lingering religious tensions and prompted the government to propose legislation to mandate registration of all existing houses of worship and require local government approval prior to the construction of new religious facilities.

In December 2018, Malaysian Education Minister Dr. Maszlee Malik stirred controversy by urging Muslim religious educators from peninsular Malaysia to preach Islam in Sabah and Sarawak—East Malaysian states with significant Christian populations. After much confusion over the true meaning of his remarks, Dr.

Maszlee later clarified this statement was made in reference to a shortage of Muslim teachers for the local Muslim community, but many Christians believed he was urging Muslim teachers to convert Christians to Islam. His comments were particularly sensitive

because proselytization of non-Muslims is reportedly widespread throughout Malaysia's public school system.

In 2018, Malaysia maintained its dual-track legal system with both civil and Shari'ah courts; non-Muslims have no legal standing in the latter. Shari'ah courts have jurisdiction over Muslims in matters of family law and religious observance, but when the two legal systems intersect, civil courts typically cede to Shari'ah courts. At times this leads to non-Muslims being directly impacted by Shari'ah rulings because they lack the ability to defend themselves or appeal the court's decision. As in previous years, Muslims who wished to convert to another religion were first required to secure approval from Shari'ah courts to declare themselves as apostates. This approval was seldom granted and Shari'ah courts have been known to impose penalties on those who request it, at times even forcibly detaining them at so-called "rehabilitation" camps for attempting to leave Islam.

*... assailants detonated an explosive device in front of the Luther Centre, a Lutheran church in Petaling Jaya. Three church-goers were injured in the attack.*

Evangelical pastor Raymond Koh's high-profile disappearance—missing since February 2017 when he was abducted in broad daylight—remained unsolved at the end of the reporting period. Malaysia's government-appointed human rights commission, known locally by its acronym SUHAKAM, launched an independent investigation but was forced to cease the inquiry in early 2018 when authorities pressed charges against a man believed to be responsible for Koh's disappearance. Police later stated the man was not directly connected to the crime. SUHAKAM subsequently resumed the investigation and later concluded its inquiry in December 2018 but did not uncover any conclusive evidence regarding Pastor Koh's whereabouts or the details surrounding his abduction before the end of the reporting period. Similar investigations into the disappearances of Shi'a Muslim social activist Amri Che Mat, Pastor Joshua Hilmy, and his wife Ruth Hilmy also made little progress in 2018.

### Hudood Punishments

Some states have pursued efforts to enforce an Islamic penal code, known as *hudood* (also spelled *hudud*), for a number of criminal offenses including apostasy, slander, adultery, and alcohol consumption. The prescribed punishments include flogging or caning and, while never implemented, amputation, stoning, crucifixion, and death. In 2018, the Pan Malaysian Islamic Party (PAS) continued to push for *hudood* penalties for various criminal offenses in the staunchly conservative northern states. By the end of the reporting period, the new government had not yet demonstrated willingness to take up *hudood* measures at the federal level, which would likely require a constitutional amendment.

### Child Marriage

Malaysian civil law permits Muslims to marry at 16 years old while the minimum age to marry for non-Muslims is 18. The law also stipulates that a Muslim's spouse must be Muslim as well, or convert to Islam for the marriage to be legally recognized. In July 2018, a 41-year-old Malaysian man married an 11-year-old Muslim girl in

southern Thailand. State-level authorities in Kelantan fined the man for getting married outside Malaysia, skirting local regulations. The child was abruptly returned to Thailand and placed under the care of a local social welfare department, but it remains unclear if the marriage was ever annulled. The incident sparked widespread condemnation and led to assertions that the new government was failing to protect children's rights under the guise of religious freedom.

In a similar case, in September, a 44-year-old man married a 15-year-old girl in Kota Bharu. The girl's parents approved of the wedding and obtained the necessary permission from a local Shari'ah court. The case generated significant international attention and spurred further government scrutiny. However, Deputy Prime Minister Wan Azizah Wan Ismail admitted there was little the Malaysian government could do because the marriage was approved by a Shari'ah court.

In October 2018, Prime Minister Mahathir issued a directive instructing all state authorities to raise the minimum marriage age for Muslims to 18. This gesture was largely symbolic. According to the constitution, Islamic law falls under the jurisdiction of state-level muftis, and the federal government cannot enforce a legal minimum marriage age for Muslims. The Selangor sultan correspondingly raised the legal Muslim marriage age to 18 in his state, although younger couples

can still apply for marriage if they meet very strict guidelines. Shari'ah courts can still approve child marriages throughout the rest of Malaysia, but by the end of the reporting period five other state governments

had agreed, at least in principle, that the minimum age should be raised to 18.

### ID Cards

All Malaysian citizens over the age of 12 are required by law to carry a national ID card, known locally as a "MyKad." Along with standard fields for personal information, these ID cards also have a required field indicating the person's religion. Muslims' cards state their religion in print; this information is not physically

*The law also stipulates that a Muslim's spouse must be Muslim as well, or convert to Islam for the marriage to be legally recognized.*

displayed for believers of any other faith, but is instead encrypted in the card's smartchip and can only be accessed electronically. Malaysians who have successfully converted to another religion have at times reported difficulty changing this field to reflect their current beliefs. Followers of minority faiths are sometimes incorrectly registered as Muslim due to forced conversions, marriage arrangements, or even clerical errors. Whatever the circumstances, being incorrectly identified as Muslim on the ID card bars an individual from marrying a non-Muslim, subjects them to Shari'ah court rulings, requires that their children attend Islamic schools, and in most instances prohibits conversion to another faith. Inaccurate registration becomes an inherited problem for the person's children and grandchildren.

*Followers of minority faiths are sometimes incorrectly registered as Muslim due to forced conversions, marriage arrangements, or even clerical errors.*

## U.S. POLICY

The U.S.-Malaysia bilateral relationship is framed by a Comprehensive Partnership that includes a number of key components: trade, investment, security, environmental cooperation, and educational and cultural relations. In May 2018, the White House issued a [statement](#) from President Donald J. Trump congratulating Mahathir for his swearing in as Malaysia's seventh prime minister. President Trump emphasized the United States' longstanding and robust people-to-people ties, mutual democratic values, and shared economic interests with Malaysia.

In August 2018, Secretary of State Michael R. Pompeo spent two days in Malaysia and [met](#) with Prime Minister Mahathir during a five-day official visit to Southeast Asia. In September, then Secretary of Defense James N. Mattis [hosted](#) Malaysian Defense Minister Mohamad bin Sabu

for a meeting at the Pentagon. They reportedly discussed a wide range of security issues and reaffirmed the importance of the two countries' defense relationship. They agreed to work closely together on maritime security, counterterrorism, humanitarian assistance, and disaster relief, and examined ways to strengthen the existing

partnership based on shared values and mutual interests. A few days later, Prime Minister Mahathir visited the United States for the first time since returning to power.

Throughout 2018, the U.S. Embassy in Kuala Lumpur routinely urged Malaysian government

officials to speak out against religious intolerance and continued to engage with various faith groups to learn more about the challenges they face attempting to practice their religion. As in previous years, in November 2018, the embassy [celebrated](#) International Day for Tolerance, with the ambassador, a Malaysian official, and interfaith religious leaders touring houses of worship "to promote religious freedom, inclusion, and tolerance."

One key issue that continued in 2018 to permeate the otherwise deepening bilateral relationship was the U.S. Department of Justice's ongoing investigation into 1Malaysia Development Berhad (1MDB, a Malaysian investment fund) regarding possible money laundering through the United States. Following former Prime Minister Najib Razak's 2018 electoral defeat, Malaysian authorities raided his residential properties and confiscated assets worth a combined value of approximately \$270 million. The Justice Department supported these measures and conveyed both confidence and enthusiasm that the new Malaysian government would be cooperative as the investigation progresses.

### KEY FINDINGS

In 2018, the state of religious freedom in Turkey remained deeply troubling, raising serious concerns that the country's current trajectory will lead to the further deterioration of conditions in the year ahead. The lack of any meaningful progress on the part of the Turkish government to address longstanding religious freedom issues was continued cause for concern. Many serious limitations on the freedom of religion or belief continued, threatening the continued vitality and survival of minority religious communities in the country; in addition, increased demonization and a smear campaign by government entities and progovernment media contributed to a growing climate of fear among religious minority communities. The Turkish government continued to interfere in the internal affairs of religious communities, disallowing patriarchal elections for the Armenian Apostolic Church and maintaining its requirement that Greek Orthodox metropolitans obtain Turkish citizenship in order to participate in the church's Holy Synod. Followers of U.S.-based cleric Fethullah Gülen continued to be dismissed from public service, detained, and arrested in the tens of thousands for alleged complicity in the July 2016 failed coup attempt, or involvement in terrorist activity. The Turkish government has indiscriminately designated those affiliated with Gülen as part of a terrorist organization. Government officials also continued to engage in anti-Semitism in the form of public statements and comments made on social media platforms, while progovernment newspapers and media outlets propagated hate speech directed against

both Christians and Jews. While the state proposed a budget increase of 36 percent for the government body charged with overseeing the exercise of Sunni Islam, other religious groups, including Alevis—whom the government views as a culture rather than a religion—do not receive equal funding. However, due to Turkey's strict interpretation of secularism, no religious community—including Sunni Muslims—can obtain full legal status. Other longstanding religious freedom concerns remain, such as the return of expropriated religious properties and state-mandated religious education for primary and secondary students. Finally, the unjust detainment and trial of Protestant pastor Andrew Brunson, an ordeal that lasted for more than two years and gave way to a rise in hate speech against Christians, concluded in October 2018 with his conviction and immediate release, after significant pressure from the U.S. government. A USCIRF delegation attended Pastor Brunson's hearings in Aliağa, Turkey, in May, July, and October 2018.

Based on these conditions, in 2019 USCIRF again places Turkey on Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). However, USCIRF will continue to monitor religious freedom conditions to determine whether developments worsen and warrant a change in the country's status during the year ahead.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Urge the Turkish government to fully comply with the European Court of Human Rights (ECtHR) rulings on freedom of religion or belief, including by removing the field for religious affiliation on national ID cards' microchips and recognizing Alevi *cemevleri* as legal places of worship and Alevi *dedeleri* as religious leaders;
- Press the Turkish government to streamline measures that would permit non-Sunni Muslim faith communities to apply for government funding to support the construction, maintenance, and upkeep of their houses of worship;
- Urge the Turkish government to ensure the education curriculum remains inclusive of all of Turkey's religious groups, and allow students to be exempted from religious courses without disclosing their religious and philosophical convictions, as mandated by the ECtHR;
- Press the Turkish government to fulfill private and public commitments that the Greek Orthodox Halki Seminary be reopened, and to permit the Armenian Apostolic Church to hold elections for the position of patriarch without state interference; and
- Press the Turkish government to publicly rebuke government officials who make anti-Semitic statements or other derogatory statements about religious communities in Turkey.

## COUNTRY FACTS

### FULL NAME

Republic of Turkey

### GOVERNMENT

Presidential Republic

### POPULATION

81,257,239

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam, Armenian Apostolic, Greek Orthodox, and Judaism (the latter three being the Lausanne Treaty-recognized minorities)

### RELIGIOUS DEMOGRAPHY\*

99.8% Muslim (mostly Sunni, although an estimated 10 million to 25 million are Alevi)

0.2% other, including Armenian Apostolic, Baha'i, Bulgarian Orthodox, Chaldean Catholic, Greek Orthodox, Jehovah's Witness, Jewish, Protestant, Roman Catholic, Syriac Catholic, and Syriac Orthodox

\*Estimates compiled from the CIA World Factbook

## BACKGROUND

The state of human rights and civil liberties in Turkey continued to decline in the wake of the government response to the failed coup attempt of July 2016. In the two years since the coup attempt, the Turkish government has dismissed more than 150,000 public servants, detained and arrested tens of thousands in connection to the coup attempt or alleged links to terrorism, and jailed 68 journalists in connection with their work—the highest number of journalists arrested by any country in 2018, according to the Committee to Protect Journalists. The government has also closed down more than 150 media outlets, and the country has seen the majority of independent media increasingly come under the control of progovernment entities. In June 2018, President Recep Tayyip Erdoğan was reelected in snap presidential and parliamentary elections that accompanied the introduction of expanded executive powers under a new presidential system approved by referendum in April 2017.

The government also continued to detain former chairman of the opposition Peoples' Democratic Party (HDP) Selahattin Demirtaş, despite a ruling from the ECtHR in November 2018 that his pretrial detainment was unjustified and that he should be released. In July 2018, 18 religious leaders and representatives from Turkey's Christian and Jewish communities released a joint

declaration denying they live under pressure, raising suspicions that the statement may have been coordinated with, or initiated by, the Turkish government.

Approximately 99.8 percent of Turkey's population is Muslim, the majority of whom identify as Sunni Muslim. By some estimates, between 10 million and 25 million are Alevi, which the Turkish government considers to be Muslim, although some Alevis self-identify as part of a unique non-Muslim culture. Turkey's non-Muslim religious minorities comprise less than 0.2 percent of the overall population, and include members of the Armenian Apostolic, Baha'i, Bulgarian Orthodox, Chaldean Catholic, Greek Orthodox, Jehovah's Witness, Jewish, Protestant, Roman Catholic, Syriac Catholic, and Syriac Orthodox communities.

The 1982 Turkish constitution provides for the freedom of belief and worship and the private dissemination of religious ideas, and prohibits discrimination on religious grounds. Nevertheless, the government interprets secularism to require state control over religious communities, including their practices and houses of worship. No religion enjoys full legal status. The Directorate of Religious Affairs (Diyanet) maintains control over the practice of Islam in Turkey; all other religions are under the auspices of the General Directorate of Foundations (*Vakıflar*).

## RELIGIOUS FREEDOM CONDITIONS 2018

### Education

Despite the implementation in 2018 of a new education curriculum in Turkey’s public schools, the “Religious Culture and Moral Knowledge Course” remains a requirement for primary and secondary school students. Traditionally, non-Muslim students from the Lausanne Treaty communities—Armenian Apostolic, Greek Orthodox, and Jewish—have been allowed exemption from the course due to its focus on Islam. Atheists also have received exemptions within the last year. However, members of some faiths, including Alevis, are routinely denied exemption, despite an ECtHR ruling in 2014 that the course should not be compulsory and that students should not be required to disclose their religious identity. Students and their parents seeking exemption often undergo a lengthy petitioning process, or pursue their claims in court—even if the ruling is favorable, however, it is not always implemented by the school.

### State Interference in Internal Religious Affairs

In 2018, the Turkish government continued to interfere in the internal affairs of religious communities, particularly regarding the right of those communities to elect their own leaders. Due to government requirements stipulating that members of the Holy Synod must be Turkish citizens, the Ecumenical Patriarchate is restricted in its ability to nominate members for the Holy Synod, which, in turn, elects the community’s patriarch. While Turkey has approved foreign metropolitans for dual citizenship, the requirement presents an unnecessary burden for the Greek Orthodox community and has been perceived as a means to control the outcome of future elections.

The Armenian Apostolic Church—whose spiritual leader Mesrob Mutafyan died in March 2019, after the reporting period—has been unable to hold elections for the position of patriarch due to an Interior Ministry decision that precluded elections beginning in 2010. When the community began an electoral process

in March 2017, the Istanbul governor’s office intervened, calling the elections “legally impossible” and claiming they might “cause splits in the community.” In February 2018, the Istanbul governor’s office stated in a letter to the Armenian Patriarchate that the necessary conditions for an election had not been met, yet again preventing the process from moving forward.

### National Identity Cards

Concerns remain that microchips on national identification cards may contain information regarding the holder’s religious identity, which could lead to discrimination in the workplace and other places where the microchip can be read. The government’s February 2018 opening of population registers that allow access to genealogical records raised similar concerns about a government effort to code minorities such as Armenians, Greeks, and Jews. While the opening of the population registers was welcomed by some as a positive step in acknowledging Turkey’s ethnic and religious diversity, others fear the information could be used for the purpose of discrimination or defamation.

### Alevis

Alevis constitute the largest religious minority in Turkey. However, the government has long classified Alevis as Muslim and subsequently failed to recognize them as a religious community distinct from majority Sunni Muslims. Despite a February 2015 ruling issued by the ECtHR, the government has yet to take steps to exempt Alevi students from attending compulsory religious

classes that are based primarily on the Sunni understanding of Islam. Alevi leaders have also taken issue with a new curriculum that characterizes Alevi places of worship simply as a place where “rituals and customs are practiced.”

In November 2018, the Supreme Court of Appeals announced a decision in favor of the Alevis’ longstanding struggle to achieve official recognition for their “gathering houses” or *cemevleri* as places of worship. In April 2015, the ECtHR had ruled that Turkey violated

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*Alevis constitute the largest religious minority in Turkey . . . [but] the government has . . . failed to recognize them as a religious community distinct from majority Sunni Muslims.*

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Alevis' rights by failing to recognize their places of worship and accord them legal status and its corresponding advantages, such as an exemption from the payment of electricity bills. In the decision, the court ruled that *cemevleri* are places of worship and that the government is obligated to pay for their electricity bills as it does for mosques and some other places of worship. At the end of the reporting period, the verdict had not yet been finalized, and it was unclear whether the ruling would bring about a country-wide change in the status of *cemevleri*.

### Anti-Semitism

Anti-Semitism continued in progovernment print and social media. According to a report on hate speech by the Hrant Dink Foundation, a local nongovernmental organization, there were 427 instances of hate speech from January through April 2018 that specifically targeted Jews. News articles and headlines frequently made reference to Jews when referring to the state of Israel and mentioned Jews in negative media coverage related to the state of Turkish-Israeli relations.

Turkish politicians also have continued to make anti-Semitic comments. In August 2018, ruling Justice and Development Party (AKP) founding member and former parliamentarian Burhan Kuzu tweeted that Jewish families “managed the world” by printing banknotes and alleged that U.S. presidents Abraham Lincoln and John F. Kennedy were “killed by Zionists.” Although such rhetoric is particularly prevalent in the ruling party, it has also surfaced among the opposition. In August 2018, Republican People’s Party (CHP) presidential candidate Muharrem İnce was accused of making anti-Semitic comments when he criticized President Erdoğan for having received a Jewish courage award, which was presented to him in honor of a Turkish diplomat who saved a number of Jewish families from the Holocaust.

### Protestants

The Protestant community continued to be the target of hate speech, with evangelical Christians in particular

demonized in connection with the case of Pastor Brunson. At least 20 foreign Protestant families reportedly were deported or forced to leave Turkey through the denial of visa renewals.

Pastor Brunson, a U.S. citizen who lived in Izmir, Turkey, for 23 years and led a small Protestant congregation, spent more than two years in prison after Turkish authorities unjustly detained him in October 2016. Authorities initially accused Pastor Brunson of being a member of a terrorist organization, until he was indicted in March 2018 for “committing crimes on behalf of a terrorist organization without membership” and “procuring confidential government information for the purpose of political or military espionage.” The indictment accused Pastor Brunson of providing aid to both the Kurdistan

Workers’ Party (PKK) and the Fethullahist Terrorist Organization (FETÖ), and alleged that he sought the fragmentation of the country and formation of an independent state of Kurdistan through the Christianization of Turkey’s ethnic Kurdish

population. Information in the indictment was provided primarily by a secret witness. While President Erdoğan routinely rebuffed U.S. requests for the release and return of Pastor Brunson, claiming that the decision would ultimately lie with the Turkish judicial system, he nonetheless contradicted himself in September 2017 when he suggested that he would be willing to hand over Pastor Brunson in return for the extradition of Gülen.

Prior to Pastor Brunson’s release, USCIRF advocated on his behalf as part of the Commission’s [Religious Prisoners of Conscience Project](#). In October 2017, USCIRF visited Pastor Brunson while he was imprisoned in Kırıklar Prison—the first nonfamily, nonconsular delegation to meet with him—and attended three of his subsequent court hearings in May, July, and October 2018.

On October 12, 2018, a Turkish court convicted Pastor Brunson of providing aid to a terrorist organization and sentenced him to three years, one month, and 15 days, which the judge counted as time served. That same day, he was subsequently released from house arrest and allowed to return to the United States.

*The indictment . . . alleged that [Pastor Brunson] sought the fragmentation of the country . . . through the Christianization of Turkey’s ethnic Kurdish population.*

Although Pastor Brunson’s release was a much-welcomed positive development, it should be noted that it only came about following immense pressure from the highest levels of the U.S. government on Turkey to release him. That the Turkish court still found him guilty of supporting a terrorist organization only serves to perpetuate the grave injustice done against him.

In January 2019, after the reporting period, the ECtHR announced a decision in favor of the Foundation of Seventh-day Adventists, ruling that Turkey had violated the right to assembly of church members by not allowing the foundation to register. Turkey had prohibited the foundation from registering on the grounds that a foundation cannot be formed only to serve the members of a particular community.

### Other Christian Minorities

Jehovah’s Witnesses continued to be denied the right to conscientious objection to military service and face prosecution, fines, and imprisonment for the exercise of their beliefs. In 2018, 66 Jehovah’s Witnesses faced prosecution. Because of longstanding government pressure exerted on employers, many Jehovah’s Witnesses also lose their jobs for refusing to enlist in the military.

In April 2018, the Church of Jesus Christ of Latter-day Saints reassigned its volunteers in Turkey to other regions due to a “prolonged period of heightened political tensions” in the country. Throughout 2018, the Church and its members were smeared in progovernment media outlets following accusations made in the indictment against Pastor Brunson that members were operating in the country as agents under the guise of missionaries.

### Sunni Muslims

Followers of U.S.-based cleric Gülen have faced increased persecution by the government. In the two years since the failed coup attempt in 2016, the Turkish government has embarked on a purge of those affiliated with Gülen, resulting in the dismissal, detainment, and arrest of tens of

thousands of individuals. The government continued to allege that Gülen and his followers were behind the plot to overthrow the government, although only a small minority has been charged with participation in the coup attempt. The government labeled Gülen and his followers a terrorist organization in May 2016, and refers to them as the Fethullahist Terrorist Organization (FETÖ).

### Religious Minority Properties

Religious minorities continued to seek the return of properties expropriated by the government. The Armenian Patriarchate has been seeking the return of the Sanasaryan Han in Istanbul—a property previously used for the education of Armenian children—that the government seized in 1935. The Greek Orthodox Foundation on Bozcaada Island has also yet to receive the title deeds for 11 properties, despite a September 2014 decision rendered by the Council of Foundations to transfer the deeds.

The Greek Orthodox Theological School of Halki, also known as Halki Seminary, has been closed and unable to educate or train clergy since 1971. The Turkish government closed the seminary in accordance with a constitutional decision that banned the operation of private institutions of higher learning, a decision that served to effectively force the closure of religious and theological schools in the country. Although the Turkish government and officials have at times expressed support for reopening the seminary, no concrete steps have been taken. In April 2018, Greek Orthodox Patriarch Dimitri Bartholomew met with President Erdoğan to discuss the reopening of Halki Seminary. Turkish media reported that President Erdoğan would take the request to reopen the seminary into consideration and that Patriarch Bartholomew was optimistic the semi-

nary could reopen for the academic year by September 2018; at the end of the reporting period, it remained closed.

In January 2018, President Erdoğan and Bulgarian Prime Minister Boyko Borisov attended the opening ceremony of

... the Turkish government has embarked on a purge of those affiliated with Gülen, resulting in the dismissal, detainment, and arrest of tens of thousands of individuals.

the Bulgarian Orthodox St. Stephen Church in Istanbul, following the completion of its seven-year restoration. The restoration was funded jointly by both the Turkish and Bulgarian governments and, pursuant to a “principle of reciprocity,” was accompanied by the Bulgarian government similarly allowing for the restoration of a mosque in Plovdiv, Bulgaria. In May 2018, the government returned the deeds to 50 properties, including that of the Mor Gabriel Monastery, to the Syriac Orthodox Church in Mardin following a protracted legal dispute brought about by municipal land reforms beginning in 2008. According to Deputy Prime Minister Hakan Çavuşoğlu, the seizure and transfer of the Syriac Orthodox properties to the Treasury, and then to the Diyanet, was a “misunderstanding,” although religious officials perceived the move as a purposeful attack on the Syriac Orthodox Church. In July 2018, the Council of Foundations took positive steps to allocate a number of religious properties to their respective foundations at no cost, including the Sacre Coeur Church to the Syriac Catholic Church and the Mar Yuhanna Church in Hatay to a Greek Orthodox foundation. Finally, in January 2019, local authorities in Istanbul issued a permit allowing the Syriac Orthodox Church to build what has been characterized as the first newly constructed church in the history of the Turkish republic. While this was a long-awaited positive development, it came after years of efforts on the part of the Syriac Orthodox Church to secure permission to construct a new church. Moreover, it follows a multi-year dispute after authorities announced that the new church would be built on land that previously served as a cemetery for the Roman Catholic Church.

### Hagia Sophia

The historic Hagia Sophia, a Greek Orthodox basilica that was converted into a mosque in the 15th century, has held legal status as a museum since 1935. However, some Muslims continued to call for it to be converted back into a mosque and opened for prayer. In Septem-

ber 2018, the Constitutional Court of Turkey rejected on technical grounds a request filed by a private association to open the museum for worship, stating that an association cannot submit an application as an individual. The court did not examine the request. In March 2018, President Erdoğan recited a Muslim prayer in the Hagia Sophia on the occasion of an art festival opening, resulting in protests against the Turkish government’s “religious use” of the museum. On March 27, 2019, after the reporting period, President Erdoğan announced that the Hagia Sophia would be converted to a mosque, repeating similar previous pronouncements over the years that were never followed by action.

### Women and Religious Freedom

In January 2018, a religious glossary on the Diyanet’s official website suggested that girls as young as age nine and boys as young as age 12 could be married in accordance with Islamic law (Turkey’s legal age for marriage is 18, with exceptions at age 17 with parental consent). After public outcry, the Diyanet removed the glossary

entries and denied having endorsed child marriage, issuing a statement that the Diyanet had always supported a minimum age of 17 for girls and 18 for boys to marry. A January 2018 media report stated that in early 2017, 115 underage girls received pregnancy-re-

lated treatment in an Istanbul hospital. According to hospital records, 38 of the girls became pregnant before the age of 15.

### U.S. POLICY

Turkey is a strategic partner of the United States, a member of the North Atlantic Treaty Organization (NATO), and host to a U.S. airbase in İncirlik. Nevertheless, during the year, relations between the two countries became increasingly strained, in large part due to the continued detention of U.S. citizens Pastor Brunson and Serkan Gölge, a National Aeronautics and Space Administration (NASA) scientist charged with involvement in the coup attempt, as well as that of three

*... local authorities in Istanbul issued a permit allowing the Syriac Orthodox Church to build what has been characterized as the first newly constructed church in the history of the Turkish republic.*

Turkish nationals who worked at U.S. Consulates. [President Donald J. Trump](#), Vice President Michael R. Pence, Secretary of State Michael R. Pompeo, and numerous members of Congress repeatedly called for Pastor Brunson's release. In August 2018, the U.S. Department of the Treasury [sanctioned](#) Turkish Minister of Justice Abdulhamit Gül and Turkish Minister of the Interior Süleyman Soylu for their complicity in Pastor Brunson's detainment. That same month, President Trump announced the doubling of tariff rates on steel and aluminum imports from Turkey, which led to a significant loss in the value of the Turkish lira and sent shockwaves through the Turkish economy. Since Pastor Brunson's release in October 2018, relations have seen some improvement. In November 2018, the sanctions on Minister Gül and Minister Soylu were lifted.

In addition to the detainments mentioned above, concerns persist about Turkey's intention to purchase Russia's S-400 missile system—which is incompatible

with NATO systems—prompting Congress in August 2018 to temporarily halt the sale of F-35 jets to Turkey. The Turkish government also opposes U.S. support for Kurdish groups combating the Islamic State of Iraq and Syria (ISIS) in Syria, particularly the People's Protection Units (YPG), which Turkey claims is a terrorist organization affiliated with the PKK. The United States has [designated](#) the PKK as a terrorist organization since 1997, but has not done so for the YPG. Additionally, Turkish officials continue to press for the extradition of Gülen and others in connection with allegations of their responsibility for the failed coup attempt.

Since 2011, the United States has provided funding for refugees in Turkey through the United Nations (UN) refugee agency, the office of the UN High Commissioner for Refugees. Turkey is hosting at least 3.6 million registered Syrian refugees from various religious faiths who fled to Turkey to escape persecution by the Bashar al-Assad regime and ISIS.

# APPENDIX 1 USCIRF COMMISSIONERS



**TENZIN DORJEE,**  
*CHAIR*

**Reappointed by:** Hon. Nancy Pelosi (D), then House Minority Leader, for a term expiring in May 2020. Associate Professor at the Department of Human Communication Studies, California State University, Fullerton (CSUF).



**KRISTINA ARRIAGA,**  
*VICE CHAIR*

**Reappointed by:** Hon. Paul Ryan (R), then Speaker of the House, for a term expiring in May 2020. Former advisor to the United States delegation to the United Nations Human Rights Commission and an appointee to the U.S. Civil Rights Commission.



**GAYLE MANCHIN,**  
*VICE CHAIR*

**Appointed by:** Hon. Charles Schumer (D), Senate Minority Leader, for a term expiring in May 2020. Educator, former First Lady of West Virginia and past president of the State Board of Education.



**ANURIMA BHARGAVA,**  
*COMMISSIONER*

**Appointed by:** Hon. Nancy Pelosi (D), then House Minority Leader, for a term expiring in May 2020. Civil rights lawyer and founder and president of Anthem of Us.



**NADINE MAENZA,**  
*COMMISSIONER*

**Appointed by:** President Donald J. Trump, for a term expiring in May 2020. Executive Director of Patriot Voices and former Chairman of Hardwired Global, an organization working to stop religious oppression around the world.



**GARY L. BAUER,**  
*COMMISSIONER*

**Appointed by:** President Donald J. Trump, for a term expiring in May 2019. President of American Values, a public policy think tank, and Washington Director of Christians United for Israel Action Fund.



**JOHNNIE MOORE,**  
*COMMISSIONER*

**Appointed by:** President Donald J. Trump, for a term expiring in May 2020. Founder and CEO of the KAIROS Company, a public relations consultancy, and former Chief of Staff and Vice President of Faith Content for the United Artists Media Group.



**ANDY KHAWAJA,**  
*COMMISSIONER*

**Appointed by:** Hon. Charles Schumer (D), Senate Minority Leader, for a term expiring in May 2020. Founder and CEO of Allied Wallet, an online payment service provider headquartered in Los Angeles.



**TONY PERKINS,**  
*COMMISSIONER*

**Appointed by:** Hon. Mitch McConnell (R), Senate Majority Leader, for a term expiring in May 2020. President of the Family Research Council (FRC), a religious public policy organization.



# APPENDIX 2

## RELIGIOUS PRISONERS OF CONSCIENCE

THROUGH THE RELIGIOUS PRISONERS OF CONSCIENCE PROJECT, USCIRF SEEKS TO RAISE AWARENESS OF THOSE IMPRISONED FOR THEIR RELIGION OR BELIEF, REDUCE THEIR NUMBERS, AND HIGHLIGHT THE COUNTRY CONDITIONS THAT LED TO THEIR IMPRISONMENT.



**PANCHEN LAMA**  
CHINA

**USCIRF Advocates:**  
Chair Tenzin Dorjee and  
Commissioner Nadine Maenza



**GULMIRA IMIN**  
CHINA

**USCIRF Advocate:**  
Chair Tenzin Dorjee



**DENNIS CHRISTENSEN**  
RUSSIA

**USCIRF Advocate:**  
Vice Chair Kristina Arriaga



**IVAN MATSITSKY**  
RUSSIA

**USCIRF Advocate:**  
Vice Chair Kristina Arriaga



**HAMID BIN HAYDARA**  
YEMEN

**USCIRF Advocate:**  
Commissioner Andy Khawaja



**ROBERT LEVINSON**  
IRAN

**USCIRF Advocate:**  
Commissioner Andy Khawaja



**DAVID LIN**  
CHINA

**USCIRF Advocates:**  
Vice Chair Kristina Arriaga and  
Commissioner Tony Perkins



**GOLROKH IRAEE**  
IRAN

**USCIRF Advocate:**  
Vice Chair Gayle Manchin



**MOHAMMAD TAHERI**  
IRAN

**USCIRF Advocate:**  
Vice Chair Gayle Manchin



**RAIF BADAWI**  
SAUDI ARABIA

**USCIRF Advocate:**  
Commissioner Nadine Maenza



**YOUCEF NADARKHANI**  
IRAN

**USCIRF Advocate:**  
Commissioner Nadine Maenza



**HU SHIGEN**  
CHINA

**USCIRF Advocate:**  
Commissioner Gary Bauer



**PATRIARCH ANTONIOS**  
ERITREA

**USCIRF Advocate:**  
Commissioner Johnnie Moore

# APPENDIX 2 RELIGIOUS PRISONERS OF CONSCIENCE

## RELEASED



**ABDUL SHAKOOR**

PAKISTAN

(Released March 2019)

**USCIRF Advocates:**  
Commissioner Johnnie  
Moore; then Commissioner  
Daniel Mark



**THICH QUANG DO**

VIETNAM

(Released October 2018,  
Currently Under Surveillance)

**USCIRF Advocate:**  
Commissioner Kristina Arriaga



**ANDREW BRUNSON**

TURKEY

(Released October 2018)

**USCIRF Advocates:**  
Commissioner Kristina Arriaga  
and then Commissioner  
Sandra Jolley



**FARIBA KAMALABADI**

IRAN

(Released November 2017)

**USCIRF Advocate:**  
Commissioner Kristina Arriaga



**BAGIR KAZIKHANOV**

RUSSIA

(Released October 2017)

**USCIRF Advocate:** Then  
Commissioner John Ruskey



**MAHVASH SABET**

IRAN

(Released September 2017)

**USCIRF Advocate:**  
Commissioner Kristina Arriaga



**MARYAM NAGHASH  
ZARGARAN**

IRAN

(Released August 2017)

**USCIRF Advocate:**  
Then Commissioner Clifford D. May



**PASTOR NGUYEN CONG CHINH AND  
TRAN THI HONG**

VIETNAM

(Released July 2017)

**USCIRF Advocate:** Then Commissioner Jackie Wolcott



**ZAW ZAW LATT AND PWINT PHYU LATT**

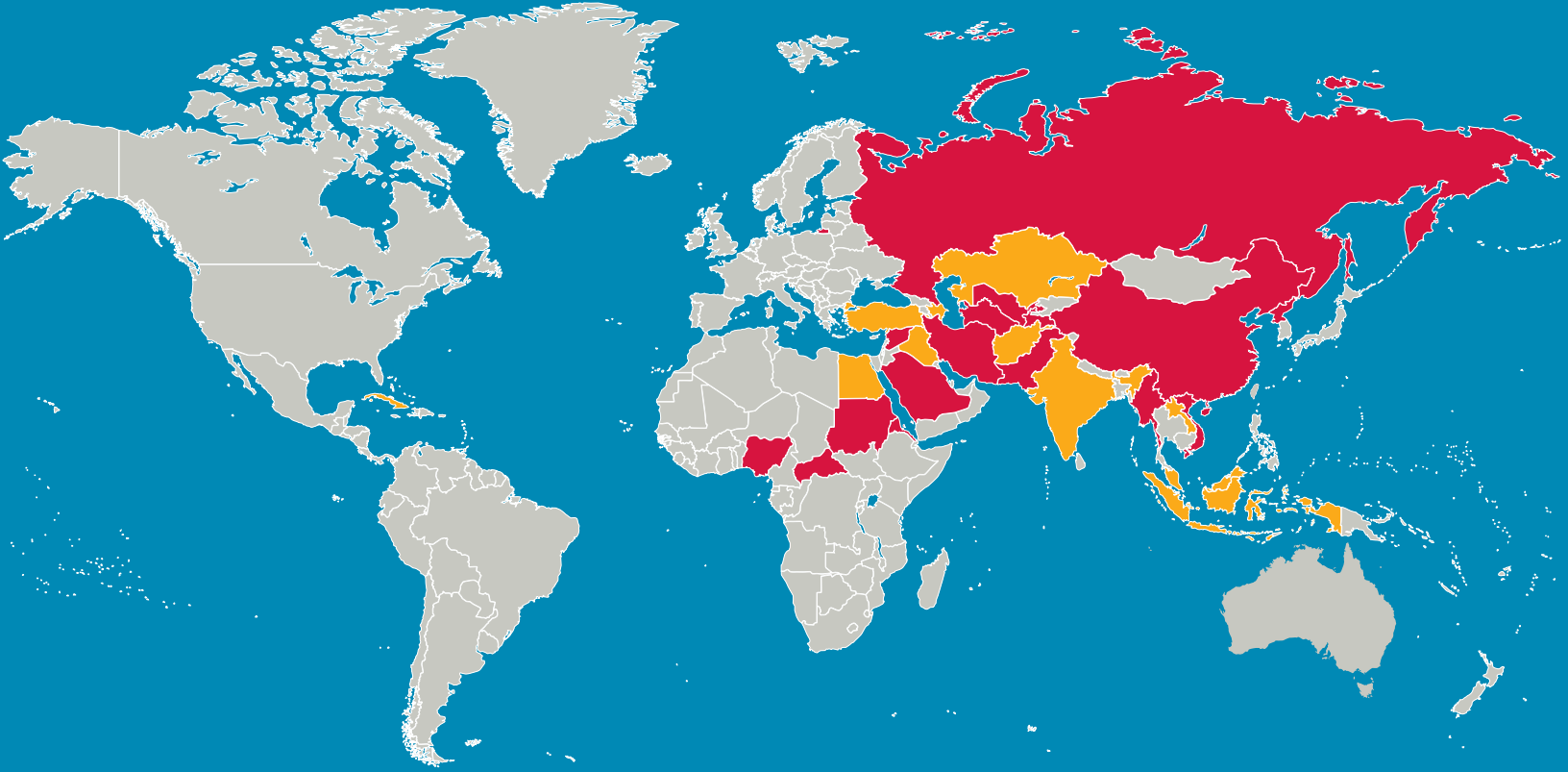
BURMA

(Released May 2017)

**USCIRF Advocate:** Then Commissioner Daniel Mark







2 0 1 9 C O U N T R I E S

■ TIER 1 COUNTRIES OF PARTICULAR CONCERN

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

■ TIER 2 COUNTRIES

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



**UNITED STATES COMMISSION ON  
INTERNATIONAL RELIGIOUS FREEDOM**

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