

OPINION – EDITORIAL

from the U.S. Commission on International Religious Freedom

INTERNATIONAL RELIGIOUS FREEDOM: Why It Matters and How to Protect It

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Since the United States was founded, freedom has been its cornerstone and religious freedom - the right to accept or reject a religion or belief system according to the dictates of conscience - a pivotal right. Indeed, freedom of religion or belief was the first liberty to appear in the First Amendment to the U.S. Constitution.

For billions of people abroad, religion is a powerful source of identity, meaning, and purpose, and the freedom to practice one's own religion or belief system remains paramount.

Yet throughout much of the globe, religious freedom and related human rights are egregiously and routinely violated. The U.S. Commission on International Religious Freedom (USCIRF), on which we serve, reports on countries whose governments engage in or tolerate severe abuses, such as detentions, disappearances, imprisonment, torture, and mass murder, as described in the 1998 International Religious Freedom Act (IRFA), which created the Commission. According to a Pew Research Center study released in December 2009, seventy percent of the world's population dwells in countries where religious freedom is highly restricted.

Religious freedom abuses – whether caused by government action or inaction – should not go unchallenged. This is not just an opinion of the United States or a reflection of its First Amendment, but a basic tenet of international human rights law. In 1948, the international community created and adopted the landmark Universal Declaration of Human Rights, including Article 18, which states that:

Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, alone or in community with others, and, in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Since 1966, the governments of 167 countries have signed the International Covenant on Civil and Political Rights (ICCPR), a binding treaty which includes language similar to Article 18 of the 1948 Declaration. Thereafter, nations around the world affirmed the 1981 Declaration on Religious Intolerance and other instruments which confirm that freedom of thought, conscience, and religion or belief is a universal and fundamental human right.

Standing for religious freedom around the world is a humanitarian, a moral, and a legal duty. It is also a practical necessity, one that is crucial to the security of the United States and the post-9/11 world. Time and again, research has found that countries that honor and protect religious freedom have more vibrant political and democratic institutions, rising economic and social well-being, diminished tension and violence, and greater overall stability.

In contrast, nations that trample on or fail to protect basic human rights, including religious freedom, provide fertile ground for poverty and insecurity, war and terror, and the emergence of violent, radical movements and activities. The assassinations earlier this year in Pakistan of two

high-ranking government officials for their opposition to blasphemy laws remind us of how violent religious extremism and religious freedom violations are destabilizing a critical partner, creating a climate of impunity by fueling hatred and violence against both Muslims and non-Muslims in that country.

In today's battle against terrorism and extremist ideology, the key is to offer a competing – and compelling – vision of freedom, peace and prosperity, and a foreign policy that places a premium on the freedom of thought, conscience, and religion or belief that advances this effort.

Supported by America's culture and heritage, backed by international law and treaty, and made indispensable by its critical security needs, the right to freedom of religion or belief deserves the U.S. government's strong and steadfast support.

Government Actions / Inactions that Trigger Violations

Unfortunately, around the world, violations of the right to religious freedom occur with alarming frequency. There are three main kinds of government action or inaction which trigger these violations. First, there is state *hostility* toward religion, religious communities, and/or religious leadership. Second, there is state *sponsorship* of extremist religious ideology and education. Third, there is state *failure* to prevent and punish religious freedom violations.

State hostility involves active mistreatment of groups or individuals. State sponsorship connotes active promotion, including exportation, of radical, often violence-promoting, religious ideas and propaganda against these or other groups or individuals. State failure means neglecting to take

action necessary to protect targeted groups or individuals, creating a climate of impunity that enables private actors, including other citizens or organizations, to continue to threaten, intimidate, and even murder them due to their dissenting beliefs, actions, or identity.

The actions of the governments of Iran and China exemplify state hostility toward religion, religious communities, and/or religious leadership.

In Iran, a theocratic government has executed individuals convicted of the charge of “waging war against God,” while relentlessly targeting reformers among the Shi’a Muslim majority, as well as members of religious minorities, including Sunni and Sufi Muslims, Baha’is, and Christians, and also stirring up anti-Semitism by promoting Holocaust denial.

In China, the world’s most populous nation, a Communist government ruthlessly suppresses disfavored religious groups, from Tibetan Buddhists to Uighur Muslims, and from Falun Gong to the Protestant house church movement and Catholics who reject government control of the church.

Regarding state sponsorship of extremist ideology, the autocratic monarchy of Saudi Arabia continues to export its own interpretation of Sunni Islam through textbooks and other literature which teach intolerance and hatred of other religious groups and perspectives. Extremist references also are found in educational materials and textbooks in Iran and Pakistan.

The actions of the governments of Egypt, Iraq, and Pakistan exemplify state failure to protect its citizens against religiously-related violence.

In Egypt, the former government of Hosni Mubarak tolerated widespread abuses against religious minorities, from Baha'is and dissident Sunni and Shi'a Muslims to Coptic Orthodox and other Christians, failing to take adequate steps to bring the perpetrators of violence to justice and respond to virulent anti-Semitism in state-controlled media. Since Mubarak's departure, religious freedom conditions have not improved and remain deeply problematic.

In Iraq, private actors repeatedly have targeted for violence Christians and other religious minorities, including Mandaeans and Yazidis, triggering a mass exodus of members of these groups, and the Iraqi government has failed to provide them with either security or justice.

In Pakistan, the government's failure to protect religious freedom was on brutal display earlier this year with the assassinations in January of Salman Taseer, a Muslim who was Governor of Punjab province, and in March of Shahbaz Bhatti, a Christian who was Pakistan's Minister for Minority Affairs and a longtime champion of religious freedom. Both officials were killed for opposing Pakistan's draconian blasphemy law, which is used against both Muslims and non-Muslims.

Impunity is still one of the most serious and growing problems around the world. In just the past several months, there also have been extremely concerning incidents of religion-related violence

in Afghanistan, Ethiopia, Indonesia, Iran, and Nigeria, which are not being addressed by investigations, trials, or punishments.

USCIRF Activities

It was in response to these types of abuses that in 1998, Congress passed IRFA, which mandated the creation of USCIRF, as well as the International Religious Freedom Office in the U.S. Department of State and the Ambassador-at-Large for International Religious Freedom. As the only government commission of its kind in the world, USCIRF remains responsible for actively monitoring international religious freedom conditions and providing recommendations on how to improve them.

Since Congress has structured USCIRF as an independent and bipartisan federal government commission, it has the capacity to speak candidly and act effectively in pursuit of its mission. USCIRF also has the ability to work in conjunction with advocates of human rights and religious freedom in every arena, including members of Congress and the executive branch, members of academia, and religious and civil society leaders.

The Commission seeks to leverage its strengths in a variety of ways. It gathers information at home and abroad, issues annual reports to Congress, and works with congressional offices on both sides of the aisle on critical issues. The Commission also advises and works closely with the White House and State Department officials and participates in multilateral meetings with the European Union and the Organization for Security and Co-operation in Europe (OSCE).

Each year, along with its annual report, USCIRF provides policy recommendations to the U.S. government in accordance with IRFA. The act requires the President, who has delegated this function to the Secretary of State, to designate as “countries of particular concern” or CPCs, those nations that commit systematic, ongoing, and egregious violations of religious freedom. These nations would qualify as the world’s most severe religious freedom violators. The Commission recommends countries that, in its view, meet the CPC threshold.

For 2011, USCIRF has recommended that the following 14 countries be designated as CPCs: Burma, the Democratic People’s Republic of Korea (North Korea), Egypt, Eritrea, Iran, Iraq, Nigeria, Pakistan, the People’s Republic of China, Saudi Arabia, Sudan, Turkmenistan, Uzbekistan, and Vietnam.

Along with CPC recommendations, the Commission also provides recommendations to the U.S. government for dealing with nations placed on its Watch List. The list includes countries where religious freedom violations engaged in or tolerated by their governments do not meet the CPC threshold but are serious enough to require close monitoring. The Watch List provides advance warning of negative trends that could develop into severe violations of religious freedom, thereby providing policymakers with the opportunity to engage early and, subsequently, increasing the likelihood of preventing or diminishing violations. The following countries are on USCIRF’s current Watch List: Afghanistan, Belarus, Cuba, India, Indonesia, Laos, Russia, Somalia, Tajikistan, Turkey, and Venezuela.

USCIRF Successes

Since its inception, USCIRF has worked to focus high-level U.S. government attention on issues of international religious freedom. Over the past year, the Commission has had a number of successes in this arena.

In Sudan, for example, the world witnessed a significant triumph for religious freedom, with a free and fair referendum being voted on in the south in January 2011, leading to the birth of South Sudan in July. The referendum resulted from the Comprehensive Peace Agreement (CPA), signed in 2005, which ended the 22-year north/south civil war triggered by the Khartoum regime's militant attempts to impose its radical version of Islam on southern Sudanese Christians and animists.

The Commission had long made the plight of South Sudan a critical issue. To that end, USCIRF called for Secretary of State Hillary Clinton's direct engagement in the implementation of the CPA and was instrumental in strengthening working ties between the government of South Sudan and religious groups that proved essential for facilitating voter education and turnout in the referendum process. The Commission also has been a bridge in bringing Southern Sudanese together with the U.S. judiciary and other public and private U.S. institutions in order to begin the process of providing capacity-building and technical assistance to an independent South Sudan.

In Saudi Arabia, February 2011 brought welcome news of six young Shi'a Muslims released from detention. USCIRF had raised concerns about these individuals during a January/February 2011 visit. The individuals ranged between the ages of 17 and 22, and were detained in February

2010 by authorities, allegedly for passing out sweets on a Shi'a religious holiday. Authorities reportedly claimed the youths defaced a Saudi flag and hurled stones at police. In January 2011, the six youths were transferred to a state security detention facility in Riyadh. The six were released on February 23 after a year in detention without charges, despite a limit of six months for pretrial detention under the Saudi criminal procedure code.

The Commission has focused sustained attention on extremist references in Saudi textbooks – which teach hatred toward other religions and, in some cases, promote violence. Funding originating in Saudi Arabia is used globally to finance radical religious schools and mosques, hate literature, and other endeavors that support religious intolerance and, in some instances, violence toward non-Muslims and disfavored Muslims.

In Nigeria, USCIRF Commissioners visited the country following a severe escalation in sectarian violence between Christians and Muslims. After this visit, the Nigerian government brought prosecutions for the first time in a decade against the perpetrators of a recent incident of violence. In addition, the U.S. Agency for International Development (USAID) awarded a grant to the Interfaith Mediation Center in Kaduna to provide conflict mitigation and management assistance in northern and middle-belt Nigerian states. USCIRF's recommendation to create programming for conflict prevention and reconciliation played an important role in helping to bring the USAID project to fruition.

In response to Iran's systematic, ongoing, and egregious violations of religious freedom, USCIRF has long called for the U.S. government to identify Iranian officials and entities

responsible and impose travel bans and asset freezes on those individuals. Previously, no sanction measures against Iran had provisions dealing with human rights violations; the Commission worked with congressional offices to develop such sanctions.

These sanctions are included in CISADA, the Comprehensive Iran Sanctions, Accountability, and Divestment Act (P.L. 111-195). CISADA requires the President to submit to Congress a list of Iranian government officials, or persons acting on their behalf, who are responsible for human rights and religious freedom abuses; bars their entry into the United States; and freezes their assets. The executive order President Obama issued in September 2010 sanctioned eight Iranian officials for having committed serious human rights abuses after the Iranian presidential election in June 2009. Three more Iranian officials -- along with three governmental entities -- have since been sanctioned, bringing the total number of sanctioned officials to 11. Prior to the passage of CISADA, the Commission had recommended sanctions for a number of Iranian officials, including eight of the 11 sanctioned thus far.

With respect to Pakistan, USCIRF was instrumental in introducing the U.S. government to Shahbaz Bhatti, who was an ardent defender of human rights reform within the Pakistani government and a staunch opponent of its blasphemy law. These connections provided Minister Bhatti with important leverage with his own government colleagues in Islamabad. After Minister Bhatti's tragic assassination in March, the Commission worked with congressional offices to have a resolution introduced in his honor that pressed for improvements on these issues.

Finally, at the United Nations, the Commission worked with the Administration and Congress to engage UN member states in an effort to reduce support for the so-called defamation-of-religions resolutions, which sought to establish a global blasphemy law. USCIRF achieved a significant breakthrough when the Organization of the Islamic Conference declined to introduce this defamation resolution at the March UN Human Rights Council meeting.

In March 2011, due to this loss of support, the UN Human Rights Council adopted a consensus resolution on “combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence, and violence against persons based on religion or belief.” This resolution properly focuses on protecting individuals from discrimination or violence, instead of protecting religions from criticism. The new resolution protects the adherents of all religions or beliefs, instead of focusing on one religion, and promotes a human rights approach.

Conclusion

By any measure, the struggle to promote and protect the right to freedom of religion or belief around the world remains an uphill one. Yet these recent successes provide grounds for hope that attitudes are changing within institutions and governments that have the power to bring lasting progress to this arena.

Today, in our information age, with instant communication available through the Internet and social media platforms, the calls for protection of this fundamental right are being amplified as never before. They are being heard across nations and continents, demanding an end to the status quo of repression and impunity.

The inescapable message they bring is clear: religious freedom matters, as do other human rights, and must be honored. It is time for governments around the world to hear and heed this vital message, for the sake of freedom and dignity, prosperity and security.