



UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

2016 ANNUAL REPORT



INTRODUCTION

By any measure, religious freedom abroad has been under serious and sustained assault since the release of our commission's last Annual Report in 2015. From the plight of new and longstanding prisoners of conscience, to the dramatic rise in the numbers of refugees and internally displaced persons, to the continued acts of bigotry against Jews and Muslims in Europe, and to the other abuses detailed in this report, there was no shortage of attendant suffering worldwide.

The incarceration of prisoners of conscience – people whom governments hold for reasons including those related to religion – remains astonishingly widespread, occurring in country after country, and underscores the impact of the laws and policies that led to their imprisonment.

In China, Pastor Bao Guohua and his wife, Xing Wenxiang, were sentenced in Zhejiang Province in February 2016 to 14 and 12 years in prison, respectively, for leading a Christian congregation that was opposing a government campaign to remove crosses atop churches. They join many other prisoners of conscience, including Ilham Tohti, a respected Uighur Muslim scholar, who was given a life sentence in September 2014 for alleged separatism.

Over the past year, the Chinese government has stepped up its persecution of religious groups deemed a threat to the state's supremacy and maintenance of a "socialist society." Christian communities have borne a significant brunt of the oppression, with numerous churches bulldozed and crosses torn down. Uighur Muslims and Tibetan Buddhists continue to be repressed, and the Chinese government has asserted its own authority to select the next Dalai Lama. Falun Gong practitioners often are held in "black jails" and brainwashing centers, with credible reports of torture, sexual violence, psychiatric experimentation, and organ harvesting.

In Eritrea, where 1,200 to 3,000 people are imprisoned on religious grounds, there reportedly were new arrests this past year. Religious prisoners routinely are

sent to the harshest prisons and receive the cruelest punishments. In 2006, the government deposed Eritrean Orthodox Patriarch Antonios, who protested government interference in his church's affairs. Besides being stripped of his church position, he has been held incommunicado since 2007 and reportedly denied medical care.

Eritrea's dictatorship controls the internal affairs of the state-registered Orthodox Christian and Muslim communities and also bans public activities of non-registered groups. Religious freedom conditions are grave especially for Evangelical and Pentecostal Christians and Jehovah's Witnesses.

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In Iran, Shahram Ahadi, a Sunni cleric, was sentenced in October 2015 to death on unfounded security-related charges. Iran holds many other prisoners of conscience including the Baha'i Seven who were given 20-year sentences in 2010 for their leadership roles in the persecuted Baha'i community. They are: Afif Naeimi, Behrouz Tavakkoli, Jamaloddin Khanjani, Vahid Tizfahm, Fariba Kamalabadi, Mahvash Sabet, and Saeid Rezaie.

Elevating its own interpretation of Shi'a Islam above all others, Iran subjects its people – from Shi'a, Sunni, and Sufi Muslim dissenters to Baha'is and Christian converts – to increasing religious freedom abuses, from harassment to arrests and imprisonment. Some have been sentenced to death for "enmity against God." Since President Hasan Rouhani took office in 2013, the number of individuals from religious minority communities imprisoned due to their beliefs has increased.

In North Korea, thousands of religious believers and their families are imprisoned in labor camps, including those forcibly repatriated from China. Because North Korea is such a closed society, it is hard even to know the names of religious prisoners. The government controls all political and religious expression and activities and punishes those who question the regime. Religious freedom is non-existent. Individuals secretly engaging in religious activities are subject to arrest, torture, imprisonment, and execution. North Koreans suspected of contacts with South Koreans or foreign missionaries or who are caught possessing Bibles have been executed.

laws emboldens the Pakistani Taliban and individual vigilantes, triggering horrific violence against religious communities and individuals perceived as transgressors, most recently Christians and Muslim bystanders on Easter Sunday 2016 in Lahore.

In Saudi Arabia, Ashraf Fayadh, a Saudi poet and artist, was sentenced to death in November 2015 for apostasy, allegedly for spreading atheism. His sentence was changed in February 2016 to eight years in prison and 800 lashes. Raif Badawi, founder and editor of the “Free Saudi Liberals” web site, has been imprisoned since 2012 on charges that include “insulting Islam.” In 2014, an appeals court increased his original sentence

More people are on death row or serving life sentences for blasphemy in Pakistan than in any other country in the world.

In Pakistan, Abul Shakoor was sentenced on January 2, 2016 to five years in prison on blasphemy charges and three years on terrorism charges for propagating the Ahmadiyya Muslim faith. Another Pakistani, Aasia Bibi, a Catholic mother of five, has been imprisoned since her arrest in 2009 on blasphemy charges. She remains on death row.



“Family members mourn the death of a relative, who was killed in a blast that happened outside a public park, in Lahore, Pakistan” –Reuters

More people are on death row or serving life sentences for blasphemy in Pakistan than in any other country in the world. Aggressive enforcement of these

of seven years in prison and 600 lashes to 10 years in jail and 1,000 lashes.

Imposing its own interpretation of Sunni Islam on the country, Saudi Arabia bans all non-Muslim public worship and continues to prosecute and imprison individuals for dissent, apostasy, blasphemy, and sorcery. During the past year, the Saudi government continued to repress dissident clerics and members of the Shi’a community.

In Sudan, the government prosecuted 25 Quranists for apostasy and stiffened penalties for both apostasy and blasphemy. The regime prosecutes Christian pastors on trumped-up charges and represses and marginalizes the country’s minority Christian community. It imposes a restrictive interpretation of Shari’ah law and applies corresponding hudood punishments on Muslims and non-Muslims alike.

In Uzbekistan, Gaybullo Jalilov, a member of the Human Rights Society of Uzbekistan, remains imprisoned for his work on behalf of persecuted independent Muslims. Jalilov is serving an 11-year sentence handed down in 2010. Uzbekistan enforces a highly restrictive religion law and imposes severe limits on all independent religious activity in this overwhelmingly Muslim-majority nation. The government imprisons as many as 12,800 Muslims. In addition, the Uzbek state often brands Evangelical Protestants and Jehovah’s



“Migrants are escorted through fields by police and the army as they are walked from the village of Rigonca to Brezice refugee camp in Rigonca, Slovenia” –Jeff J Mitchell/Getty Images

Witnesses “extremists” for practicing religion outside of state-sanctioned structures. Peaceful independent Muslims are likely to be victims of torture, and the government often extends their sentences for minor violations of prison regimen just before their scheduled release date.

In Vietnam, Rev. Nguyen Trung Ton, a Protestant minister, was detained in December 2015 and joins other prisoners of conscience including Father Nguyen Van Ly, who has spent decades in prison for advocating religious freedom, democracy, and human rights.

Despite some improvements in the decades following the Vietnam War, the government still controls nearly all religious activities, restricts independent religious practice, and represses individuals and groups viewed as challenging state authority. In order to be considered legal, religious organizations and congregations must register, sometimes at multiple government levels. In 2015, Vietnam proposed a new law on religion. However, initial drafts have not revised adequately or eliminated onerous registration requirements.

In addition to the significant number of people imprisoned on the basis of religion, the horrific global refugee crisis also worsened during the past year, with religion being a factor in humanitarian crises worldwide that have forced millions to flee. According to UNHCR, the UN refugee agency, 59.5 million people worldwide were displaced forcibly as of the end of 2014, the highest on record, and this number likely exceeded 60 million in 2015.



“A Rohingya child who recently arrived by boat has his picture taken for identification purposes at a shelter in Kuala Langsa, in Indonesia’s Aceh Province” –Reuters

Among the displaced were thousands of Rohingya Muslims forced to flee their homes in Burma, joining other Rohingya already displaced internally. While last year’s general elections marked the country’s bid to emerge from its past as a military dictatorship, the government enacted four discriminatory “race-and-religion” bills that not only effectively disenfranchised as many as one million Rohingya, but also denied them the right to contest the elections. These measures reflect a legacy of their brutal persecution by both government and society, which contributed to the refugee crisis. Meanwhile, military incursions in Kachin and Shan states continued to displace and terrorize thousands, including their Christian residents.

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Seeking refuge from a dictatorial government, Eritreans also have fled by the thousands each month, with an estimated half a million escaping one of the world’s most closed nations.

Adding disproportionately to the ranks of the displaced were millions from Iraq and Syria, including

Yazidis, Christians, Shi'a Muslims, and Sunni Muslims who do not subscribe to the barbaric interpretation of Islam of the terrorist group ISIL (the Islamic State of Iraq and the Levant, also often referred to as IS, ISIS, or Da'esh). ISIL's summary executions, rape, sexual enslavement, abduction of children, destruction of houses of worship, and forced conversions all are part of what our commission has seen as a genocidal effort to erase their presence from these countries. In March of this year, U.S. Secretary of State John Kerry rightly proclaimed ISIL a perpetrator of genocide, which USCIRF had recommended publicly in December.

The governments of Syria and Iraq can be characterized by their near-incapacity to protect segments of their population from ISIL and other non-state actors, as well as their complicity in fueling the sectarian tensions that have made their nations so vulnerable. Syria's government has not only fueled these tensions but committed crimes against humanity in its treatment of Sunni Muslims.

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Conditions in Nigeria have contributed to the crisis there. Boko Haram continues to attack with impunity both Christians and many Muslims. From bombings at churches and mosques to mass kidnappings of children from schools, Boko Haram has cut a wide path of terror across vast swaths of Nigeria and in neighboring countries, leaving thousands killed and millions displaced.

In Central African Republic, a 2013 coup helped create the conditions for sectarian fighting between Christians and Muslims in which civilians were targeted based on their religious identity. As a result, 80 percent of CAR's Muslim population has fled to neighboring countries, and 417 of the country's 436 mosques were destroyed. Sectarian and retaliatory violence continued



"Local people carry a dead body during the funeral ceremony for 5 Muslims killed by Christian anti-balaka militiamen in the capital Bangui, Central African Republic" –Thierry Bresillon/ Anadolu Agency

in 2015, with the most serious resulting in 77 dead and 40,000 displaced.

Where did all these people go? While many were displaced to neighboring countries, a record number of refugees and migrants, more than one million, attempted in 2015 the perilous Mediterranean crossing or sought other avenues to apply for asylum in an unprepared Europe.

This mass influx fueled an already-rising tide of hatred and violence targeting Muslims and Jews, particularly in Western Europe.

Anti-Muslim activity, from verbal harassment to vandalism to violent assaults, increased in multiple Western European nations as xenophobic nationalist political parties and groups, including neo-Nazis, stirred up hatred against the newcomers and older immigrants.



"A member of the Muslim community touches burnt books in Saint Priest, near Lyon, a day after a fire damaged a mosque in an attack that the French interior ministry in Paris said was arson" –Philippe Merle/AFP/Getty Images



“A member of the Jewish community is seen at a cemetery near the town of Colmar, close to the German border, after more than 100 graves were daubed with anti-Semitic slogans”
– Reuters

Jews increasingly were targeted in similar ways by these same parties and groups, and also by Islamist extremists who in turn sought recruits from disaffected members of Muslim communities. The January 2015 terrorist attack on the Hyper Cacher kosher supermarket in Paris—along with attacks on a Jewish museum in Brussels in 2014 and a synagogue in Copenhagen last year—were among the horrific results. Despite the increasing police protection in places where European Jews congregate, the rise in anti-Semitism has produced an exponential rise in Jewish emigration from Europe, with immigration to Israel from France increasing from less than 2,000 in 2012 to nearly 8,000 last year alone.

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These and other terrorist attacks also have produced backlashes against Muslims by members of the wider society, in which Muslims often are blamed collectively. Mosques have been given police protection in several countries, and European Union officials have stressed the importance of not stigmatizing all Muslims.

The incarceration of prisoners of conscience, the increase in the number of refugees, and the spread of anti-Semitism and anti-Muslim actions across Europe are crises in their own right which cry out for continued action on the part of the international community,

including the United States. To be effective, such action must recognize the unmistakable fact that religious freedom is a common thread in each of these challenges, and deserves a seat at the table when nations discuss humanitarian, security, and other pressing issues. The United States and other countries must fully accord this right the respect it deserves and redouble their efforts to defend this pivotal liberty worldwide.

2016 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 State Department, that monitors religious freedom worldwide 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 2016 Annual Report represents the culmination of a year's work by Commissioners and professional staff to document abuses and make independent policy recommendations to the U.S. government.

The 2016 Annual Report covers the period from February 1, 2015 to February 29, 2016, although in some cases significant events that occurred after the reporting period are mentioned. The Annual Report addresses 31 countries around the world, plus additional countries in two regions, and is divided into four sections.

The first section focuses on the U.S. government's implementation of the IRFA, and provides recommendations for specific actions to bolster current U.S. efforts to advance freedom of religion or belief abroad.

The second section highlights countries that USCIRF concludes meet IRFA's standard for "countries of particular concern," or CPCs. IRFA requires the U.S. government to designate as a CPC any country whose government engages in or tolerates particularly severe violations of religious freedom that are systematic, ongoing and egregious. In the designations in place during the reporting period (made in July 2014), the State Department designated nine countries as CPCs. In 2016, USCIRF has concluded that 17 countries meet this standard.

Non-state actors, such as transnational or local organizations, are some of the most egregious violators of religious freedom in today's world. In some places, such as the Central African Republic and areas of Iraq and

TIER 1

In 2016, USCIRF recommends that the Secretary of State re-designate the following nine countries as CPCs: Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, Turkmenistan, and Uzbekistan. USCIRF also finds that eight other countries meet the CPC standard and should be so designated: Central African Republic, Egypt, Iraq, Nigeria, Pakistan, Syria, Tajikistan, and Vietnam.

TIER 2

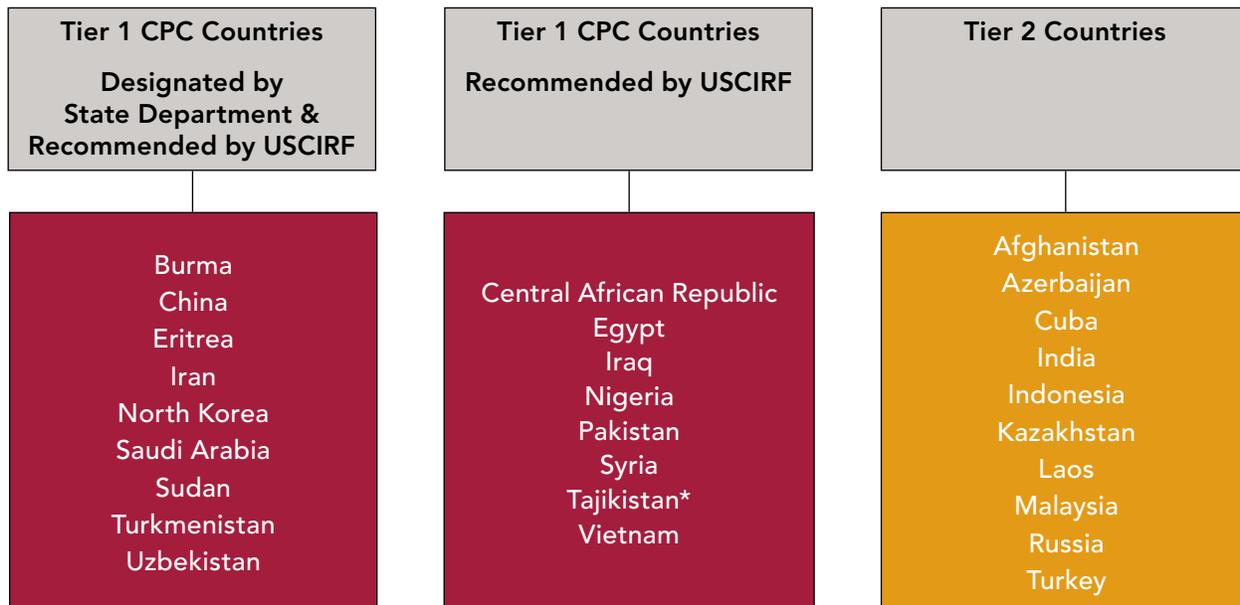
In 2016, USCIRF places the following ten countries on Tier 2: Afghanistan, Azerbaijan, Cuba, India, Indonesia, Kazakhstan, Laos, Malaysia, Russia, and Turkey.

Syria, governments are either non-existent or incapable of addressing violations committed by non-state actors. USCIRF has concluded that the CPC classification should be expanded to allow for the designation of countries such as these, where particularly severe violations of religious freedom are occurring but a government does not exist or does not control its territory. Accordingly, USCIRF's CPC recommendations reflect that approach.

The third section of the Annual Report highlights countries USCIRF categorized as Tier 2, defined as those where the violations engaged in or tolerated by the government are serious and are characterized by at least one of the elements of the "systematic, ongoing, and egregious" CPC standard.

Lastly, there are brief descriptions of religious freedom issues in other countries and regions that USCIRF monitored during the year: Bahrain, Bangladesh, Belarus, Kyrgyzstan, the Horn of Africa, and Western Europe. This year USCIRF did not discuss Cyprus or Sri Lanka in this section due to progress in those countries on USCIRF's previous concerns.

USCIRF TIER 1 & TIER 2 COUNTRIES



* On April 15, 2016, after this report was finalized, the State Department designated Tajikistan as a CPC for the first time, and also re-designated the nine countries that had been designated as CPCs in July 2014.

IRFA IMPLEMENTATION

IRFA's Purpose and Main Provisions

The International Religious Freedom Act of 1998 (IRFA) was a landmark piece of legislation, seeking to make religious freedom a higher priority in U.S. foreign policy. Congress passed IRFA unanimously in October 1998 and President Bill Clinton signed it into law the same month. Members of Congress believed that this core human right was being ignored and that it deserved a greater emphasis. Rather than creating a hierarchy of rights as some critics have argued, IRFA established parity, ensuring that U.S. policymakers would consider religious freedom alongside other pressing issues and other human rights, and not neglect it.

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

Second, IRFA required monitoring and reporting. It mandated 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. The law also required the State Department to maintain a religious freedom Internet site and lists of religious prisoners in foreign countries. Additionally, it required that USCIRF issue its own annual report, setting forth its findings on religious freedom violations and providing independent policy recommendations.

IRFA'S CPC STANDARD

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."

Third, IRFA established consequences for the worst violators. The law requires the President – who has delegated this power to the Secretary of State – to designate annually "countries of particular concern," or CPCs, and 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, ranging from negotiating a bilateral agreement, to imposing sanctions, to taking a "commensurate action," to issuing a waiver. While a CPC designation remains in effect until removed, actions tied to a CPC action expire after two years, if not renewed.

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

Fifth, IRFA mandated that State Department Foreign Service Officers and U.S. immigration officials receive training on religious freedom and religious persecution. It also required immigration officials to use the State Department's annual IRF Report as a resource in adjudicating asylum and refugee claims involving religious persecution.

Finally, IRFA sought assessments of whether 1996 immigration law reforms were being implemented

consistent with the United States' obligations to protect individuals fleeing persecution, including religious persecution. Specifically, the law asked USCIRF to examine whether asylum seekers subject to Expedited Removal were being erroneously returned to countries where they could face persecution or detained in inappropriate conditions. (Under Expedited Removal, foreign nationals arriving in the United States without proper documentation can be returned to their countries of origin without delay, and without the safeguard of review by an immigration judge, unless they establish that they have a "credible fear" of persecution.)

Religious Freedom Violations under IRFA

IRFA brought an international approach to U.S. religious freedom advocacy. It 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 UN Universal Declaration of Human Rights (UDHR), the UN International Covenant on Civil and Political Rights (ICCPR), the Helsinki

persecution. Such a step was taken with the Taliban, which was in effect named a CPC from 1999-2003 despite the United States' not recognizing its control of Afghanistan. Naming these countries or groups would reflect reality, which should be the core point of the CPC process.

IRFA also makes inadmissible to the United States foreign officials who are responsible for or directly carried out particularly severe religious freedom violations. This provision is known to have been invoked only once: in March 2005, it was used to exclude then-Chief Minister Narendra Modi of Gujarat state in India due to his complicity in riots in his state in 2002 that resulted in the deaths of an estimated 1,100 to 2,000 Muslims. USCIRF continues to urge the Departments of State and Homeland Security to develop a lookout list of non-citizens who are inadmissible to the United States on this basis. The IRF Office has worked to identify people inadmissible under U.S. law for religious freedom violations, and USCIRF has provided information about several such individuals to the State Department.

IRFA . . . makes inadmissible to the United States foreign officials who are responsible for or directly carried out particularly severe religious freedom violations.

Accords, and other international instruments and regional agreements.

IRFA also did not limit violations to government actions, recognizing that religious freedom violations also occur through government inaction against private actors' abuses. The 1998 statute does not, however, adequately address one of the current major challenges to freedom of religion or belief: the actions of non-state actors in failing or failed states. IRFA focused on government action or inaction, but in many of the worst situations today, transnational or local organizations are the egregious persecutors and governments are incapable of addressing the violations or are non-existent. In these situations, allowing the United States to designate the non-state actors perpetrating particularly severe violations would broaden the U.S. government's ability to engage the actual drivers of

Separate from the IRFA framework, in 2014 the State Department explicitly and publicly tied entry into the United States to concerns about violent activity. Secretary of State John Kerry announced during a visit to Nigeria that the United States would deny entry to any persons responsible for engaging in or inciting violence during Nigeria's election. He said specifically that, "perpetrators of such violence would not be welcome in the United States of America." Since religious differences are often used to incite violence during election campaigns, USCIRF supports this approach.

Directly related to identifying and barring from entry severe religious freedom violators, IRFA also requires the President to determine the specific officials responsible for violations of religious freedom engaged in or tolerated by governments of CPC countries, and, "when applicable and to the extent practicable," publish these officials'

names in the Federal Register. Despite these requirements, no names of individual officials from any CPC countries responsible for particularly severe religious freedom violations have been published to date.

Apart from the inadmissibility provision discussed above, Congress at times has imposed targeted sanctions on specific individuals for severe religious freedom violations. Based on a USCIRF recommendation, Congress included sanctions on human rights and religious freedom violators in the 2010 Iran sanctions act, the Comprehensive Iran Sanctions and Divestment Act (CISADA, P.L. 111-195). This was the first time Iran sanctions specifically included human rights violators. President Obama has now imposed such sanctions (visa bans and asset freezes) by executive order on 19 Iranian officials and 18 entities, including eight officials identified as egregious religious freedom violators by USCIRF. Also based on a USCIRF recommendation, the Senate included Chechen President Ramzan Kadyrov on the list of gross human rights violators in the Sergei Magnitsky Rule of Law Accountability Act (P.L. 112-208), which imposes U.S. visa bans and asset freezes on designated Russian officials. Kadyrov has engaged in abuses against Muslims and has been linked to politically-motivated killings.

USCIRF recommends that Congress:

- Expand the CPC classification to allow for the designation of countries where particularly severe violations of religious freedom are occurring but a government does not exist or does not control its territory; and
- Expand the CPC classification to allow the naming of non-state actors who are perpetrating particularly severe violations of religious freedom.

Institutional Issues

IRFA intended the Ambassador-at-Large for International Religious Freedom to be the highest-ranking U.S. official on religious freedom abroad, coordinating and developing U.S. international religious freedom policy while also serving as an *ex officio* member of USCIRF. There have been four Ambassadors-at-Large since IRFA's enactment: Robert Seiple (May 1999 to September 2000); John Hanford (May 2002 to January 2009); Suzan Johnson Cook (May 2011 to October 2013); and David Saperstein (January 2015 to present).

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

The Ambassador-at-Large now sits among a crowded field of officials with overlapping mandates.

With respect to these issues, USCIRF recommends that the State Department:

- Make greater efforts to ensure foreign government officials are denied entry into the United States for their responsibility for religious freedom violations abroad;
- Train consular sections of all embassies on this inadmissibility requirement and direct them that application of this provision is mandatory; and
- Announce a policy that all individuals applying for entry to the United States will be denied entry if they are involved in or incite violence against members of religious communities.

of State regarding matters affecting religious freedom abroad." Nevertheless, every administration since the position was established, including the current one, has situated the Ambassador-at-Large in the Bureau of Democracy, Human Rights, and Labor (DRL) and thus under its Assistant Secretary. Religious freedom advocates, including USCIRF, have long been concerned about this placement. The State Department's organizational guidelines consider an Ambassador-at-Large of higher rank than an Assistant Secretary, and other Ambassadors-at-Large report to the Secretary, such as those for Global Women's Issues, Counterterrorism, and War Crime Issues, as does the AIDS Coordinator. However, Secretary of State Kerry committed to Congress at a public hearing that Ambassador-at-Large

Saperstein would have direct and regular access to him, which would fulfill IRFA's intention that the Ambassador-at-Large be "a principal adviser" on matters relating to religious freedom.

The Ambassador-at-Large now sits among a crowded field of officials with overlapping mandates. Issues of religious freedom play a part in other U.S. government efforts to engage religious communities and to promote human rights more generally. Additionally, various administrations have created special State Department positions to focus on particular countries or issues where religious freedom is implicated – such as a Special Envoy for Sudan, a Special Representative to Afghanistan and Pakistan, a Special Representative to Muslim Communities, and a Special Envoy to the Organization of Islamic Cooperation – and Congress created the position of Special Envoy to Monitor and Combat Anti-Semitism. In 2014, Congress created another State Department position, a Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia. In response, in September 2015, the State Department appointed Knox Thames, former Director of Policy and Research at USCIRF, as Special Advisor for Religious Minorities in the Near East and South/Central Asia, a new position situated in the IRF Office.

Affairs.) The Special Representative for Muslim Communities and the Special Envoy to the Organization of Islamic Cooperation were moved into this Office, as was the Special Envoy to Monitor and Combat Anti-Semitism, formerly situated in the DRL Bureau.

With respect to these issues, USCIRF recommends that the Secretary of State:

- Considering IRFA's intent and the proliferation of related positions and offices, task the Ambassador-at-Large for International Religious Freedom with chairing an inter-bureau working group with all the religiously-oriented positions and programs to ensure consistency in message and strategy; and
- Ensure that the Office of International Religious Freedom has resources and staff similar to other offices with global mandates and has funds for religious freedom programming.

Annual Reports

IRFA requires that the State Department, taking into consideration USCIRF's recommendations, submit the IRF Report "on September 1 of each year or the first day thereafter on which the appropriate House of Congress is in session." It also requires that USCIRF, based on its review of

During the Obama Administration, the State Department took steps to improve its ability to engage with religious actors

During the Obama Administration, the State Department took steps to improve its ability to engage with religious actors. The IRF Office oversaw initial efforts to track U.S. government religious engagement globally and co-chaired a special working group with civil society on religion and global affairs. The working group issued a white paper recommending, among other things, the creation of a special State Department office for religious engagement, modeled on similar offices in other agencies. In 2013, the State Department created a new Office of Faith-Based Community Initiatives, headed by a Special Advisor, Shaun Casey. (The position and office titles were later changed to Special Representative and Office for Religion and Global

the IRF Report and other sources, submit its Annual Report by May 1. Thus, IRFA created a system in which USCIRF's and the State Department's annual reports would be issued approximately four months apart, and both entities would consider each other's findings. However, a change by the State Department in its reporting calendar and release date has affected USCIRF's ability to review the IRF Report and still meet the mandated May 1 deadline.

In 2010, the State Department decided to consolidate the reporting periods of its various reports on different human rights issues to cover the same time period (the calendar year), in order to minimize the impact on limited staff resources. It also decided to release the IRF Report in March or April, although it has not yet met this

target. The IRF Reports covering 2011 and 2013 were released in July 2012 and July 2014, respectively; the one covering 2012 was released in May 2013; and the one covering 2014 was released in October 2015. For each of these years, USCIRF has been unable to review the IRF Report covering the most relevant timeframe in preparing its Annual Report by May 1. For example, the most recent IRF report available during the preparation of this Annual Report was the one covering 2014, but USCIRF's reporting covers 2015. Despite this, USCIRF has remained committed to meeting IRFA's May 1 deadline.

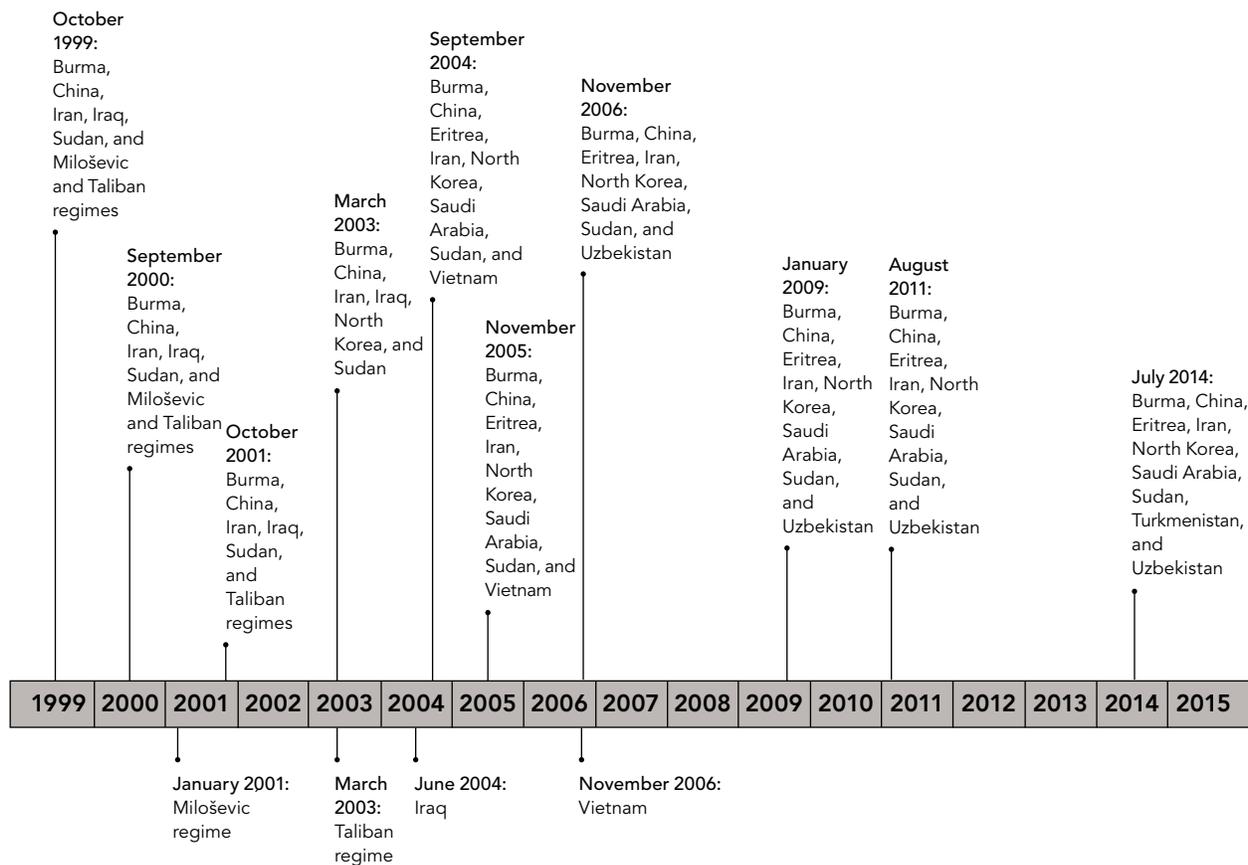
It should be noted that, although IRFA requires both the State Department and USCIRF to report annually on international religious freedom, the two entities' reports differ. The State Department reports on every country in the world, while USCIRF reports on selected countries, generally those exhibiting the worst conditions. Further, the State Department's reports focus primarily on religious freedom conditions, with a brief

description of U.S. policy actions, while USCIRF's country chapters discuss conditions, analyze U.S. policy, and make policy recommendations. USCIRF's Annual Reports also assess the executive branch's implementation of IRFA and discuss religious freedom issues in multilateral organizations.

The CPC Mechanism

In IRFA's 17-year existence, the State Department has made CPC designations on 10 occasions: October 1999, September 2000, October 2001, March 2003, September 2004, November 2005, November 2006, January 2009, August 2011, and July 2014. As is evident from these dates, for a number of years the designations generally were annual, but after 2006, they became infrequent. While IRFA does not set a specific deadline, it indicates that CPC designations should occur soon after the State Department releases its annual IRF Report, as the decisions are to be based on that review and on USCIRF

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

recommendations. In August 2011 and July 2014, the Obama Administration made CPC designations in conjunction with the IRF Report's issuance, but CPC designations were not made at or soon after the 2014 IRF Report's October 2015 release. Ambassador-at-Large Saperstein has stated his commitment to have an annual CPC designation process, a statement that USCIRF welcomed. However, as of the end of USCIRF's reporting period on February 29, 2016, no CPC designations had been announced.¹

¹ On April 15, 2016, after this report was finalized, the State Department designated Tajikistan as a CPC for the first time, and also re-designated the nine countries that had been designated as CPCs in July 2014.

As noted earlier, while a CPC designation remains in effect until it is removed, associated Presidential actions expire after two years if not renewed. The last three CPC designations occurred after the two-year mark from the previous designations had passed.

In addition to CPC designations being infrequent, the list has been largely unchanged. Of the nine countries designated as CPCs in July 2014, most now have been CPCs for well over a decade: Burma, China, Iran, and Sudan for 16 years; North Korea for 14 years; Eritrea and Saudi Arabia for 11 years; and Uzbekistan for nine years. (Turkmenistan was added for the first time in 2014.) Additionally, removal from the CPC list has been rare. Since IRFA's inception, only one country has been removed

Federal Register Notices / Vol. 79, No. 185 / Wednesday, September 24, 2014

Secretary of State's Determination Under the International Religious Freedom Act of 1998

SUMMARY: The Secretary of State's designation of "Countries of Particular Concern" for religious freedom violations.

Pursuant to section 408(a) of the International Religious Freedom Act of 1998 (Pub. L. 105-292), as amended (the Act), notice is hereby given that, on July 18, 2014, the Secretary of State, under authority delegated by the President, has designated each of the following as a "Country of Particular Concern" (CPC) under section 402(b) of the Act, for having engaged in or tolerated particularly severe violations of religious freedom: Burma, China, Eritrea, Iran, Democratic People's Republic of Korea, Saudi Arabia, Sudan, Turkmenistan, and Uzbekistan.

The Secretary simultaneously designated the following Presidential Actions for these CPCs:

- For **Burma**, the existing ongoing arms embargo referenced in 22 CFR 126.1(a) 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 (Public Law 101-246), pursuant to section 402(c)(5) of the Act;
- For **Eritrea**, the existing ongoing arms embargo referenced in 22 CFR 126.1(a) pursuant to section 402(c)(5) of the Act;
- For **Iran**, the existing ongoing travel restrictions based on serious human rights abuses under section 221(a)(1)(C) of the Iran Threat Reduction and Syria Human Rights Act of 2012, pursuant to section 402(c)(5) of the Act;
- For **North Korea**, the existing ongoing restrictions to which North 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 **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 on making certain appropriated funds available for assistance to the Government of Sudan in the annual Department of State, Foreign Operations, and Related Programs Appropriations Act, currently set forth in section 7042(j) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (Div. K, Pub.L. 113-76), 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 **Turkmenistan**, a waiver as required in the "important national interest of the United States," pursuant to section 407 of the Act; and
- For **Uzbekistan**, a waiver as required in the "important national interest of the United States," pursuant to section 407 of the Act.

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

Along with requiring the naming of violators, IRFA provides the Secretary of State with a unique toolbox to promote religious freedom. It includes a menu of options for countries designated as CPCs, and a list of actions for countries that violate religious freedom but are not CPCs. Specific policy options for CPC countries include sanctions (referred to as Presidential actions in IRFA), but they are not imposed automatically. Rather, the Secretary of State is empowered to enter into direct consultations with a government to bring about improvements in religious freedom. IRFA also permits the development of either a binding agreement with a CPC-designated government on specific actions it will

States has not implemented a unique policy response tied to the CPC designation and particularly severe violations of religious freedom.

Of the current nine countries designated as CPCs, six have "double-hatted" sanctions, and three have indefinite waivers. The "double hatting" of sanctions can be the appropriate action in some circumstances. Yet specifically tailored actions can be more precise, either broadly structured or narrowly crafted to target specific government officials or provinces, if acute situations are highly localized. Indefinite waivers of penalties undermine the effectiveness of efforts to advance religious freedom, as they signal a lack of U.S. interest and communicate to the designated country that there never will be consequences for its religious freedom abuses.

Along with an annual CPC process, the IRFA toolbox provides many options for diplomatic action. U.S. diplomatic engagement cannot and should not solely rely on naming CPCs, but rather use a range of actions including: diplomatic engagement; consultations about possible CPC action; CPC designations; binding agreement nego-

Along with an annual CPC process, the IRFA toolbox provides many options for diplomatic action.

take to end the violations, or the taking of a "commensurate action." The Secretary may further determine that pre-existing sanctions are adequate or waive the requirement of taking action to advance IRFA's purposes or the national interests of the United States.

In addition to designating the same countries for years, administrations generally have not levied new Presidential actions in accordance with CPC designations, with the State Department instead relying on pre-existing sanctions. While the statute permits such reliance, relying on pre-existing sanctions - or "double hatting" - has provided little incentive for CPC-designated governments to reduce or halt egregious religious freedom violations.

The Presidential actions for the nine currently-designated CPC countries are shown in the table on the previous page. Because of the indefinite waivers for Saudi Arabia, Turkmenistan, and Uzbekistan, the United

tations; presidential actions; and/or a waiver for the narrowest of circumstances. Past practice provides only a few examples of these tools being used together to bring about change in a country of concern. An annual CPC designation process should be the center of all IRF-related work, driving and energizing other areas of U.S. diplomacy, but should not be the sum total of all activity.

With respect to these issues, USCIRF recommends that the State Department:

- Use all of IRFA's tools, including "country of particular concern" designations, in its diplomatic engagement;
- Publicly declare the results of its annual review of religious freedom conditions required by IRFA and make annual designations of "countries of particular concern" for particularly severe violations of religious freedom;

- Ensure that the CPC list expands and contracts as conditions warrant;
- Wherever possible, when Presidential Actions or commensurate actions are taken as a consequence of CPC designations, undertake specific efforts to emphasize the importance of religious freedom to the United States, and in particular avoid “double-hatted” sanctions; and
- Limit the use of waivers to a set period of time and subject them to review for renewal.

USCIRF recommends that Congress:

- Take steps through legislative action to require the State Department to make annual CPC designations, should the State Department fail to do so; and
- Hold annual oversight hearings on IRFA implementation in the House and Senate.

Guidance

With multiple offices and positions dealing with issues that relate to or overlap with religious freedom, crafting a specific strategy outlining the need to promote freedom of religion or belief internationally across U.S. government agencies would set an important tone and give direction to U.S. efforts.

In February 2015, the President issued his second National Security Strategy, which touched on religious freedom. In a section entitled “Advance Equality,” the Strategy said:

American values are reflective of the universal values we champion all around the world—including the freedoms of speech, worship, and peaceful assembly; the ability to choose leaders democratically; and the right to due process and equal administration of justice. We will be a champion for communities that are too frequently vulnerable to violence, abuse, and neglect—such as ethnic and religious minorities; people with disabilities; Lesbian, Gay, Bisexual, and Transgender (LGBT) individuals; displaced persons; and migrant workers.

The National Security Council issued a more specific strategy about religious engagement in July 2013,

which includes a component on religious freedom and human rights. This positive initiative, on which USCIRF staff informally advised, connected religious freedom work to other related issues of conflict prevention and to engaging religious leaders on development goals. A document specifically tailored to the issue of religious freedom would further this effort.

In addition to a national strategy to guide U.S. efforts, elected leaders and U.S. officials need to communicate clearly and regularly that religious freedom is a foreign policy priority for the United States. For instance, in his October 2015 remarks at the release of the 2014 IRF report, Secretary Kerry stated that it is a “proven reality” that “no nation can fulfill its potential if its people are denied the right to practice, to hold, to modify, to openly profess their innermost beliefs.” Additionally, during his January 2015 visit to India, President Obama gave a major speech highlighting the need for religious tolerance and freedom, and he reiterated the point at the February 2015 National Prayer Breakfast in Washington, DC. Notably, the Prime Minister of India subsequently gave a major address about these concerns. As this example demonstrates, one of the most direct ways to stress the importance of religious freedom is in high-profile public events. Both the U.S. government bureaucracy and foreign governments will notice such presentations by the President, the Secretary of State, Congressional leaders, and other high-ranking U.S. officials.

Public advocacy should be tied to a country-specific plan for advancing religious freedom.

Action also is needed after communication. Public advocacy should be tied to a country-specific plan for advancing religious freedom. This is especially important for countries designated as CPCs, as well as those recommended by USCIRF for CPC designation or on USCIRF’s Tier 2 list. Such actions would include scheduling trips for embassy officials, including the U.S. ambassador, to visit oppressed religious communities or sites of violence. The United States also should insist that discussions on freedom of religion or belief

and religious tolerance be included in various bilateral strategic dialogues and summits, such as the strategic dialogues with Russia, Pakistan, or Indonesia, or the meetings of the U.S.-Nigeria Bi-National Commission. Concerns about freedom of religion or belief should also be interwoven into negotiations over trade agreements and followed up on after deals are reached, such as in the Trans-Pacific Partnership.

Finally, U.S. officials and elected leaders should raise religious freedom issues during visits to key countries of concern. It is important for foreign leaders to hear directly from visiting U.S. delegations that restrictions on religious freedom are hindering the bilateral relationship.

With respect to these issues, USCIRF recommends that:

- Each administration issue a strategy to guide U.S. government efforts to protect and promote religious freedom abroad and set up a process to oversee its implementation;
- The President, the Secretary of State, Members of Congress, and other U.S. officials consistently stress the importance of international religious freedom in their public statements as well as in public and private meetings in the United States and abroad; and
- In consultation with USCIRF, the State Department develop and implement country-specific strategies for advancing religious freedom, inter-faith harmony, mutual respect, and reconciliation, to ensure that official statements are followed by concrete actions.

Training

IRFA calls for American diplomats to receive training on how to promote religious freedom effectively around the world. In the past few years, training for Foreign Service Officers on issues of religious freedom has increased, but remains voluntary. The Foreign Service Institute (FSI) continued to offer a multi-day *Religion and Foreign Policy* course. USCIRF staff has been repeatedly invited to speak about the role of the Commission, but the overall focus could include a greater emphasis on promoting freedom of religion or belief. USCIRF also regularly speaks to regional studies classes to discuss the Commission's findings on countries of interest.

By contrast, DHS has mandatory training on religious persecution and IRFA for all new refugee and asylum officers, and USCIRF and IRF Office representatives regularly speak to these classes. Over the years, USCIRF also has participated in and submitted materials for training sessions on religious freedom and religious persecution for Department of Justice immigration judges. Training on religious freedom issues in the military education system remains minimal, despite the many schools, military service colleges, and universities providing professional military education. With American service members increasingly engaging governments and societal leaders in religious contexts, training on international standards of freedom of religion or belief would better equip them to carry out their mission.

With respect to these issues, USCIRF recommends that the U.S. government:

- Make training on international religious freedom mandatory for State Department officials, including education on what it is, its importance, and how to advance it; Require such training at three intervals in each diplomat's career: the "A-100" class for incoming diplomats, Area Studies for mid-career officials, and a class for all ambassadors and deputy chiefs of missions; and
- Train relevant members of the military on the importance of religious freedom and practical ways to best promote it as an aspect of U.S. foreign policy.

USCIRF recommends that Congress:

- If necessary, require the Foreign Service Institute and the military to provide training on international religious freedom and on the best practices to promote it as an aspect of U.S. foreign policy, so that Foreign Service Officers, U.S. service members, and military chaplains can use globally-recognized religious freedom standards when engaging in-country with religious leaders and government and military officials.

Ensuring Funding for Religious Freedom Programming

IRFA also envisaged the funding of religious freedom programs, authorizing foreign assistance to promote and develop "legal protections and cultural respect

for religious freedom.” Congress did not appropriate specific funds for this until Fiscal Year (FY) 2008 and did not do so annually thereafter; the State Department, however, has provided the IRF Office funding for program grants through DRL’s Human Rights and Democracy Fund (HRDF). In March 2015, Ambassador Saperstein reported to Congress that the IRF Office receives approximately five percent of DRL’s HRDF funding (approximately \$3.5 million) annually. These funds support religious freedom programs currently operating in 16 countries. Ambassador Saperstein also reported in March 2015 that five new programs using FY 2014 funds would soon begin operations. The Consolidated Appropriations Act, 2016 states that \$10 million from the HRDF shall be made available for international religious freedom programming in FY 2016, representing a significant increase that USCIRF welcomes.

Funding for religious freedom work need not come solely from the State Department’s human rights bureau.

Funding for religious freedom work need not come solely from the State Department’s human rights bureau. Other potential sources include the State Department’s Middle East Partnership Initiative (MEPI) and the U.S. Agency for International Development’s (USAID) Bureau for Democracy, Conflict, and Humanitarian Assistance. Appropriation measures have signaled the importance of such funding. For instance, the Consolidated Appropriations Act, 2016, makes money from the FY 2016 funds for economic support, disaster assistance, and migration and refugee assistance available for programs to protect and assist vulnerable and persecuted religious minorities. It also makes FY 2016 funds appropriated to the Broadcasting Board of Governors available for programs related to international religious freedom, including reporting on the condition of vulnerable and persecuted religious groups.

In legislation, report language, and discussions, Congress has at times tasked USCIRF to develop recommendations for challenging issues. One example

is USCIRF’s work on Expedited Removal (discussed in the next section). Additionally, a congressional tasking resulted in USCIRF’s study about what Pakistan’s education system teaches about religious minorities in that country. Another example was the special fellowship program that was funded for two years to enable scholars to focus on freedom of religion or belief.

With respect to these issues, USCIRF recommends that Congress:

- Annually specify that funds from the State Department’s Human Rights and Democracy Fund (HRDF) be allocated for religious freedom programming managed by the Office of International Religious Freedom;
- Call for entities that receive federal funds, including the Middle East Partnership Initiative, USAID, the National Endowment for Democracy, and U.S. Institute of Peace, to devote resources for religious freedom programming;
- Encourage USAID to prioritize programs that develop and disseminate, especially in countries of concern, educational and teacher training materials that focus on international human rights standards, religious freedom, and the centrality of interfaith understanding to achieving development objectives; and
- Urge the National Endowment for Democracy and other entities that receive federal funding to solicit competitive proposals on specific international religious freedom programming.

The Treatment of Asylum Seekers in Expedited Removal

As authorized by IRFA, USCIRF conducted a major research study in 2003 and 2004 on the U.S. government’s treatment of asylum seekers in Expedited Removal. USCIRF’s 2005 *Report on Asylum Seekers in Expedited Removal* (the Study), found serious flaws in the processing and detention of asylum seekers, and made recommendations to the Departments of Homeland Security (DHS) and Justice (DOJ) to address these problems. (Expedited Removal is a complicated administrative process carried out by three different DHS agencies – Customs and Border Protection (CBP), the U.S. Citizenship and Immigration

Service (USCIS), and Immigration and Customs Enforcement (ICE); for asylum seekers, DOJ's Executive Office of Immigration Review (EOIR) also is involved.)

Since the 2005 Study, USCIRF has continued to monitor the implementation of its recommendations, issuing several follow-up reports that found progress in some areas but no changes in others. Meanwhile, the U.S. government's use of Expedited Removal and the number of individuals in Expedited Removal seeking asylum have grown significantly. As a result, flaws in the system now potentially affect even more asylum seekers.

In 2014 and 2015, USCIRF again reviewed the situation of asylum seekers in Expedited Removal, as an update to the 2005 Study. This research revealed

- The detention of asylum-seeking mothers and children is problematic.

Multilateral Efforts

IRFA specifically cites U.S. participation in multilateral organizations as an avenue for advancing religious freedom. Both the United Nations (UN) and the Organization for Security and Cooperation in Europe (OSCE) have conventions and agreements that protect freedom of religion or belief and related rights, including assembly and expression, and have mechanisms that can be used to advance religious freedom or call attention to violations.

The Human Rights Council's system of independent experts, or Special Procedures, is another important mechanism. . . .

continuing and new concerns and found that most of USCIRF's 2005 recommendations have not been implemented. USCIRF will issue a special report detailing the findings and recommendations from this research in 2016. Among the key findings will be that:

- Poor management and coordination of the Expedited Removal process continue to be problems;
- Serious concerns remain about CBP officers' interviewing practices and the reliability of the records they create;
- The reliance on technology to process and interview increased numbers of border crossers has improved efficiency, but the impersonal nature of the interviews raises concerns that this may be at the expense of identifying and protecting asylum seekers;
- The information provided to non-citizens in Expedited Removal does not adequately inform them of their rights, responsibilities, and, if relevant, the next steps in their asylum cases;
- ICE continues to detain asylum seekers under inappropriate penal conditions and its procedures for bond and alternatives to detention raise concerns; and

United Nations

At the UN Human Rights Council, the Universal Periodic Review (UPR) process allows states to assess the human rights performance of every UN member state, providing opportunities for the United States and other like-minded countries to ask questions and make recommendations about religious freedom. This is particularly important when countries designated as "countries of particular concern" under IRFA are reviewed. Country resolutions in the Human Rights Council and the UN General Assembly also provide opportunities to highlight religious freedom concerns.

The Human Rights Council's system of independent experts, or Special Procedures, is another important mechanism, particularly the Special Rapporteur who focuses on religious freedom, a position created in 1986 at the initiative of the United States. The UN Special Rapporteur on Freedom of Religion or Belief – currently Professor Heiner Bielefeldt of Germany, who is completing his term in 2016 – monitors freedom of religion or belief worldwide, communicates with governments about alleged violations, conducts country visits, and issues reports and statements. Some of the Council's Special Procedures on specific countries also have drawn attention to religious freedom violations, such as the current UN Special Rapporteur on the

Human Rights Situation in Iran, Ahmed Shaheed. In addition, the specially-created Commissions of Inquiry on North Korea and on Eritrea focused on the severe religious freedom abuses in those nations.

For a number of years, the UN Human Rights Council and General Assembly were the centers of a problematic effort by the Organization of Islamic Cooperation (OIC) and some of its members to seek an international legal norm restricting speech that defamed religions, particularly Islam. In a welcome change, the OIC no longer is sponsoring the flawed defamation-of-religions resolutions. They were replaced in 2011 by a new, consensus approach (often referred to as the Resolution 16/18 approach, after the first such resolution) that focuses on positive measures to counter religious intolerance and protect individuals from discrimination or violence, rather than criminalizing expression.

- Continue its vigorous support of the mandate and work of the UN Special Rapporteur on Freedom of Religion or Belief, including by supporting a well-qualified replacement for the current Special Rapporteur and working to secure sufficient assistance to support him or her in carrying out this volunteer position;
- Work for the creation of additional country-specific Special Rapporteur positions, especially for CPC countries; and
- Remain vigilant against any renewed efforts at the UN to seek legal limitations on offensive or controversial speech about religion that does not constitute incitement to violence, and continue to press countries to adhere to the Resolution 16/18 approach, including by repealing blasphemy laws.

The [OSCE], comprised of 57 participating states . . . , continues to be an important forum for holding those states to extensive standards on freedom of religion or belief. . . .

Nevertheless, USCIRF remains concerned that some OIC members continue to support a global anti-blasphemy law. Many OIC member states continue to have and enforce repressive domestic blasphemy laws that result in gross human rights abuses and exacerbate religious intolerance, discrimination, and violence, the very problems the OIC claims it is trying to address. In addition, some OIC countries continue to refer publicly to the defamation-of-religions concept and call for international laws against it, including in the context of the “Istanbul Process,” a series of international meetings launched in 2011 to discuss the implementation of the Resolution 16/18 approach.

With respect to these issues, USCIRF recommends that the State Department:

- Continue to use the UN Human Rights Council’s Universal Periodic Review process and resolutions in the Human Rights Council and the UN General Assembly to shine a light on religious freedom violations in specific countries, especially those designated as CPCs under IRFA;

OSCE

The Organization for Security and Cooperation in Europe (OSCE), comprised of 57 participating states from Europe, the former Soviet Union, Mongolia, the United States, and Canada, continues to be an important forum for holding those states to extensive standards on freedom of religion or belief and on combating hate crimes, discrimination, and religious intolerance. It also has been an important participant in efforts to counter violent extremism and terrorism in the name of religion, while respecting human rights. In recent years, however, some states, led by Russia, have sought to curtail the OSCE’s human rights activities in favor of a security focus and tried to limit the participation of NGOs, particularly in the annual Human Dimension (HDim) meeting in Warsaw, Europe’s largest human rights conference.

The HDim draws hundreds of government delegates and NGOs, and includes a plenary session devoted to freedom of religion or belief, providing the United States an opportunity to raise publicly religious

freedom concerns in OSCE countries, including those designated as CPCs. NGOs and religious groups also can raise issues during plenaries, and hold other meetings on specific topics of concern. For the first time in many years, Turkmenistan sent an official delegation to the HDim in September-October 2015. In July 2015, a Supplementary HDim meeting on religious freedom was held in Vienna.

In early 2015, the OSCE's Office of Democratic Institutions and Human Rights (ODIHR) hired a new staff advisor on freedom of religion or belief, filling a position vacant for some years. He and his two staff members will work in ODIHR's Human Rights Section, instead of the Tolerance Unit; USCIRF welcomes this placement, since religious freedom is not merely an issue of tolerance but a fundamental human right. ODIHR also has an Advisory Panel of Experts on Freedom of Religion or Belief. Upon the request of OSCE states, the Panel reviews proposed or enacted legislation against international and OSCE commitments, and provides expert opinions and guidelines. Since 2012, the Panel has had 12 members, although it used to be much larger.

conduct activities without undue interference by ODIHR or participating states;

- Request that the new advisor on freedom of religion or belief be adequately resourced to effectively monitor religious freedom abuses across the OSCE area and to provide training for staff of OSCE field offices; and
- Encourage OSCE missions to fully integrate religious freedom and related human rights into countering violent extremism (CVE) programs, counter-terrorism training, and other relevant programs.

Working with Like-Minded Nations

There are increasing opportunities for the U.S. government to work in concert with like-minded nations on issues relating to freedom of religion or belief. In recent years, the United Kingdom's foreign ministry and parliament have increased their focus on the issue, the European Union issued guidelines for its diplomats, and the European Parliament established a working group

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OSCE Field Operations are a key feature of the organization, including in the human rights sphere. Each has its own mandate drawn up with the host government, but more recent mandates provide decreased scope for human rights activities. At present, there are six field offices in South East Europe, two in Eastern Europe, two in the South Caucasus, and five in Central Asia. In June 2015, Azerbaijan closed the OSCE office in Baku. In USCIRF's view, ODIHR should make greater efforts to ensure consistency on issues of religious freedom and related human rights, including by providing more training on these issues for staff in OSCE Field Operations.

With respect to these issues, USCIRF recommends that the State Department:

- Urge ODIHR to empower the Advisory Panel to act independently and issue reports or critiques and

on the subject. In 2013, Canada created an ambassadorial position and office on religious freedom, but as of the end of the reporting period, its future under the new Canadian government was uncertain. The Austrians, Dutch, Italians, Norwegians, and Germans also have focused specifically on religious freedom. In light of these developments, over the past few years USCIRF has played a leading role in fostering increased collaboration among governments and parliaments interested in promoting freedom of religion or belief.

Working with a group of parliamentarians from Brazil, Canada, Norway, Turkey, and the United Kingdom, USCIRF helped launch a new parliamentary network, the International Panel of Parliamentarians for Freedom of Religion or Belief (IPP-ForB) in 2014. The launch meeting, in Oslo, Norway, brought together over 30 parliamentarians from different regions, political parties, and religions, who signed a Charter for Freedom

of Religion or Belief pledging to advance religious freedom for all. A direct outcome of the meeting was the creation of a caucus in the Brazilian Congress to promote international religious freedom. The IPP-FoRB's second meeting, which USCIRF helped organize and fund, was in New York in September 2015, with an unprecedented 100 parliamentarians from over 50 countries participating. Parliamentarians in the network have sent joint letters on religious freedom issues to the leaders of various nations, including Burma, Vietnam, Iran, and Sudan, and are planning other activities.

Paired with any parliamentary effort should be coordinated inter-governmental activities. Officials from the United States, Canada, the United Kingdom, and the EU External Action Service have recognized this need. Efforts are beginning to coordinate joint demarches on countries of common concern, as well as to share information about how governments fund religious freedom work in the field.

issues in specific countries. The National Security Subcommittee of the House Oversight and Government Reform Committee also has held hearings on protecting international religious freedom. The Senate Appropriations Subcommittee on State, Foreign Operations, and Related Programs held a hearing in March 2015 on protecting religious freedom abroad. The Tom Lantos Human Rights Commission has held several hearings on religious freedom, including the humanitarian and human rights crisis in Iraq, human rights in Egypt, prisoners of conscience, and religious minorities in Iran. In addition, the Senate Human Rights Caucus has focused on international religious freedom, and will hold a series of hearings on international religious freedom in 2016 focusing on countering religious extremism, protecting religious minorities from ISIL in Iraq and Syria, and the impact of blasphemy laws on the freedoms of religion and expression. Holding annual Congressional oversight hearings on IRFA implementation in both the

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With respect to these issues, USCIRF recommends that the State Department:

- Continue to work with other governments and parliaments interested in promoting international religious freedom to share information and coordinate activities.

The Role of Congress

Congress has an important role to play to ensure that international religious freedom remains a priority to the U.S. government. Hearings are a particularly useful tool, as they signal Congressional interest and engagement. Subcommittees of the House of Representatives' Committee on Foreign Affairs have held hearings focusing on the crisis of international religious freedom, holding accountable countries of particular concern, the issuance of the State Department's IRF Report and USCIRF's Annual Report, as well as religious freedom

House and Senate would reinforce further Congressional interest in the issue.

Since religious freedom is implicated in some of the most difficult foreign policy challenges facing the United States today, Members of Congress from both Houses also should continue to raise issues of international religious freedom during the confirmation hearings of U.S. ambassadors. In addition, Members of Congress should continue to introduce and support legislation that deals with international religious freedom and focuses on violations and remedies. Recent examples include the four-year reauthorization of USCIRF (P.L. 114-71) and the introduction in December 2015 and passage in March 2016 in the House of Representatives of a resolution, H. Con. Res 75, expressing that the atrocities committed by ISIL against religious and ethnic minorities in Iraq and Syria included war crimes, crimes against humanity, and genocide. Members of Congress also should continue to use appropriations bills and supporting report

language to express congressional concerns to the U.S. and other governments. In the Consolidated Appropriations Act, 2016, (PL 114-113), Congress included important language pertaining to international religious freedom, including making not less than \$10 million available for international religious freedom programs and requiring that the Secretary of State submit to Congress a report on attacks against Christians and other religious groups in the Middle East by violent Islamist extremists, and on the Rohingya Muslims in Burma by violent Buddhist extremists, including whether either situation constitutes mass atrocities or genocide.

Congressional delegations abroad also are important and effective ways to promote international religious freedom. Members of Congress can undertake congressional delegations to countries of particular concern to specifically examine conditions of religious freedom for all faiths/beliefs, meet with individuals and organizations that promote religious freedom and related human rights, and targeted religious communities, and advocate for people detained for their religious beliefs or religious freedom advocacy.

Another example of congressional action is the Defending Freedoms Project, an initiative of the Tom Lantos Human Rights Commission, in conjunction with USCIRF and Amnesty International USA. Through the project, Members of Congress advocate on behalf of prisoners abroad, work toward their release, and shine a spotlight on the laws and policies that have led to their incarceration. The goal of this project is to help set free these prisoners and increase attention to and support for human rights and religious freedom.

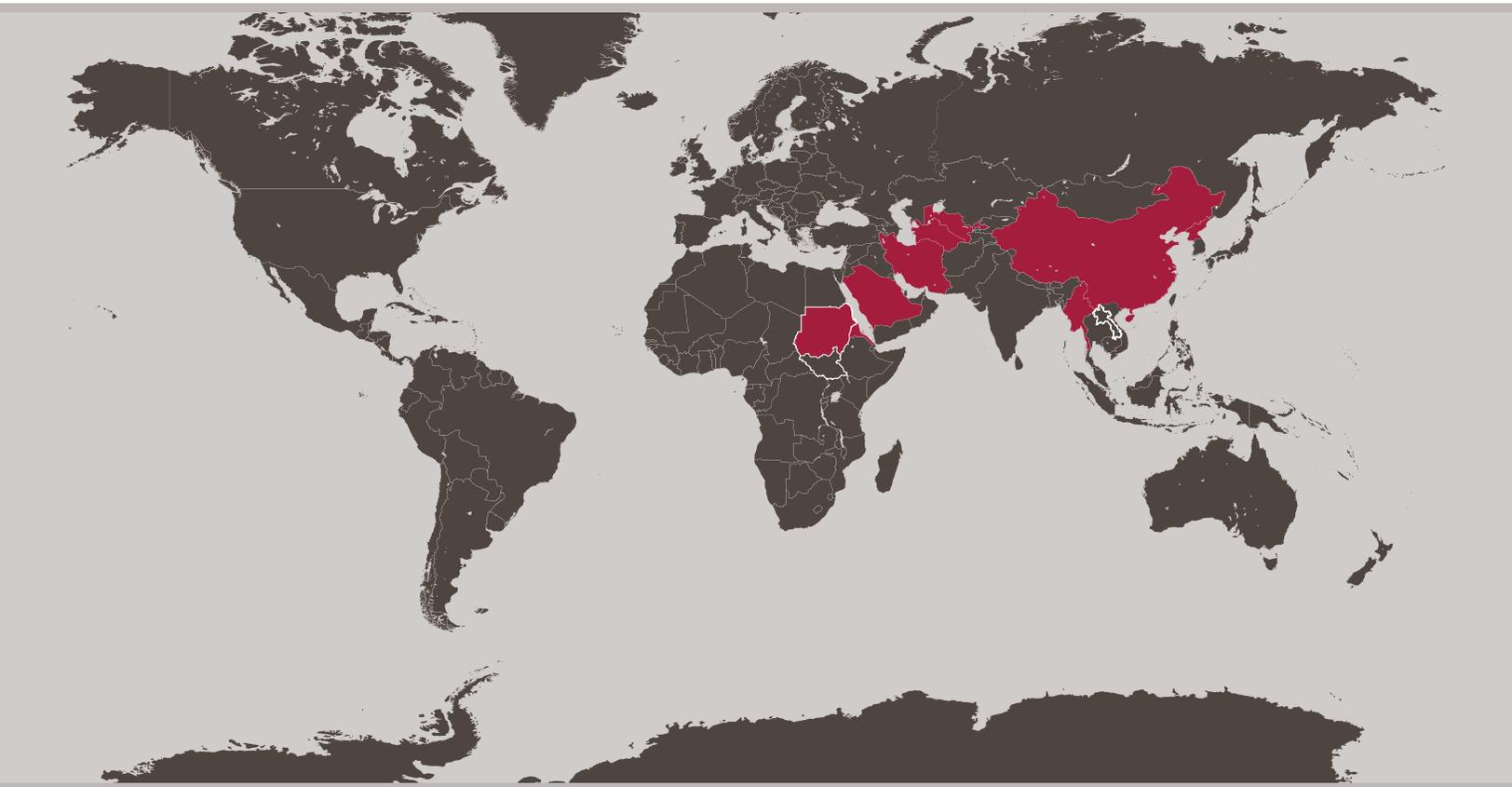
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With respect to these issues, USCIRF recommends that:

- Both the House and Senate hold annual oversight hearings on IRFA implementation, as well as hearings on religious freedom-specific issues, and ensure that religious freedom is raised in

country-specific hearings and ambassadorial confirmation hearings;

- During delegation trips abroad, Members of Congress examine conditions of religious freedom for all faiths/beliefs, and meet with individuals and organizations that promote religious freedom and related human rights, targeted religious communities, and people detained for their religious beliefs or religious freedom advocacy; and
- Members of Congress participate in the Defending Freedoms Project to advocate for the release of specific prisoners of conscience abroad.



TIER 1

CPCS DESIGNATED BY THE STATE DEPARTMENT AND RECOMMENDED BY USCIRF

-BURMA

-CHINA

-ERITREA

-IRAN

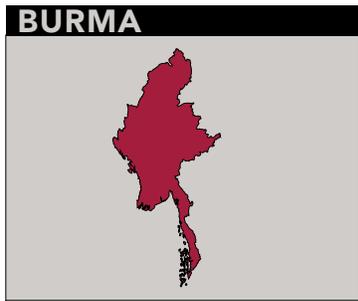
-NORTH KOREA

-SAUDI ARABIA

-SUDAN

-TURKMENISTAN

-UZBEKISTAN



IRAN

Key Findings

Religious freedom conditions continued to deteriorate over the past year, particularly for religious minorities, especially Baha'is, Christian converts, and Sunni Muslims. Sufi Muslims and dissenting Shi'a Muslims also faced harassment, arrests, and imprisonment. Since President Hassan Rouhani was elected president in 2013, the number of individuals from religious minority communities who are in prison because of their beliefs has increased, despite the government releasing some prisoners during the reporting period, including Iranian-American pastor Saeed Abedini. The government of Iran continues to engage in systematic, ongoing, and egregious violations of religious freedom, including prolonged detention, torture, and executions based primarily or entirely upon the religion of the accused. While Iran's clerical establishment continued to express anti-Semitic sentiments, the level of anti-Semitic rhetoric from government officials has diminished in recent years. Since 1999, the State Department has designated Iran as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA), most recently in July 2014. USCIRF again recommends in 2016 that Iran be designated a CPC.

seats in the parliament are reserved for these groups (two for Armenian Christians and one each for Assyrian Christians, Jews, and Zoroastrians). With an overall population of just over 80 million, Iran is approximately 99 percent Muslim – 90 percent Shi'a and nine percent Sunni. According to recent estimates, religious minority communities constitute about one percent of the population and include Baha'is (more than 300,000), various Christian denominations (nearly 300,000), Zoroastrians (30,000 to 35,000), and Jews (20,000).

Nevertheless, the government of Iran discriminates against its citizens on the basis of religion or belief, as all laws and regulations are based on unique Shi'a Islamic criteria. Since the 1979 revolution, many members of minority religious communities have fled in fear of persecution. Killings, arrests, and physical abuse of detainees have increased in recent years, including for religious minorities and Muslims who dissent or express views perceived as threatening the government's legitimacy. The government continues to use its religious laws to silence reformers, including human rights defenders and journalists, for exercising their internationally-protected rights to freedom of expression and religion or belief.

Religious freedom conditions continued to deteriorate over the past year, particularly for religious minorities, especially Baha'is, Christian converts, and Sunni Muslims.

Background

The Islamic Republic of Iran is a constitutional, theocratic republic that proclaims the Twelver (Shi'a) Jaafari School of Islam to be the official religion of the country. The constitution recognizes Christians, Jews, and Zoroastrians as protected religious minorities, and five

Since his 2013 election, President Hassan Rouhani has not delivered on his campaign promises to strengthen civil liberties for religious minorities. Government actions continued to result in physical attacks, harassment, detention, arrests, and imprisonment. Even some of the constitutionally-recognized non-Muslim minorities – Jews, Armenian and Assyrian Christians,

and Zoroastrians – face harassment, intimidation, discrimination, arrests, and imprisonment. Some majority Shi'a and minority Sunni Muslims, including clerics who dissent, were intimidated, harassed, and detained. Dissidents and human rights defenders were increasingly subject to abuse and several were sentenced to death and even executed for the capital crime of “enmity against God.”

Religious Freedom Conditions 2015–2016

Muslims

Over the past few years, the Iranian government has imposed harsh prison sentences on prominent reformers from the Shi'a majority community. Authorities charged many of these reformers with “insulting Islam,” criticizing the Islamic Republic, and publishing materials that allegedly deviate from Islamic standards. Dissident Shi'a cleric Ayatollah Mohammad Kazemini Boroujerdi continued to serve an 11-year prison sentence, and the government has banned him from practicing his clerical duties and confiscated his home and belongings. He has suffered physical and mental abuse while in prison. According to human rights groups and the United Nations, some 150 Sunni Muslims are in prison on charges related to their beliefs and religious activities. In October 2015, an Iranian court sentenced to death a Sunni cleric, Shahram Ahadi, who was arrested in 2009 on unfounded security related charges. More than 30 Sunnis are on death row after having been convicted of “enmity against God” in unfair judicial proceedings. Leaders from the Sunni community have been unable to build a mosque in Tehran and have reported widespread abuses and restrictions on their religious practice, including detentions and harassment of clerics and bans on Sunni teachings in public schools. Additionally, Iranian authorities have destroyed Sunni religious literature and mosques in eastern Iran.

Iran's government also continued to harass and arrest members of the Sufi Muslim community, including prominent leaders from the Nematollahi Gonabadi Order, while increasing restrictions on places of worship and destroying Sufi prayer centers and *hussainiyas* (meeting halls). Over the past year, authorities have detained dozens of Sufis, sentencing many to imprisonment, fines, and floggings. In June 2015, a criminal court sentenced Abbas Salehian to 74 lashes for “committing a *haram*

act through advocating Gonabadi Dervish beliefs.” In May 2014, approximately 35 Sufis were convicted on trumped-up charges related to their religious activities and given sentences ranging from three months to four years in prison. Another 10 Sufi activists were either serving prison terms or had cases pending against them. Iranian state television regularly airs programs demonizing Sufism.

Baha'is

The Baha'i community, the largest non-Muslim religious minority in Iran, long has been subject to particularly severe religious freedom violations. The government views Baha'is, who number at least 300,000, as “heretics” and consequently they face repression on the grounds of apostasy. Since 1979, authorities have killed or executed more than 200 Baha'i leaders, and more than 10,000 have been dismissed from government and university jobs. Although the Iranian government maintains publicly that Baha'is are free to attend university, the *de facto* policy of preventing Baha'is from obtaining higher education remains in effect. Over the past 10 years, approximately 850 Baha'is have been arbitrarily arrested.

The Baha'i community, the largest non-Muslim religious minority in Iran, long has been subject to particularly severe religious freedom violations.

As of February 2016, at least 80 Baha'is were being held in prison solely because of their religious beliefs. These include seven Baha'i leaders – Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naemi, Saeid Rezaei, Mahvash Sabet, Behrouz Tavakkoli, and Vahid Tizfahm – as well as Baha'i educators and administrators affiliated with the Baha'i Institute for Higher Education, some of whom were released during the reporting period. During the past year, dozens of Baha'is were arrested throughout the country. In January 2016, in the Golestan province, 24 Baha'is were sentenced to prison terms ranging from six to 11 years after being convicted for membership in the Baha'i community and

engaging in religious activities. In November 2015, at least 20 Baha'is were arrested in three cities – Tehran, Isfahan, and Mashhad – after their homes were raided and materials confiscated. As part of the crackdown, nearly 30 Baha'i-owned shops were closed following the observance of two Baha'i religious holy days. In April and May, authorities closed 35 Baha'i-owned shops in an effort to force Baha'is not to observe their holy days. In April, in Hamadan, at least 13 Baha'is were arrested over a two-week period for allegedly “engaging in propaganda against the regime.” They have not been formally charged. During the 2015-2016 school year, many Baha'i youth who scored very high on standardized tests were either denied entry into university or expelled during the academic year once their religious identity became known to education officials.

Christians

Over the past year, there were numerous incidents of Iranian authorities raiding church services, threatening church members, and arresting and imprisoning worshipers and church leaders, particularly Evangelical Christian converts. Since 2010, authorities arbitrarily arrested and detained more than 550 Christians throughout the country. As of February 2016, approximately 90 Christians were either in prison, detained, or awaiting trial because of their religious beliefs and activities.

Some Christians were released from jail during the year, including two long-serving prisoners of conscience, Saeed Abedini (released in January 2016) and Farshid Fathi (released in December 2015). Abedini's early release was part of a prisoner swap between the United States and Iran. He had been serving an eight-year prison sentence for “threatening the national security of Iran” for his activity in the Christian house church movement. Fathi had been serving an extended prison term on trumped-up security charges related to his religious activities.

During the reporting period, human rights groups inside Iran reported a significant increase in the number of physical assaults and beatings of Christians in prison. Some activists believe the assaults, which have been directed against converts who are leaders of underground house churches, are meant to intimidate others who may wish to convert to Christianity. In December

2015, authorities raided a number of private Christmas services and arrested nearly a dozen church members in Tehran. In April 2015, a revolutionary court upheld a one-year prison sentence and two-year travel bans on 13 Christian converts arrested in 2013.

During the reporting period, human rights groups inside Iran reported a significant increase in the number of physical assaults and beatings of Christians in prison.

Jews and Zoroastrians

Although not as pronounced as in previous years, the government continued to propagate anti-Semitism and target members of the Jewish community on the basis of real or perceived “ties to Israel.” In 2015, high-level clerics continued to make anti-Semitic remarks in mosques. Numerous programs broadcast on state-run television advance anti-Semitic messages. Official discrimination against Jews continues to be pervasive, fostering a threatening atmosphere for the Jewish community. In a positive development, the government no longer requires Jewish students to attend classes on the Sabbath. In recent years, members of the Zoroastrian community have come under increasing repression and discrimination. At least four Zoroastrians were convicted in 2011 for propaganda of their faith, blasphemy, and other trumped-up charges remain in prison.

Human Rights Defenders, Journalists, and Others

Iranian authorities regularly detain and harass journalists, bloggers, and human rights defenders who say or write anything critical of the Islamic revolution or the Iranian government. Over the past couple of years, a number of human rights lawyers who defended Baha'is and Christians in court were imprisoned or fled the country. In addition, in August 2015, a revolutionary court sentenced to death Mohammad Ali Taheri, a university professor and founder of a spiritual movement (*Erfan Halgheh* or Spiritual Circle), for the capital crime of “corruption on earth.” In October 2011, Taheri had

been convicted and sentenced to five years in prison and 74 lashes for “insulting religious sanctities” for publishing several books on spirituality; reportedly, he has been held in solitary confinement since his conviction. Some of Taheri’s followers also have been convicted on similar charges and sentenced to prison terms ranging from one to five years. In December, the Iranian Supreme Court overturned Taheri’s death sentence. At the end of the reporting period, he and some of his followers remained in prison.

U.S. Policy

The U.S. government has not had formal diplomatic relations with the government of Iran since 1980, although the United States participated in negotiations with Iran over the country’s nuclear program as part of the group of countries known as the P5+1 (China, France, Russia, United Kingdom, United States, and Germany). In July 2015, the P5+1, the European Union, and Iran announced they had reached the Joint Comprehensive Plan of Action (JCPOA) to ensure that Iran’s nuclear program would be exclusively peaceful. On January 16, “Implementation Day” of the JCPOA, the United States and European Union began lifting nuclear-related sanctions on Iran. Notwithstanding the JCPOA, the United States continues to keep in place and enforce sanctions for Iran’s human rights violations, its support for terrorism, and its ballistic missile program. According to the State Department, these sanctions are intended to target the Iranian government, not the people of Iran.

Iranian government officials or persons acting on their behalf responsible for human rights and religious freedom abuses, bars their entry into the United States, and freezes their assets. In August 2012, the President signed into law the Iran Threat Reduction and Syria Human Rights Act of 2012, or ITRSHRA (H.R. 1905 / P.L. 112-239), which enhances the scope of human rights-related sanctions contained in CISADA. Over the past five years, as a consequence of Iran’s human rights violations, the United States has imposed visa restrictions and asset freezes on 19 Iranian officials and 18 Iranian entities pursuant to CISADA, ITRSHRA, and various Executive Orders.

During the past year, U.S. policy on human rights and religious freedom in Iran included a combination of public statements, multilateral activity, and the imposition of unilateral sanctions on Iranian government officials and entities for human rights violations. During the reporting period, high-level U.S. officials in multilateral fora and through public statements urged the Iranian government to respect its citizens’ human rights, including the right to religious freedom. In December 2015, for the 13th year in a row, the U.S. government co-sponsored and supported a successful UN General Assembly resolution on human rights in Iran, which passed 76 to 35, with 68 abstentions. The resolution condemned the Iranian government’s poor human rights record, including its religious freedom violations and continued abuses targeting religious minorities.

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During the past year, U.S. policy on human rights and religious freedom in Iran included a combination of public statements, multilateral activity, and the imposition of unilateral sanctions on Iranian government officials and entities for human rights violations.

On July 1, 2010, President Barack Obama signed into law CISADA, the Comprehensive Iran Sanctions, Accountability, and Divestment Act (P.L. 111-195), which highlights Iran’s serious human rights violations, including suppression of religious freedom. CISADA requires the President to submit to Congress a list of

release of Iranian-American pastor Saeed Abedini. On January 16, 2016, the Obama Administration announced it had secured the release from jail of pastor Abedini, and three other Americans, in exchange for the release of seven Iranians in prison in the United States. Abedini returned to the United States later that month.

On July 28, 2014, the Secretary of State re-designated Iran as a country of particular concern. The Secretary designated the following Presidential Action for Iran: “the existing ongoing travel restrictions based on serious human rights abuses under section 221(a)(1)(C) of the Iran Threat Reduction and Syria Human Rights Act of 2012, pursuant to section 402(c)(5) of the Act.” The previous designation made in 2011 cited a provision under CISADA as the Presidential Action. Unlike CISADA, ITRSHRA does not contain a specific provision citing religious freedom violations.

Recommendations

In addition to recommending that the U.S. government should continue to designate Iran as a CPC, USCIRF recommends that the U.S. government should:

- Notwithstanding the P5+1 nuclear agreement, ensure that violations of freedom of religion or belief and related human rights are part of multilateral or bilateral discussions with the Iranian government whenever possible, and continue to work closely with European and other allies to apply pressure through a combination of advocacy, diplomacy, and targeted sanctions;
- Continue to speak out publicly and frequently at the highest levels about the severe religious freedom abuses in Iran, press for and work to secure the release of all prisoners of conscience, and highlight the need for the international community to hold authorities accountable in specific cases;
- Continue to 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 of 2010 (CISADA) citing specific religious freedom violations;
- Call on Iran to cooperate fully with the UN Special Rapporteur on the Human Rights Situation in Iran, including allowing the Special Rapporteur – as well as the UN Special Rapporteur on Freedom of Religion or Belief – to visit, and continue to support an annual UN General Assembly resolution condemning severe violations of human rights,

including freedom of religion or belief, in Iran and calling for officials responsible for such violations to be held accountable; and

- Use appropriated funds to advance Internet freedom and protect Iranian activists by supporting the development and accessibility of new technologies and programs to counter censorship and to facilitate the free flow of information in and out of Iran.

The U.S. Congress should:

- Reauthorize the Lautenberg Amendment, which aids persecuted Iranian religious minorities and other specified groups seeking refugee status in the United States, and work to provide the President with permanent authority to designate as refugees specifically-defined groups based on shared characteristics identifying them as targets for persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

SAUDI ARABIA

Key Findings

Despite some improvement in religious freedom, Saudi Arabia remains uniquely repressive in the extent to which it restricts the public expression of any religion other than Islam, and a number of high profile cases during the past year demonstrated the government's continued disregard for freedom of thought, conscience, and religion or belief. The government privileges its own interpretation of Sunni Islam over all other interpretations and prohibits any non-Muslim public places of worship in the country. It continues to prosecute, imprison, and flog individuals for dissent, apostasy, blasphemy, and sorcery, and a 2014 law classifying blasphemy and advocating atheism as terrorism has been used to prosecute human rights defenders and others. In addition, authorities continue to repress and discriminate against dissident clerics and members of the Shi'a community who criticize the government and call for equal rights. Based on the Saudi government's systematic, ongoing, and egregious violations of religious freedom, USCIRF again recommends in 2016 that Saudi Arabia be designated a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). The State Department has designated Saudi Arabia a CPC repeatedly since 2004, most recently in July 2014. However, since 2006, an indefinite waiver has been in place on taking action otherwise mandated by law as a result of the CPC designation.

Background

Saudi Arabia is officially an Islamic state whose legal system is based on the Hanbali school of Sunni Islamic jurisprudence. The constitution is comprised of the Qur'an and the *Sunna* (traditions of the Prophet Mohammed). The population is nearly 28 million, including approximately eight to 10 million expatriate workers of various faiths, including nearly two million non-Muslims. Approximately 85-90 percent of citizens are Sunni Muslim and 10-15 percent are Shi'a Muslim.

During the reporting period, there was a significant increase in the number of terrorist attacks targeting Shi'a Muslims in the Eastern Province. Many of the attacks were perpetrated by the Islamic State of Iraq and the Levant (ISIL) or its affiliates. Consequently, the Saudi government has arrested hundreds of individuals either involved in the incidents or who were connected to ISIL or promoting its message. In addition, several officials and clerics publicly condemned the attacks against the Shi'a community and called for national unity.

[A] number of high profile cases during the past year demonstrated the government's continued disregard for freedom of thought, conscience, and religion or belief.

In recent years, the Saudi government has made improvements in policies and practices related to freedom of religion or belief; however, it persists in restricting most forms of public religious expression inconsistent with its particular interpretation of Sunni Islam. Saudi officials base this on their interpretation of a *hadith* and state that this is what is expected of them as the country that hosts the two holiest mosques in Islam, in Mecca and Medina. This policy violates the rights of other Sunni Muslims who follow varying schools of thought, Shi'a and Ismaili Muslims, and both Muslim and non-Muslim expatriate workers. During the reporting period, Saudi officials stated that the judiciary is in the process of codifying the penal code and working to ensure that it is consistent with human rights standards.

While the government has taken some steps to address its legitimate concerns of combatting religious extremism and countering advocacy of violence in sermons and educational materials, other government

actions continue to restrict peaceful religious activities and expression by suppressing the religious views and practices of Saudi and non-Saudi Muslims who do not conform to official positions. Furthermore, the government has not widely promulgated its policy of protecting private religious practice for non-Muslim expatriate workers in the country, which fosters a sense of insecurity.

Religious Freedom Conditions 2015–2016

Recent Improvements

USCIRF has noted some improvements in recent years that include: curtailing the powers of the Commission for the Promotion of Virtue and Prevention of Vice (CPVPV) as described below; promoting a “culture of dialogue” and understanding between Muslim religious communities inside the Kingdom and advancing inter-religious dialogue in international fora; improving conditions for public religious expression by Shi’a Muslims in certain areas of the Eastern Province; continuing efforts to counter extremist ideology inside the Kingdom, including by dismissing clerics and teachers who espouse intolerant or extremist views; and making revisions to remove intolerant passages from textbooks and curriculum.

to obtain permits to operate, leaving them at risk of imminent closure. The Shi’a community also faces discrimination in education, employment, the military, political representation, and the judiciary.

In recent years, Shi’a dissidents and reformers have received lengthy prison terms or death sentences for their activities. One prominent Shi’a cleric, Nimr al-Nimr, was executed in January 2016 after being sentenced to death in 2014 by a Specialized Criminal Court for “inciting sectarian strife,” disobeying the government, and supporting rioting. Created in 2008, the Specialized Criminal Court is a non-Shari’ah court that tries terrorist-related crimes, although human rights activists also have been tried in these courts. Al-Nimr – who was a vocal critic of the government and a staunch supporter of greater rights for the Shi’a community – was executed the same day as 46 others, including three other Shi’a Muslims convicted of questionable security-related charges. The execution of al-Nimr resulted in an international outcry by various governments, USCIRF, the United Nations, and human rights groups, and exacerbated sectarian tensions in the country and the region. In August 2014, Tawfiq al-Amr, a Shi’a cleric from the al-Ahsa governorate, was sentenced to eight years in prison, followed by a 10-year travel ban, and barred from

The execution of al-Nimr resulted in an international outcry by various governments, USCIRF, the United Nations, and human rights groups, and exacerbated sectarian tensions in the country and the region.

Restrictions on Shi’a Muslims and Dissidents

Arrests and detentions of Shi’a Muslim dissidents continued. For many years, the government has detained and imprisoned Shi’a Muslims for participating in demonstrations or publicly calling for reform; holding small religious gatherings in private homes without permits; organizing religious events or celebrating religious holidays in certain parts of the country; and reading religious materials in private homes or *husseiniyas* (prayer halls). Saudi officials often cite security concerns – rather than limiting religious freedom – as a justification for these restrictions. According to the State Department, most existing Shi’a mosques in the Eastern Province are unable

delivering sermons. According to human rights groups, a Specialized Criminal Court convicted him on charges of defaming Saudi Arabia’s ruling system, ridiculing its religious leaders, inciting sectarianism, calling for change, and “disobeying the ruler.” In January 2015, his sentence was upheld on appeal.

Dissident Sunni Muslims also encountered repression. For example, in November 2014, a criminal court convicted Mikhlif al-Shammari, a Sunni Muslim writer and activist, and sentenced him to two years in prison and 200 lashes for, in part, visiting prominent Shi’a leaders in the Eastern Province and promoting reconciliation between Sunni and Shi’a Muslims through social media. In

November 2015, his sentence was upheld on appeal. At the end of the reporting period, he had not been summoned to serve his prison term nor had he received any lashes.

Increase in Violent Attacks against Shi'a Muslims

During the past year, terrorists, including ISIL and its affiliates, increasingly targeted Shi'a worshippers. During the reporting period, there have been at least five major attacks targeting Shi'a places of worship: in January 2016, a suicide bombing and gun attack on a Shi'a mosque in al-Ahsa in the Eastern Province resulted in four deaths and at least 18 injured; in October, a gunman opened fire on a Shi'a mosque in Saihat in the Eastern Province, killing five and wounding nine; also in October, a suicide bombing at a Shi'a mosque in the Najran Province resulted in two deaths and at least 19 injured; in May, a suicide bombing outside a Shi'a mosque in Dammam, Eastern Province resulted in four deaths; and earlier in May, a suicide bombing at a Shi'a mosque in Qatif, Eastern Province killed 21 and injured more than 100.

Apostasy, Blasphemy, and Sorcery Charges

The Saudi government continues to use criminal charges of apostasy and blasphemy to suppress discussion and debate and silence dissidents. Promoters of political and human rights reforms, and those seeking to debate the role of religion in relation to the state, its laws, and society, typically have been the targets of such charges.

In February 2015, a General Court reportedly sentenced to death a Saudi man for apostasy. According to multiple reports, the unidentified man allegedly posted a video of himself on a social networking site tearing pages from a Qur'an while making disparaging remarks. The court used this video as evidence to convict him and justify the death sentence; at the end of the reporting period, his status was unknown.

In November 2015, Saudi poet and artist Ashraf Fayadh was sentenced to death for apostasy allegedly for questioning religion and spreading atheist thought through his poetry. He also was charged with violating Article 6 of the Anti-Cyber Crime Law by taking and storing photos of women on his phone. Fayadh said

In June 2015, the Saudi Supreme Court upheld Saudi blogger Raif Badawi's sentence of 10 years in prison, 1,000 lashes, and a fine of 1 million SR (US\$266,000) for, among other charges, insulting Islam and religious authorities.

In several of these cases, the perpetrators committed suicide while carrying out the attack or were killed by authorities. In most cases, Saudi officials and religious leaders condemned the attacks and called for national unity. During the reporting period, hundreds of individuals were arrested because they were connected to the various attacks; planned attacks or monitored potential targets; or used social media to spread extremist ideology and attract new recruits. In July 2015, the Ministry of Interior stated that more than 400 individuals, mostly those linked to ISIL, had been arrested. Several of the investigations related to these incidents are ongoing. Human rights groups have suggested that Saudi government rhetoric is not sufficient to prevent future attacks and that reform to policies is needed.

in court that the photos were taken at an art gallery. In May 2014, a Saudi general court in the southwestern city of Abha originally sentenced Fayadh to four years in prison and 800 lashes. After his appeal was dismissed, Fayadh was retried in November by a new panel of judges who ordered him executed for apostasy. In February 2016, an appeals court quashed the death sentence and issued a new verdict of eight years in prison and 800 lashes to be administered on 16 occasions. According to his lawyer, Fayadh also must renounce his poetry in Saudi state media.

In June 2015, the Saudi Supreme Court upheld Saudi blogger Raif Badawi's sentence of 10 years in prison, 1,000 lashes, and a fine of 1 million SR (US\$266,000) for, among other charges, insulting Islam and religious authorities. The sentence called for Badawi – the founder and editor of

a Web site that served as an online forum for diverse views to be expressed freely – to be lashed 50 times a week for 20 consecutive weeks. On January 9, 2015, Badawi received his first set of 50 lashes. Immediately after the flogging was carried out, several governments, including the United States, USCIRF, and numerous international human rights groups and individuals condemned the implementation of the sentence. Badawi has not received additional floggings, due in part to the international outrage and in part to a medical doctor’s finding that he could not physically endure more lashings. At the end of the reporting period, Badawi continued to languish in prison, where he has been held since June 2012. In July 2014, Badawi’s counsel, Waleed Abu al-Khair, was sentenced by a Specialized Criminal Court to 15 years in jail on various spurious charges related to his work as a human rights defender. In January 2015, his verdict was upheld.

Arrests and prosecutions for witchcraft and sorcery – a crime punishable by death – continued during the reporting period. According to the State Department and human rights groups, some individuals have been executed in recent years. The CPVPV has special units throughout the country to combat sorcery and witchcraft.

Islamic religion on which this country is based.” While Saudi Shari’ah courts already permit judges to criminalize various forms of peaceful dissent, the new law provides an additional mechanism to classify as terrorism actions considered blasphemous or advocating atheism. Since the law went into effect, some human rights defenders and atheists reportedly have been charged and convicted under the law. For example, in February 2016, a Saudi man reportedly was convicted of denying the existence of God and ridiculing religious beliefs on Twitter and sentenced to 10-years’ imprisonment, 2,000 lashes, and a US\$5,300 fine.

Abuses by the CPVPV

The Commission for the Promotion of Virtue and Prevention of Vice (CPVPV), which reports to the King and is not subject to judicial review, officially enforces public morality and restricts public religious manifestations and practice by both Saudis and non-Saudis. In recent years, the public presence of the CPVPV has diminished in parts of the country. Nevertheless, in 2015, members of the CPVPV periodically overstepped their authority, including harassing and arresting non-Muslim expatriate workers holding religious services in private homes.

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2014 Law Classifies Blasphemy, Advocating Atheism as Acts of Terrorism

Saudi Arabia’s 2014 counterterrorism law, the Penal Law for Crimes of Terrorism and its Financing, and a series of subsequent royal decrees create a legal framework that criminalizes as terrorism virtually all forms of peaceful dissent and free expression, including criticizing the government’s interpretation of Islam or advocating atheism. Under the new law, which went into effect in February 2014, a conviction could result in a prison term ranging from three to 20 years. The Interior Ministry’s March 2014 regulations state that, under the new law, terrorism includes “[c]alling for atheist thought in any form, or calling into question the fundamentals of the

In 2013, a law was passed limiting the jurisdiction of the CPVPV. Despite the fact that the CPVPV is not allowed to engage in surveillance, detain individuals for more than 24 hours, arrest individuals without police accompaniment, or carry out any kind of punishment, its members have been accused over the past year of beating, whipping, detaining, and otherwise harassing individuals. USCIRF continues to call for the dissolution of the CPVPV.

Improvements in Saudi Textbooks, Yet Continued Dissemination of Intolerant Materials

In 2014, the Saudi Embassy in Washington, DC provided USCIRF most textbooks used in public schools

in the Kingdom during the 2013-2014 school year. After an analysis of some of the relevant religious textbooks that had previously contained inflammatory language advocating hatred and violence, USCIRF found that there were improvements concerning the removal of intolerant content. USCIRF subsequently requested seven additional textbooks, which it had not received by the end of the reporting period. In January 2016, Saudi officials claimed that some of the requested high school-level textbooks were still in the process of being revised. In its annual international religious freedom report released in October 2015, the State Department found that the Saudi government had not completed its multi-year project to remove objectionable content from textbooks and that intolerant materials remained, “including directives to kill ‘sorcerers’ and socially exclude infidels. . .”

U.S. Policy

Despite a series of challenges in recent years, U.S.-Saudi relations remain close. Since 2010, the U.S. government has notified Congress of more than \$100 billion in proposed arms sales to the Kingdom, and, since March 2015, the United States has provided weapons, logistical, and other support for Saudi operations in Yemen. For years, the U.S. government’s reliance on the Saudi government for cooperation on counterterrorism, regional security, and energy supplies has limited its willingness to press the Saudi government to improve its poor human rights and religious freedom record.

During the past year, shared concerns over Islamist terrorism, particularly advances by ISIL, and Iranian regional ambitions provided a renewed impetus for increased strategic cooperation. Since 2014, Saudi forces have participated in some coalition strikes on ISIL

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In recent years, a Saudi royal decree banned the financing outside Saudi Arabia of religious schools, mosques, hate literature, and other activities that support religious intolerance and violence toward non-Muslims and non-conforming Muslims. Nevertheless, some literature, older versions of textbooks, and other intolerant materials reportedly remain in distribution in some countries despite the Saudi government’s policy that it would attempt to retrieve previously-distributed materials that teach hatred toward other religions and, in some cases, promote violence. For example, some of the older books justified violence against apostates, sorcerers, and homosexuals, and labeled Jews and Christians “enemies of the believers;” another high school textbook presented the “Protocols of the Elders of Zion” – a notorious forgery designed to promote hostility toward Jews – as an authentic document. Concerns also remain about privately-funded satellite television stations in the Kingdom that continue to espouse sectarian hatred and intolerance.

targets in Syria. Critics have expressed concerns that the United States has been reluctant to jeopardize important bilateral initiatives by pushing publicly for political and human rights reforms. Nevertheless, during the reporting period, the State Department issued some public statements raising human rights and religious freedom issues, including expressing concern about the execution of Shi’a cleric Nimr al-Nimr in January 2016 and urging the Saudi government to cancel the flogging against blogger Raif Badawi and to review his case and sentence in January 2015.

According to the State Department, U.S. policy seeks to press the Saudi government “to respect religious freedom, eliminate discrimination against religious minorities, and promote respect for non-Muslim religious belief.” The U.S. government continues to encourage the Saudi government’s efforts to remove intolerant passages advocating violence in textbooks, and it continues to include Saudi officials in exchange and U.S. visitor programs that promote religious tolerance and interfaith dialogue. According to reports, the

number of Saudi students pursuing higher education in the United States increased ten-fold from 2000 to 2015. In 2015, Saudi officials stated that there were more than 125,000 Saudis in the United States as part of their scholarship program and that plans were in place to expand Saudi government financial support to cover all Saudi students studying in the United States.

In September 2004, consistent with USCIRF's recommendation, the State Department designated Saudi Arabia a CPC for the first time. In 2005, a temporary waiver was put in place, in lieu of otherwise legislatively mandated action as a result of the CPC designation, to allow for continued diplomatic discussions between the U.S. and Saudi governments and "to further the purposes of IRFA." In July 2006, the waiver was left in place indefinitely when the State Department announced that ongoing bilateral discussions with Saudi Arabia had enabled the U.S. government to identify and confirm

- Guarantee and protect the right to private worship for all, including non-Muslims who gather in homes for religious practice, and the right to possess and use personal religious materials.
- Ensure that members of the CPVPV do not detain or conduct investigations of suspects, implement punishment, violate the sanctity of private homes, conduct surveillance, or confiscate private religious materials; and hold accountable any CPVPV officials who commit abuses.
- Bring the Kingdom's rules and regulations into compliance with human rights standards.

On July 18, 2014, the State Department re-designated Saudi Arabia 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.

USCIRF urges the U.S. government to address religious freedom issues actively and publicly with the Saudi government and to report openly on the government's success or failure to implement genuine reforms. . .

a number of policies that the Saudi government "is pursuing and will continue to pursue for the purpose of promoting greater freedom for religious practice and increased tolerance for religious groups." USCIRF has concluded that full implementation by the Saudi government of these policies would diminish significantly the government's institutionalized practices that negatively affect freedom of religion and belief. Some of the measures that Saudi Arabia confirmed as state policies included the following:

- Halt the dissemination of intolerant literature and extremist ideology within Saudi Arabia and around the world.
- Revise and update textbooks to remove remaining intolerant references that disparage Muslims or non-Muslims or that promote hatred toward other religions or religious groups, a process the Saudi government expected to complete in one to two years [no later than July 2008].

Recommendations

USCIRF urges the U.S. government to address religious freedom issues actively and publicly with the Saudi government and to report openly on the government's success or failure to implement genuine reforms, in order to ensure that the Saudi government's initiatives will result in substantial, demonstrable progress. Specifically, USCIRF recommends that the U.S. government should:

- Continue to designate Saudi Arabia a CPC, no longer issue a waiver, and press the Saudi government to take concrete action towards completing reforms confirmed in July 2006 in U.S.-Saudi bilateral discussions; provide a detailed report on progress and lack of progress on each of the areas of concern;
- Press for at the highest levels and work to secure the immediate release of Raif Badawi, his counsel Waleed Abu al-Khair, and other prisoners of conscience;

- Press the Saudi government to end state prosecution of individuals charged with apostasy, blasphemy, and sorcery;
- Undertake and make public an annual assessment of the relevant Ministry of Education religious textbooks to determine if passages that teach religious intolerance have been removed;
- Press the Saudi government to publicly denounce the continued use around the world of older versions of Saudi textbooks and other materials that promote hatred and intolerance, to include the concepts of tolerance and respect for the human rights of all persons in school textbooks, and to make every attempt to retrieve previously distributed materials that contain intolerance;
- Press the Saudi government to continue to address incitement to violence and discrimination against disfavored Muslims and non-Muslims, including by prosecuting government-funded clerics who incite violence against Muslim minority communities or individual members of non-Muslim religious minority communities;
- Press the Saudi government to ensure equal rights and protection under the law for Shi'a Muslim citizens;
- Press the Saudi government to remove the classification of advocating atheism and blasphemy as terrorist acts in its 2014 counterterrorism law;
- Include Saudi religious leaders, in addition to government officials, in exchanges and U.S visitor programs that promote religious tolerance and interfaith dialogue; and
- Work with the Saudi government to codify non-Muslim private religious practice, and permit foreign clergy to enter the country to carry out worship services and to bring religious materials for such services.

TIER 1



CPCS RECOMMENDED BY USCIRF

-CENTRAL AFRICAN REPUBLIC

-EGYPT

-IRAQ

-NIGERIA

-PAKISTAN

-SYRIA

-TAJIKISTAN

-VIETNAM



EGYPT

Key Findings

Against a backdrop of deteriorating human rights conditions, the Egyptian government has taken positive steps to address some religious freedom concerns, including intolerance in religious curricula and extremism in religious discourse. In addition, President Abdel Fattah al-Sisi continued to make public statements encouraging religious tolerance and moderation and attended a Coptic Christmas Eve mass for the second consecutive year. Furthermore, there were notably fewer sectarian attacks against Christians and other religious minorities, and investigations and prosecutions continued for the unprecedented scale of destruction of churches and Christian property that occurred in the summer of 2013. However, other past large-scale sectarian incidents have not resulted in prosecutions, which continued to foster a climate of impunity. In addition, the longstanding discriminatory and repressive laws and policies that restrict freedom of thought, conscience, and religion or belief remain in place. During the past year, there was an increase in Egyptian courts prosecuting, convicting, and imprisoning Egyptian citizens for blasphemy and related charges. While the 2014 constitution includes

Religious Freedom Act (IRFA). USCIRF will continue to monitor the situation closely to determine if positive developments warrant a change in Egypt's status during the year ahead.

Background

Egypt's 2014 constitution identifies Islam as the state religion and principles of Shari'ah as the primary source of legislation. The population is approximately 89 million, with 85 to 90 percent adhering to Sunni Islam and non-Sunni Muslims comprising less than one percent. Christians are estimated at 10 to 15 percent of the overall population, with the vast majority belonging to the Coptic Orthodox Church and less than two percent belonging to various other Christian denominations, including Catholic, Protestant, Maronite, Armenian Apostolic, Orthodox (Greek and Syrian), and Anglican. There are at least 2,000 Baha'is, approximately 1,500 Jehovah's Witnesses, and fewer than 20 Jews.

During the reporting period, Egypt continued its volatile political transition following the military's 2013 ouster of former president Mohamed Morsi. In January 2014, a new constitution was approved overwhelmingly

Against a backdrop of deteriorating human rights conditions, the Egyptian government has taken positive steps to address some religious freedom concerns. . . .

improvements regarding freedom of religion or belief, the interpretation and implementation of relevant provisions remain to be seen, since the newly seated parliament has yet to act on the provisions. Based on these ongoing concerns, for the sixth year in a row, USCIRF recommends in 2016 that Egypt be designated a "country of particular concern," or CPC, under the International

by referendum, and in May 2014, al-Sisi was elected president. Following delays, parliamentary elections occurred in stages starting in October 2015 and concluded in December. The parliament was seated in January 2016 and is comprised of 596 members, including an unprecedented 36 Christians. The improved religious freedom provisions in the constitution have not yet been implemented, although the parliament is

mandated to take action before the completion of its first session.

During the past year, the government's efforts to combat extremism and terrorism have had a chilling impact on human rights and civil society activities in the country. Despite some political prisoners and other dissidents being released from prison in 2015, the government continues to crack down on all forms of dissent. Sympathizers and members of the Muslim Brotherhood, journalists, secular and liberal activists, and opposition figures have been harassed, jailed, and given harsh prison terms, including death sentences for Brotherhood members and other Islamists, sometimes on legitimate, but also on unfounded, security charges. In addition, during the reporting period, an intensified crackdown on Egyptian non-governmental organizations – including human rights groups that monitor religious freedom conditions – has resulted in new criminal investigations, harassment, and travel bans on prominent human rights defenders.

In March 2016, a USCIRF staff member traveled to Egypt to assess religious freedom conditions and meet with a range of Egyptian government officials, U.S. Embassy officials, and members of civil society, including religious leaders, religious freedom advocates, human rights defenders, lawyers, and researchers.

perpetrators have been prosecuted and imprisoned.

In March 2015, the Ministry of Education announced that it had decided to remove and/or clarify passages from primary school textbooks, particularly Islamic education books, deemed to promote incitement and extremist ideology; during the past year it expedited this process, which is ongoing. The Ministry also has intensified efforts to incorporate concepts of religious tolerance and understanding into all textbooks. According to Egyptian officials, the government-funded Al-Azhar – one of the preeminent Sunni Muslim centers of learning in the world – is evaluating reforms to its religious curricula and reportedly will review high school texts during the summer of 2016. In addition to higher education, Al-Azhar has oversight of a network of schools with approximately two million students throughout Egypt.

Regarding religious discourse in society, the Egyptian government actively monitors *fatwas* (religious edicts) issued by clerics; Dar al-Ifta, a government entity headed by the Grand Mufti, has countered publicly dozens of *fatwas* that espouse radical views. During the reporting period, the Ministry of Religious Endowments and Dar al-Ifta started training senior imams on the skills of issuing responsible and accurate *fatwas*, and the Grand Mufti created a committee to evaluate other possible reforms.

Since the 2013 ouster of former president Morsi, the government has increased its control over all Muslim religious institutions, including mosques and religious endowments.

Religious Freedom Conditions 2015–2016 Recent Improvements

Since he assumed office in 2014, President al-Sisi has made several noteworthy public statements and gestures encouraging religious tolerance and moderation and urging reform of textbooks and religious discourse in society, an important shift in tone and rhetoric from his predecessors. Perhaps the most encouraging trend over the past two years has been the significant decrease in the number and scale of targeted, sectarian attacks against Copts. Since the violent assault on Copts and their churches and properties in August 2013, dozens of

Government Control and Regulation of Islamic Institutions

Since the 2013 ouster of former president Morsi, the government has increased its control over all Muslim religious institutions, including mosques and religious endowments. Egyptian officials have justified this regulation as necessary to counter extremism and to prevent incitement to violence in mosques. In February 2015, an administrative court upheld a 2013 decree by the Ministry of Religious Endowments that prevents imams who are not graduates of Al-Azhar from preaching in licensed and unlicensed mosques. The law bans

unlicensed mosques from holding Friday prayers, requires Friday sermons to follow government-approved content, and provides tougher penalties for preaching without a license, including a prison term of up to one year and/or a fine. The government appoints and pays the salaries of all Sunni Muslim imams and monitors sermons.

those responsible for past violence against Copts and other religious minorities has continued to foster an atmosphere of impunity.

Over the past year, the number and severity of violent incidents targeting Copts and their property decreased significantly when compared to previous years; however, sporadic violence continued, particu-

The inability to successfully prosecute those responsible for past violence against Copts and other religious minorities has continued to foster an atmosphere of impunity.

Progress and Ongoing Challenges for Coptic Christians

President al-Sisi was the first head of state to attend a Coptic Christmas Eve mass in January 2015. He did so again in January 2016, publicly apologizing that authorities had not yet finished rebuilding churches destroyed in August 2013 and pledging to complete the process within a year. Following the unprecedented scale of violence against Copts that summer, the Egyptian government found that 29 people died in sectarian-related killings, 52 churches were completely destroyed, another 12 damaged, and numerous Christian-owned properties were destroyed. At the end of the reporting period, at least half of the destroyed churches had been rebuilt and the other half were still being constructed or repaired. In February 2015, President al-Sisi offered condolences in person to Coptic Pope Tawadros after ISIL (the Islamic State in Iraq and the Levant) killed 20 Copts and one Ghanaian in Libya. In October, Egyptian authorities started building a new church, as ordered by President al-Sisi, to honor the slain Copts.

While the Coptic community in general welcomes these and other symbolic gestures, repressive laws and discriminatory policies against Copts remain in place, including blasphemy charges and convictions, limits on building and maintaining churches, and limits on conversion from Islam. There also continues to be inadequate accountability for past violent attacks; most perpetrators from large-scale incidents that occurred between 2011 and 2013 – and even before that – have not been prosecuted. The inability to successfully prosecute

larly in Upper Egypt. For example, in June 2015, at the time of the two-year anniversary of the overthrow of former president Morsi, a number of Christian homes and properties were attacked, and in July, a mob firebombed a church in Alexandria and authorities reportedly responded slowly. In March, local police failed to prevent a mob attack on a Coptic church in the al-Our village, the hometown of 13 of the 20 Copts killed in Libya. In some parts of the country, Egyptian security services increased protection of churches during significant religious holidays, which lessened the level of fear and insecurity among members of the Coptic community.

There has been progress on accountability for the destruction of and damage to Christian churches and properties in the summer of 2013. In April 2015, an Egyptian court convicted and sentenced approximately 70 individuals to life in prison for their role in burning a church in the village of Kafr Hakim just outside Cairo. In December 2014, some 40 perpetrators found responsible for attacks on five churches in Assiut, Upper Egypt, were sentenced to prison terms ranging from one to 15 years. Other cases are ongoing; in some cases, police have not conducted adequate investigations, making it more difficult to prosecute perpetrators.

Furthermore, in response to sectarian-related violence, local Egyptian authorities continue to conduct “customary reconciliation” sessions between Muslims and Christians as a way of easing tensions and resolving disputes. In some cases, local authorities and Muslim and Christian religious leaders have abused these

reconciliation sessions to compel victims to abandon their claims to any legal remedy. Human rights groups have argued that reconciliation sessions disadvantage Christians in resolving various disputes, many of which are sectarian-related attacks targeting Christians.

In addition, following the August 2013 church attacks, the number of incidents of kidnappings for ransom and extortion of Christians rose dramatically. While these incidents have decreased over the past year, they continue in parts of the country, particularly in Upper Egypt. Furthermore, Egyptian-born Muslims who have converted to Christianity still cannot reflect their change of religious affiliation on identity documents, and in many cases, these converts also face intense social hostility.

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.” Authorities use this “contempt-of-religion,” or blasphemy, law to detain, prosecute, and imprison members of religious groups whose practices deviate from mainstream Islamic beliefs or whose activities are alleged to jeopardize “communal harmony” or insult Judaism, Christianity, or Islam. In January 2015, President al-Sisi issued a decree that permits the government to ban any foreign publications it deems offensive to religion.

For example, in January 2016, Egyptian writer and poet Fatma Naoot was sentenced to three years in prison for “defaming Islam” for a Facebook post criticizing the ritual slaughtering of animals during a Muslim holiday. In May 2015, a well-known television show host, Islam El-Beheiry, was convicted of “defaming religious symbols” and sentenced to five years in prison for comments he made about Islam on his program. In December, his sentence was reduced on appeal to one year in prison. In May, a dentist from the Daqahlia governorate was sentenced to six months in prison for contempt of religion and practicing Shi’a Islam, partly because authorities found Shi’a books and materials in his home. In April 2015, four Coptic Christian teenagers and their teacher were arrested and charged with blasphemy for making a short, private video mocking ISIL. In February 2016, three of the four teens were sentenced to five years in prison and the fourth was placed in a juvenile facility. In December 2015, the teacher was sentenced to three years in prison in a separate trial and was expelled from his village; appeals for both cases are ongoing.

Egyptian atheists have seen a rise in blasphemy charges in recent years, as well as growing societal harassment and various Egyptian government-sponsored initiatives to counter atheism. In December 2014, Dar al-Ifta published a survey claiming that Egypt was home to 866 atheists, supposedly the “highest number” of any country in the Middle East. Two officials

Egyptian atheists have seen a rise in blasphemy charges in recent years, as well as growing societal harassment and various Egyptian government-sponsored initiatives to counter atheism.

Blasphemy cases have increased since 2011, and this trend continued during the reporting period. While the majority of charges are leveled against Sunni Muslims, most of those sentenced by a court to prison terms for blasphemy have been Christians, Shi’a Muslims, and atheists, largely based on flawed trials. According to Egyptian human rights groups, there were at least 21 new blasphemy cases between the beginning of 2015 and the end of the reporting period, a sharp increase when compared to the previous year.

from the office of the Grand Mufti publicly called this a “dangerous development.” Over the past two years, the Ministries of Religious Endowments and Sports and Youth co-sponsored a national campaign to combat the spread of atheism among Egyptian youth. In February 2016, online activist Mustafa Abdel-Nabi was convicted in absentia to three years in prison for blasphemy for postings about atheism on his Facebook page. In February 2015, a blogger from Ismailia, Sherif Gaber, was sentenced to one year in prison for discussing his atheist

views on Facebook; he has gone into hiding. In January 2015, atheist student Karim Al-Banna was given a three year prison term for blasphemy because a court found his Facebook posts to “belittle the divine.” His sentence was upheld by an appeals court in March.

In addition, in April 2015, the Ministry of Religious Endowments announced it would launch a campaign to combat what it perceives as threatening topics in mosques: Shi’a Islam, atheism, the Baha’i faith, and other social issues such as murder and drug addiction.

Baha’is, Jehovah’s Witnesses, and Shi’a Muslims

The Baha’i and Jehovah’s Witness faiths have been banned since 1960 by presidential decrees. As a result, Baha’is living in Egypt are unable to meet or engage in public religious activities. Al-Azhar’s Islamic Research Center has issued *fatwas* over the years urging the continued ban on the Baha’i community and condemning its members as apostates. Over the past two years, the Ministry of Religious Endowments has sponsored public workshops to raise awareness about the “growing dangers” of the spread of the Baha’i faith in Egypt. Since Baha’i marriage is not recognized, married Baha’is cannot obtain identity cards, making it impossible to conduct daily transactions like banking, school registration, or car or home ownership.

In recent years, the government has permitted Jehovah’s Witnesses to meet in private homes in groups of fewer than 30 people, despite the community’s request to meet in larger numbers. Jehovah’s Witnesses are not allowed to have their own places of worship or to import Bibles and other religious literature. Over the past year, security officials continued to harass, interrogate, and intimidate Jehovah’s Witnesses by monitoring their activities and communications and by threatening the community with intensified repression if it does not provide membership lists.

In addition to the blasphemy cases targeting members of the Shi’a community and government campaigns to counter Shi’a Islam in public and in mosques, the Deputy Minister of Religious Endowments announced in October 2015 that the Shi’a community would not be permitted to celebrate Ashura in several mosques in Cairo. A subsequent statement from the Ministry reportedly justified the closure stating that Shi’a rituals had no basis in Islam.

Anti-Semitism and the Jewish Community

In 2015, material vilifying Jews with both historical and new anti-Semitic stereotypes continued to appear in Egypt’s state-controlled and semi-official media; Egyptian authorities have failed to take adequate steps to combat anti-Semitism in the state-controlled media. Egypt’s once-thriving Jewish community of tens of thousands in the mid-20th century is now on the verge of extinction. It owns communal property, including synagogues in Cairo and Alexandria, and finances required maintenance largely through private donations. Many of the community’s sites are in dire need of repair and/or renovation.

Egypt’s Constitution

There are some encouraging changes in the 2014 constitution that could bode well for religious freedom. Several problematic provisions from the 2012 constitution were removed: a provision that narrowly defined Islamic Shari’ah law; a provision potentially giving Al-Azhar a consultative role in reviewing legislation; and a provision that effectively banned blasphemy. While Article 64 provides that “freedom of belief is absolute,” this article limits the freedom

There are some encouraging changes in the 2014 constitution that could bode well for religious freedom.

to practice religious rituals and establish places of worship to only the “Abrahamic” religions: Islam, Christianity, and Judaism. A new provision, Article 235, requires the incoming parliament to pass a law governing the building and renovating of churches. This would potentially lift the longstanding requirement of governmental approval for building or repairing churches, which has served as a justification for sectarian-related violence targeting Christians. In addition, Article 53 mandates the establishment of an independent anti-discrimination commission, the jurisdiction of which would include discrimination on the basis of religion or belief.

U.S. Policy

For many years, U.S. policy toward Egypt has focused on fostering strong bilateral relations, continuing military and counterterrorism cooperation, maintaining regional stability, and sustaining the 1979 Camp David peace accords. Successive administrations have viewed Egypt as a key ally in the region and it is among the top five recipients in the world of U.S. aid. The FY2016 Consolidated Appropriations Act provides Egypt with \$1.3 billion in foreign military financing (FMF) and \$150 million in economic support funds (ESF). During the reporting period, in addition to periodic criticism of Egypt's human rights record, the Obama Administration has expressed the view that the denial of fundamental human rights create conditions that could fuel the growth of violent extremism, including in comments by Secretary of State John Kerry during the August 2015 "strategic dialogue" of high-level officials.

Public Law 114-113, the FY2016 Consolidated Appropriations Act, places conditions on U.S. assistance to Egypt related to limits on human rights, including religious freedom. Specifically, it requires the Secretary of State to certify that Egypt has taken steps to advance the democratic process, protect free speech, and protect the rights of women and religious minorities, among other measures. However, the Act also authorizes the Secretary to provide assistance to Egypt if he or she determines that the assistance is important to the national security interests of the United States.

On March 31, 2015, the U.S. government announced that it would release an October 2013 hold on the delivery of select weapons systems and continue foreign military financing and economic support funds to Egypt. On May 12, Secretary of State Kerry certified in a report to Congress that the resumption of aid to Egypt was in the national security interest of the United States. Despite the certification, the report concluded that the overall trajectory for human rights and democracy in Egypt was negative. In addition, the report found that the Egyptian government "had taken steps to advance and protect the rights of religious minorities," although these protections were limited to followers of Islam, Christianity, and Judaism, and that "the government continues to prosecute individuals for 'denigrating religions,' and accountability for past sectarian crimes remains problematic."

According to the State Department, officials at all levels of the U.S. government continue to raise a range of religious freedom concerns with Egyptian counterparts. Despite USCIRF recommending since 2011 that Egypt should be designated a "country of particular concern," the State Department has not taken such action.

Recommendations

Egypt continues to experience both progress and setbacks during its transition, the success of which hinges on full respect for the rule of law and compliance with international human rights standards, including freedom of religion or belief. In addition to recommending that the U.S. government designate Egypt a CPC, USCIRF recommends that the U.S. government should:

- Ensure that a portion of U.S. military assistance is used to help police implement an effective plan for dedicated protection for religious minority communities and their places of worship;
- Press the Egyptian government to undertake immediate reforms to improve religious freedom conditions, including: repealing decrees banning religious minority faiths, including the Baha'i and Jehovah's Witness faiths; removing religion from official identity documents; and passing laws consistent with Article 53 (creating an anti-discrimination body) and Article 235 (regulating the construction and renovation of churches) of the constitution;
- 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 constitutional and international guarantees of the rule of law and due process for those individuals charged with violating Article 98(f);
- Press the Egyptian government to prosecute perpetrators of sectarian violence through the judicial system, and to ensure that responsibility for religious affairs is not under the jurisdiction of the domestic security agency, which should only deal with national security matters such as cases involving the use or advocacy of violence;
- Press the Egyptian government to address incitement to violence and discrimination against

disfavored Muslims and non-Muslims, including by prosecuting government-funded clerics who incite violence against Muslim or non-Muslim minority communities;

- Press the Egyptian government to continue to revise all textbooks and other educational materials to remove any language or images that promote intolerance, hatred, or violence toward any group of persons based on religion or belief, and include the concepts of tolerance and respect for human rights of all individuals, including religious freedom, in all school curricula, textbooks, and teacher training;
- Provide direct support to human rights and other civil society or non-governmental organizations to advance freedom of religion or belief for all Egyptians; and
- Place particular emphasis, in its annual reporting to Congress on human rights and religious freedom, on the Egyptian government's progress on the protection of religious minorities, prosecution of perpetrators of sectarian violence, and the ability of Egyptian non-governmental organizations to receive outside funding from sources including the U.S. government.

IRAQ



IRAQ

Key Findings

Iraq's religious freedom climate continued to deteriorate in 2015, especially in areas under the control of the Islamic State of Iraq and the Levant (ISIL). ISIL targets anyone who does not espouse its extremist Islamist ideology, but minority religious and ethnic communities, including the Christian, Yazidi, Shi'a, Turkmen, and Shabak communities, are especially vulnerable. In 2015,

by ISIL, but also due to the Iraqi government's toleration of attacks by security forces and the PMF, in 2016 USCIRF again recommends that the U.S. government designate Iraq as a "country of particular concern," or CPC, under the International Religious Freedom Act of 1998 (IRFA). USCIRF has recommended CPC designation for Iraq since December 2008. Post-Saddam Iraq has never been designated a CPC by the State Department.

In 2015, USCIRF concluded that ISIL was committing genocide against [the Christian, Yazidi, Shi'a, Turkmen, and Shabak communities], and crimes against humanity against these and other groups.

USCIRF concluded that ISIL was committing genocide against these groups, and crimes against humanity against these and other groups. While ISIL was the most egregious perpetrator of human rights and religious freedom violations, the Popular Mobilization Forces (PMF), recognized by Prime Minister al-Abadi in September 2015 as officially part of the Iraqi state, have continued to commit systematic attacks against Sunni Muslim civilians, exacerbating sectarian tensions. Although al-Abadi attempted to bring the PMF into the fold of government-sanctioned armed groups through this maneuver, so far it has remained clear that the group – which technically reports to the Ministry of Interior – exercises a significant amount of autonomy and espouses strong pro-Shi'a leanings, mostly to the exclusion of Iraq's Sunni population. However, because the PMF is one of the most effective groups in fighting ISIL, the Iraqi government has not curtailed their activities or prosecuted those who have perpetrated violent attacks. Millions of Iraqis are now refugees or are internally displaced due to ISIL's actions and the government's inability to protect religious communities. Based on violations perpetrated primarily

Background

Iraq has long suffered from sectarian tensions, which have adversely affected the country's human rights and religious freedom climate. Under Saddam Hussein, the Iraqi government maintained relative order through intimidation and terror while favoring the Sunni Muslim minority, who comprise approximately 35 percent of the country's population. Following the fall of Saddam Hussein in 2003, Nouri al-Maliki, Iraq's Prime Minister between 2003 and 2014, acted in an authoritarian and sectarian manner. He failed to implement fully an agreement to share government power between Shi'a and Sunni Muslims, targeted Sunni areas and Sunni politicians, and marginalized Sunni Muslims in the government and the military. Since Maliki's resignation, Prime Minister Haider al-Abadi has attempted but not yet succeeded to ease sectarian tensions, although he has made some overtures to integrate Sunni Muslims into the government or recruit them into the military. The PMF and Iranian-backed Shi'a militias that operate outside of government control have further complicated al-Abadi's attempts to ease Sunni-Shi'a tensions on the political and societal level.

This background helped create the conditions that allowed ISIL to rise, spread and ultimately control significant areas of northern and central Iraq. The political actions by Saddam Hussein and Nouri al-Maliki created significant distrust between Iraq's Shi'a majority population and the Sunni Muslim minority population, which impacts Iraq today. The Sunni population has a distrust of the Iraqi government, and doubts its willingness to allow Sunni Muslims to participate at high levels in the government and military. Moreover, Sunni Muslim populations who abhor ISIL fear that the Iraqi government will not provide them protection. Religious minority communities, especially the Yazidi population, doubt the Iraqi government's willingness, ability, or both to protect them from ISIL. This degree of mistrust among Iraq's religious and ethnic communities and these communities' lack of confidence in the Iraqi government have combined to exacerbate sectarian tensions, undermine the country's stability, and create doubt that religious freedom and human rights are a priority and will be protected by the government.

Since 2014, the semi-autonomous Kurdistan region and its government (KRG) have played a significant role in providing a safe haven for religious minority communities fleeing ISIL's advancements and attacks.

Since 2014, the semi-autonomous Kurdistan region and its government (KRG) have played a significant role in providing a safe haven for religious minority communities fleeing ISIL's advancements and attacks. The population of the KRG is approximately 5.2 million people. Since ISIL's advent and the beginning of the Syrian conflict, an additional 1.8 million Syrian refugees and Iraqi internally displaced persons (IDPs) from other parts of Iraq have flooded the KRG, straining its ability to provide sufficient humanitarian aid and services. The pressure on the KRG to provide for communities that sought safety there has further strained relations between the KRG and Baghdad.

Even before ISIL's rise, the country's smallest religious communities – which include Catholics, Orthodox

Christian, Protestants, Yazidis, and Sabeen Mandeans – were already significantly diminished. Before 2003, non-Muslim Iraqis made up around three percent of the Iraqi population. By 2013, the Christian population had dwindled to 500,000 – half of its reported size in 2003 – and today, some Christian leaders report the number to be as low as 250,000 to 300,000. Also in 2013, the Yazidis reported that since 2005 their population had decreased by nearly 200,000 to approximately 500,000, and the Mandeans reported that almost 90 percent of their community had left the country or been killed, leaving just a few thousand. The size of these religious communities continues to decline as the crisis in Iraq deepens, with many members of Iraq's smallest minority communities having been killed, driven out of the country or internally displaced, especially since ISIL's advance in northern Iraq since 2014.

Religious Freedom Conditions 2015–2016 Violations by ISIL

ISIL threatens the region, Iraq's stability, and human rights and religious freedom for all Iraqis. ISIL's violent religious and political ideology allows for no space for religious diversity or freedom of thought or expression. The group has deliberately expelled minority communities from their historic homelands, forced them to convert to ISIL's version of Islam, raped and enslaved women and children, and tortured and killed community members, including by stoning, electrocution, and beheading. ISIL has targeted all of Iraq's smallest religious minority communities; its ongoing actions could well mark the end of ancient religious communities in northern Iraq. After the reporting period, on March 17, 2016, Secretary of State John Kerry announced that, in his judgment, ISIL "is responsible for genocide against groups in areas under its control, including Yezidis, Christians, and Shi'a Muslims [and] for crimes against humanity and ethnic cleansing directed at these same groups and in some cases also against Sunni Muslims, Kurds, and other minorities."

ISIL has committed horrific crimes against the Yazidi community, a small religious group it regards as "devil worshippers" and does not consider "People of the Book" (the Abrahamic faiths). A 2015 U.S. Holocaust Memorial Museum (USHMM) report found that ISIL committed acts of genocide against the Yazidi community in the summer of 2014. According to survivor

accounts, ISIL gave Yazidis two options: convert or face death. The USHMM documents at least 1,562 Yazidis killed in the summer of 2014, including those who died on Mount Sinjar from starvation and dehydration. According to the United Nations, at least 16 mass graves have been uncovered around Sinjar, with the remains of likely Yazidi victims. Yazidi women and girls are subject to mass rape, sexual slavery, assault, and forced marriage to ISIL fighters. In January 2016, the United Nations Assistance Mission for Iraq (UNAMI) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) reported that ISIL had abducted 5,838 people since August 2014: 3,192 women and 2,646 men.

ISIL also has targeted Christian communities. In August 2015, Iraqi Defense Minister, Khaled al-Obeidi reported that ISIL had killed 2,000 Iraqis in the largely Christian Nineveh Plains between January and August 2015, and that more than 125,000 Christians fled to the

of Baghdad and in August, 67 Shi'a Muslims were killed in the Jamila Market near Sadr City. In July, 22 members of the Sunni Jubur tribe were executed north of Mosul and in October, ISIL executed 70 members of Sunni Abu Nimer tribe Anbar Province.

Violations by the Iraqi Government

At the 2015 United Nations General Assembly, Prime Minister al-Abadi announced that the PMF would be part of the official Iraqi state, accountable to the Ministry of Interior; however, the PMF operates with significant autonomy. Religious leaders, such as Grand Ayatollah Ali Sistani, Iraq's top Shi'a cleric, publicly have called on the Iraqi government and the Prime Minister to exert more robust control over the PMF's actions. In spite of this, al-Abadi has allocated at least \$1 billion to the PMF from Iraq's state budget and regularly mentions the group when speaking about the Iraqi government's battles against ISIL.

Although the PMF is an effective military force in the fight against ISIL, it and Shi'a militia groups under its umbrella (such as the Badr Brigades, League of the Righteous, Hezbollah Battalions, and the Imam Ali Battalions) also have been accused of carrying out systematic and egregious sectarian violence against Sunni Muslims and others.

KRG for protection. In Kirkuk, ISIL has used churches as bases and stormed and desecrated cemeteries; it also demolished Assyrian monasteries. In late January 2016, it was reported that ISIL had destroyed the oldest Christian monastery in Iraq, the St. Elijah's Monastery in Erbil, which has been a place of worship for more than 1,400 years; the destruction is believed to have occurred between August and September 2014.

In addition, ISIL victimizes both Sunni and Shi'a Muslims. The group has taken responsibility for numerous bombings and killings throughout the country that target both communities. ISIL kills and injures Shi'a Muslims indiscriminately through bombings and other mass killing methods, whereas with Sunnis, it targets communities – and community leaders – that pose threats to its authority or are engaged in resistance activities against it. For example, in July 2015, 115 Shi'a Muslims were killed in Khan Bani Saad, north

Although the PMF is an effective military force in the fight against ISIL, it and Shi'a militia groups under its umbrella (such as the Badr Brigades, League of the Righteous, Hezbollah Battalions, and the Imam Ali Battalions) also have been accused of carrying out systematic and egregious sectarian violence against Sunni Muslims and others. According to reports, after the recapture of Tikrit in March 2015, Shi'a militias destroyed hundreds of buildings in the Sunni villages of al-Dur, al-Bu' Ajil, and al-Alam neighborhoods. Two hundred Sunni men also were abducted. In mid-January 2016 in Muqdadiah, Shi'a militias burned and destroyed six Sunni mosques and a Sunni marketplace. Sunni neighbors and two journalists for Iraqi's al-Sharqiya TV, a channel sympathetic to Iraqi Sunnis, also were executed. At the end of December 2015, PMF groups were reported to be harassing Christian women who did not wear the Islamic headscarf. Christians in Baghdad said that

the PMF hung posters on churches and monasteries in Christian neighborhoods urging women to cover their hair and that some Christians received threats that they should not celebrate Christmas or New Year's or disrespect PMF martyrs who died fighting ISIL. Human rights groups have urged the government to hold the PMF and other government-sanctioned actors accountable by, prosecuting them for their perpetration of extortion, torture, extrajudicial killings, kidnappings, and abductions of non-Shi'a, especially Sunni, individuals.

Issues in the KRG

The Kurdish Peshmerga forces have been at the forefront of the fight with ISIL in northern Iraq and more than 1.8 million Syrian refugees and Iraqi IDPs have flooded the KRG. However, at the end of the reporting period, the KRG had not successfully integrated minority communities into its system of governance. According to reports, there are no seats for Arabs, Yazidis, Kaka'is, or other smaller minorities on the Kurdistan National Council (Parliament). Additionally, there are no specialized ministerial positions for minority populations that would allow for qualified, legitimate representatives from non-Kurdish groups.

However, at the end of the reporting period, the KRG had not successfully integrated minority communities into its system of governance.

U.S. Policy

The rise of ISIL in June 2014 brought with it increased U.S. involvement in Iraq. The actions of the U.S.-designated terrorist group and the threat it poses to Iraq's territorial integrity and security led the United States to boost cooperation with the governments in both Baghdad and the KRG and their respective security forces, the Iraqi Security Forces (ISF) and the Peshmerga. The United States' assistance has ranged from organizing the U.S.-led anti-ISIL coalition to conducting regular airstrikes to building indigenous partner capacity. The anti-ISIL coalition, dubbed Operation Inherent Resolve, includes 65 countries, of which Australia, Bahrain, Canada, France,

Jordan, Saudi Arabia, Turkey, the United Arab Emirates, the United Kingdom, and the United States are conducting airstrikes. Since September 2014, over 10,000 airstrikes have occurred, at least 7,000 of which have been in Iraq and most of which have been carried out by the United States. In December 2015, the United States announced the deployment of 100 U.S. special operations forces to conduct raids, gather intelligence, free hostages, and seize ISIL leaders. Additionally, the anti-ISIL coalition has sent 6,500 troops to Iraq, 3,500 of which are American. Through the Iraq Train and Equip Fund (ITAF), the United States has allocated over \$1.6 billion to train over 17,000 ISF and over 2,500 Peshmerga personnel, as well as Iraqi police and tribal fighters; provide military transportation vehicles, small arms and heavy weapons; and coordinate airlift missions. The G7, which includes the United States, also is working to stem the flow of foreign fighters and coordinate global intelligence to stop ISIL recruitment.

In 2015, the United States provided Iraq with over \$623 million in humanitarian aid, including to support internally displaced persons in the KRG. The funding supported the activities of the U.S. State Department, U.S. Agency for International Development, International Committee of the Red Cross (ICRC), International Organization for Migration (IOM), UN Children's Fund (UNICEF), UN Office for the Coordination of Humanitarian Affairs (OCHA), UN Population Fund (UNFPA), UN World Health Organization (WHO), UN Development Program (UNDP), and the UN High Commissioner for Refugees (UNHCR), among others. The efforts supported by the United States include camp coordination, health and medical support, education projects, food assistance, psychosocial support, shelter rehabilitation, and livelihood development. The United States also continues to resettle Iraqi refugees to the United States. According to State Department statistics, 12,676 Iraqis were resettled to the United States in FY2015, second only to the number of refugees resettled from Burma.

The United States continues to work with Prime Minister al-Abadi to encourage the creation of a more inclusive government representative of Iraq's various religious and ethnic communities. Salim al-Jabouri, the Sunni Muslim Speaker of the House, has been working alongside Al-Abadi to improve Sunni-Shi'a relations, and the two are known to have a closer working relationship than al-Maliki and his Sunni Speaker of the House, Osama

al-Nujaifi. Moreover, in 2014, al-Abadi appointed Khaled Al-Obaidi, a Sunni Muslim, as the Minister of Defense to lead the fight against ISIL. Numerous prominent Sunni generals also have been appointed to lead combat against the group in Ramadi. Such moves have increased the trust between the Sunni community, and specifically Sunni soldiers, and the Iraqi military, although sectarian relations remain strained due to previous experiences of the Sunni community under former Prime Minister al-Maliki and the continued actions of government-sanctioned paramilitary groups like the PMF.

The United States in 2015 spent over \$52.49 million in Iraq on good governance, rule of law and human rights, political competition and consensus building, and civil society programs. The United States continues to fund projects focused on minority issues. The Support for Minorities in Iraq (SMI) program is one such project. SMI collaborates with centers in Iraq to train and provide assistance to the country's minority groups so they can better represent themselves in civil society, address common challenges, and empower women economically.

Recommendations

In addition to recommending that the U.S. government designate Iraq a CPC, USCIRF recommends that the U.S. government should:

- Call for or support a referral by the UN Security Council to the International Criminal Court (ICC) to investigate ISIL violations in Iraq and Syria against religious and ethnic minorities, following the models used in Sudan and Libya, or encourage the Iraqi government to accept ICC jurisdiction to investigate ISIL violations in Iraq after June 2014;
- Encourage the Global Coalition to Counter ISIL, in its ongoing international meetings, to work to develop measures to protect and assist the region's most vulnerable religious and ethnic minorities, including by increasing immediate humanitarian aid, prioritizing the resettlement to third countries of the most vulnerable, and providing longer-term support in host countries for those who hope to return to their homes post-conflict;
- Develop a government-wide plan of action to protect religious minorities in Iraq and help establish the conditions for them to return to their homes;

charge the Ambassador-at-Large for International Religious Freedom with engaging with the Inter-Governmental Contact Group on Freedom of Religion or Belief to coordinate similar efforts by other governments;

- Include in all military or security assistance to the Iraqi and Iraqi Kurdistan governments a requirement that security forces are integrated to reflect the country's religious and ethnic diversity, and provide training for recipient units on universal human rights standards and how to treat civilians, particularly religious minorities;
- Urge the Iraqi government to continue to prosecute and hold to account the Popular Mobilization Forces for abuses of non-combatant Sunni Muslims and other religious minorities, and investigate and prosecute perpetrators when violations occur;
- Urge the parties to include the protection of rights for all Iraqis and ending discrimination as part of negotiations between the KRG and the Iraqi government on disputed territories, and press the KRG to address alleged abuses against minorities by Kurdish officials in these areas;
- Continue to task Embassy officials with engaging religious minority communities, and work with Iraq's government and these communities and their political and civic representatives to help them reach agreement on what measures are needed to ensure their rights and security in the country; and
- Focus U.S. programming in Iraq on promoting religious freedom and tolerance and ensure that marginalized communities benefit from U.S. and international development assistance.

The U.S. Congress should:

- Include in the Fiscal Year 2017 Department of State, Foreign Operations, and Related Programs Appropriations Bill, or in another appropriate vehicle, a provision that would permit the U.S. government to appropriate or allocate funds for in-kind assistance to genocide, crimes against humanity, or war crimes cases at the ICC on a case-by-case basis and when in the national interest to provide such assistance.





SYRIA

Key Findings

Syria's religious communities are largely deprived of religious freedom due to the actions of President Bashar al-Assad's regime, elements of the armed opposition, and U.S.-designated terrorist groups, in particular the al-Qaeda affiliated Jabhat al-Nusra and the Islamic State of Iraq and the Levant (ISIL), among others. The Syrian crisis has evolved into a largely sectarian conflict. The al-Assad regime continues to target Arab Sunni Muslim civilians and other individuals or groups that oppose it, including through indiscriminate bombings, sieges, starvation, and the use of chemical weapons. ISIL targets the regime and its supporters, religious minorities, and any Muslims opposing its violent version of Islamist ideology. Syrian and international groups alike have documented attacks on places of worship, kidnappings and killings of religious leaders, and public beheadings and mass murders of anyone who does not submit to the control and authority of ISIL. Due to the collective actions of the Bashar al-Assad regime, elements of the armed opposition, and U.S.-designated terrorist groups, USCIRF again recommends in 2016 that Syria be designated as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA), as it has recommended since 2014.

forces were permitted to perpetrate egregious human rights abuses to oppress anyone critical of the government. An adherent of the minority Alawite community, an off-shoot of Shi'a Islam, Hafez al-Assad named himself president in 1970. To maintain control over all aspects of Syrian society, he placed Alawites loyal to him in key positions of his government, army, and security forces and oppressed political opposition from the majority Sunni Arab population. Following Hafez's June 2000 death, he was succeeded by his son, Bashar. While there were hopes that Bashar al-Assad would usher in a new political openness, he maintained his father's status quo of strict political restrictions to oppress any opposition.

In March 2011, the current Syrian conflict began, with peaceful protests initially calling for democratic reforms, a repeal of the abusive emergency law, and space for political parties to compete with the ruling Ba'athist party. As more protests were held around the country, President al-Assad ordered a brutal crackdown to discourage the gatherings that were widely covered by the international media. As a result, violence quickly escalated across the country. By mid-to-late 2012, the strife between the government and protesters had turned into a full-blown military confrontation.

The al-Assad regime continues to target Arab Sunni Muslim civilians and other individuals or groups that oppose it, including through indiscriminate bombings, sieges, starvation, and the use of chemical weapons.

Background

The al-Assad family's brutal authoritarian rule for over 40 years created the political conditions for the current conflict. Under both Hafez and Bashar al-Assad, no political opposition was allowed and Syrian security

in mid-2011, the government released numerous prisoners previously designated as "Islamic fundamentalists," including prominent Sunnis who became leaders in Jabhat al-Nusra, ISIL, and other factions, and facilitated the "Islamization" of the armed opposition. President al-Assad and his regime played on

sectarian fears, repeatedly stating it was fighting “extreme Islamist factions” that were acting to increase sectarian tensions. Five years into the conflict, many Sunni Muslims have come to associate Alawites and Shi’a Muslims with the regime of President al-Assad, an Alawite himself, and many Alawites, Shi’a Muslims, Christians and other groups believe that they will be killed by ISIL and other extremist Sunni groups if the al-Assad government falls.

The involvement of international actors has produced mixed results, but in many cases it has contributed to increased ethno-sectarian tensions throughout the country. The Iranian-backed, U.S.-designated terrorist group, Hezbollah, has provided military support for the Syrian Arab Army. Human rights groups have documented Hezbollah’s sectarian rhetoric against Sunni Muslims. Additionally, ceasefire and negotiations overseen – and at times orchestrated – by Iran and Hezbollah have facilitated the forced relocation of Sunni Muslims to northern Syria and Shi’a Muslims to Damascus. The Russian government denies calling its intervention in Syria a “holy war” and disputes the authenticity of pictures of Russian Orthodox priests

opposition have not successfully attracted ethno-sectarian minorities to join their ranks, leaving communities such as the Kurds, Druze, and Christians feeling disenfranchised and sidelined in the political process, even if they are not supportive of the al-Assad regime. While minority groups have not been driven out of opposition-controlled areas, they have felt the need to maintain a low profile, sometimes adopting Muslim attire and avoiding going to their religious institutions so as not to attract attention.

ISIL has attacked pro-Assad and anti-Assad groups alike, and while it managed to seize significant territory in 2014, it lost territory in 2015. According to some estimates, ISIL has lost 10 to 20 percent of its territory in Syria, along with oil wells, refineries, and military bases. Despite military setbacks inflicted by the U.S.-led anti-ISIL coalition and the armed opposition, ISIL’s method of governance continues to be brutal. Reports have emerged from all groups, including Muslims, Christians, Ismailis, and others, of gross human rights violations, including beheading, rape, murder, torture of civilians and religious figures, and the destruction of mosques and churches.

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bleeding missiles headed to Syria. However, it consistently has compared even the moderate elements of the armed opposition to extremist Chechen rebels in an attempt to delegitimize their aims. Additionally, as of September 2015, according to Russia’s Federal Migration service, only 2,000 of the 12,000 Syrian refugees in Russia (most of whom are Muslim Circassians) have legal status. Meanwhile, the armed opposition, which has received support from various countries including Saudi Arabia, Qatar, and Turkey, has been led primarily by Islamist factions on the ground. Many of these groups have established Shari’ah courts and imposed Islamic regulations, such as prohibiting the sale and consumption of alcohol. The political and military

More than five years of conflict has led to a devastating humanitarian crisis. The death toll is significantly greater than 250,000 according to most sources. As of January 2016, more than 4.7 million Syrians were registered with UNHCR as refugees in neighboring countries, more than 6.5 million were internally displaced, and over 140,000 children had been born stateless. Such large numbers of refugees are straining resources and exacerbating sectarian tensions in neighboring countries.

Prior to the onset of the conflict in 2011, Syria was home to a multitude of religious groups. The U.S. government, based on official Syrian government figures, estimates that the country’s religious demography before the

conflict was as follows: 87 percent Muslim (comprising 74 percent Sunni and 13 percent Alawi, Ismaili, and Shi'a), 10 percent Christian, three percent Druze, and a very small number of Jews in Damascus and Aleppo. Other 2010 estimates include the following breakdown: 92.8 Muslim, 5.2 percent Christian, two percent unaffiliated, and all other groups less than 0.1 percent.

Religious Freedom Conditions 2015–2016

Violations by al-Assad Regime and Affiliated Groups

According to human rights groups, the regime and its allies, Russia and Iranian-backed Hezbollah, have indiscriminately targeted primarily Arab Sunni Muslim residential neighborhoods, market places, schools, and hospitals. The United Nations and many of its member states, including the United States, have reported the use of rape, extrajudicial killings, starvation, sniper attacks, and torture by the al-Assad regime and its military in its attempt to maintain power. In addition, paramilitary units, previously known as the *shabiha* but now recognized as the National Defense Forces, also have been accused of extortion, blackmail, kidnapping, and extrajudicial killing. The National Defense Forces have been described by many as “mafia-like gangs” modeled after the Iranian Basij Resistance Force, comprised mostly of local Shi'a and Alawite fighters (including females).

Members of the Christian community also have been victims of the Syrian government. Since 2011, at least 50 Christians have been killed and at least 450 remain detained, although the numbers cannot be confirmed. Offices of Christian pro-democracy and charity groups have been raided, and prominent Christian civil rights activists, humanitarian workers, and religious leaders have been among the detained and killed.

Violations by ISIL

ISIL makes little distinction between sects and ethnicities in its attempt to seize and maintain control of its territory. It has established brutal governing structures that apply strict Shari'ah law to everyone, violating due process and international human rights standards. Since 2014, ISIL has killed at least seven non-Syrian journalists and humanitarian workers, including Americans James Foley and Kayla Mueller. According to SNHR, of the more than 5,800 individuals ISIL killed in Syria since 2014, at least 97 percent were Muslims. ISIL reportedly has killed at least 100 individuals from religious minority communities, including 50 Christians. Additionally, since 2014, ISIL has kidnapped roughly 450 Christians; it has periodically released them in small groups (10-20 at a time) through negotiations between ISIL and Sunni Arab tribes, but about 150 remain in captivity. ISIL has also kidnapped well-known

The United Nations and many of its member states, including the United States, have reported the use of rape, extrajudicial killings, starvation, sniper attacks, and torture by the al-Assad regime and its military in its attempt to maintain power.

According to the Syrian Network for Human Rights (SNHR), in 2015, the Syrian regime killed more than 12,000 civilians, and Russian forces killed 832 civilians. More than 6,909 individuals were arrested, including 452 children, and 1,546 individuals died under torture. According to various sources, the regime used chemical weapons at least 64 times. In 2015, the regime targeted at least 166 places of worship. More specifically, since 2011, according to various sources, 50 to 63 percent of Christian places of worship were targeted by govern-

ment forces. Christian leaders, including the Italian Jesuit Priest, Paolo Dall'Oglio. The group has attacked and closed down all churches and non-Sunni mosques in areas it controls, often destroying the buildings altogether or converting them to ISIL administrative buildings or military bases. There also is evidence that ISIL and other extremist groups have seized and sold on the black market Christian relics and artifacts. In December 2015, USCIRF concluded that ISIL was committing genocide against the Christian, Yazidi, Shi'a, Turkmen,

and Shabak communities in the areas it controls in Iraq and Syria, and crimes against humanity against these and other groups. After the reporting period, on March 17, 2016, Secretary of State John Kerry announced that, in his judgment, ISIL “is responsible for genocide against groups in areas under its control, including Yezidis, Christians, and Shi’a Muslims [and] for crimes against humanity and ethnic cleansing directed at these same groups and in some cases also against Sunni Muslims, Kurds, and other minorities.”

pressure, however, the Alawites were removed from the cages the next day.

Political Opposition Groups

Throughout most of 2015, the National Coalition for Syrian Revolutionary and Opposition Forces, the organization recognized by the United States as the legitimate representative of the Syrian people, continued to include insufficient minority representation. The organization’s lack of funding, uncertain future, and

In Idleb and Aleppo, where al-Nusra is strongest, minority religious groups often hide their identity (for example, Christians refrain from selling alcohol and dress in Muslim attire), although they have not been forced from their homes.

Armed Opposition Groups

Religious freedom conditions vary by locality. According to reports, there are at least 228 armed opposition groups, ranging from Jabhat al-Nusra and its allies to independent, U.S.-backed, moderate opposition groups. Not all groups have violated religious freedom to the same degree. In Idleb and Aleppo, where al-Nusra is strongest, minority religious groups often hide their identity (for example, Christians refrain from selling alcohol and dress in Muslim attire), although they have not been forced from their homes. Some armed groups have characterized clashes on the basis of religious identity as “individual actions” not supported by a group’s leadership. For example, in June 2015, after Jaish al-Fateh seized control of Idleb Province, there were clashes between villagers and al-Nusra that resulted in the deaths of 12 Druze accused of allying with the regime. Waleed Jumblatt, a well-known Druze leader in Lebanon, was able to mediate between the two groups, and al-Nusra attributed the killings to individual soldiers and punished the perpetrators. In another widely-reported incident in November 2015, the armed group Jaish al-Islam placed 700 Alawite soldiers and their families in 100 cages throughout Eastern Ghouta. The group argued that using the Alawites as “human shields” was acceptable because it protected hundreds of thousands of residents under siege from aerial bombardment by the al-Assad regime. Due to international

intra-Syrian disputes continue to hinder its ability to protect the interests of all Syrians, especially those from religious minority groups. In October 2015, the International Syria Support Group (ISSG), which includes the United States, launched the Vienna Process. This political process aims to include Syrians from a variety of ethno-sectarian backgrounds in political negotiations with the al-Assad regime.

Kurdish Groups

The Kurdish military group, the YPG, remains one of the most capable armed groups in the fight against ISIL. However, human rights groups have accused both the YPG and the Kurdish administration in the *de facto* autonomous area of Rojava in northern Syria of demolishing Arab and Turkmen villages and homes and ousting non-Kurdish groups from Rojava lands or preventing them from returning to their homes. Kurdish groups, including the Rojava leadership, deny these accusations and blame the demolitions on YPG-ISIL fighting or the Syrian Arab Army’s Air Force. The Rojava also denied blocking non-Kurds from returning home, except for families that it believed were still in communication with ISIL members.

U.S. Policy

On August 18, 2011, only five months after the conflict in Syria began, President Obama called on President

al-Assad to step down and issued an executive order immediately freezing all Syrian government assets subject to U.S. jurisdiction. The order also prohibited Americans from engaging in any transactions involving the Syrian government. In 2012, the United States closed its embassy in Damascus, and in March 2014, it ordered the Syrian Embassy and consulates to close in the United States. In December 2012, the U.S. government recognized the National Coalition for Syrian Revolutionary and Opposition Forces as the legitimate representative of the Syrian people, and in May 2014, it recognized the Washington, DC and New York offices as diplomatic foreign missions. However, the United States has stopped short of recognizing the Coalition as the official government of Syria.

France, Germany, Iran, Iraq, Italy, Jordan, Lebanon, Oman, Qatar, Russia, Saudi Arabia, Turkey, United Arab Emirates, the United Kingdom, the United Nations, and the United States. At the end of the reporting period, the ISSG had met three times: in October and November 2015 and February 2016. This process has produced the Vienna Statement, a framework document for a Syrian-led and Syrian-owned political transition based on the 2012 Geneva Communiqué.

The anti-ISIL coalition, dubbed Operation Inherent Resolve, is led by the United States, and includes 65 countries. Coalition nations conducting air strikes are Australia, Bahrain, Canada, France, Jordan, Saudi Arabia, Turkey, the United Arab Emirates, and the United Kingdom. The coalition has conducted over

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Since 2011, the U.S. government has provided over \$4.5 billion in humanitarian aid to Syrians and neighboring countries dealing with the Syrian crisis; \$1.6 billion was provided in 2015 alone. The funding has supported activities of the U.S. State Department, U.S. Agency for International Development, International Committee of the Red Cross (ICRC), International Organization for Migration (IOM), UN Children's Fund (UNICEF), UN Office for the Coordination of Humanitarian Affairs (OCHA), UN Population Fund (UNFPA), UN World Health Organization (WHO), UN Development Program (UNDP), and the UN High Commissioner for Refugees (UNHCR), among others. The efforts supported by the United States include civil society trainings, local council capacity building, health and medical support, education projects, food assistance, psychosocial support, shelter rehabilitation, and livelihood development.

The United States continues to advocate for a political solution to the Syria crisis. The Vienna Process, launched in October 2015, brought together the International Syria Support Group (ISSG), made up of the Arab League, China, Egypt, the European Union,

10,000 strikes, at least 3,500 of which have been in Syria and most of which have been carried out by the United States. As of January 2016, the total cost of the anti-ISIL operations exceeded \$6 billion. In October 2015, President Obama announced the deployment of 50 U.S. special operations forces to advise local forces fighting ISIL but not play a direct combat role. The coalition's successes include the retreat of ISIL from Kobani and Tel Abyad, both cities along the Turkish-Syrian border. Air support provided by the United States and its allies to the YPG in Kurdish-held areas in al-Hasakeh Province has kept ISIL from making new advances in northeastern Syria, something ISIL was able to do effectively before the air strikes.

Recommendations

Since 2011, Syria has been a hostile place for all ethno-sectarian groups, including Christians, Druze, Shi'a and Sunni Muslims, Alawites, and Turkmen. With over 13.5 million people in Syria in need of humanitarian assistance, the protection of human rights and religious freedom is especially challenging. In addition to continuing to seek an end to the Syrian conflict, USCIRF

recommends that the U.S. government should designate Syria a CPC and should:

- Condemn the al-Assad regime's brutal persecution of, and crimes of humanity against, Sunni Muslims and others, and urge other nations to do the same;
- Urge the UN Security Council and its member states to rigorously implement and comply with ratified resolutions, including UN Security Council resolutions 2118 (elimination of Syrian chemical weapons), 2139 (calling for humanitarian access into besieged areas and an end to barrel bombs), 2165 (approving humanitarian access across conflict lines), 2209 (calling for an end to the use of chlorine bombs), and 2254 (ceasefire and road map for peace in Syria);
- Continue to call for an International Criminal Court (ICC) investigation into crimes committed by the al-Assad regime, following the models used in Sudan and Libya;
- Call for or support a referral by the UN Security Council to the International Criminal Court to investigate ISIL violations in Iraq and Syria against religious and ethnic minorities;
- Encourage the Global Coalition to Counter ISIL, in its ongoing international meetings, to work to develop measures to protect and assist the region's most vulnerable religious and ethnic minorities, including by increasing immediate humanitarian aid, prioritizing the resettlement to third countries of the most vulnerable, and providing longer-term support in host countries for those who hope to return to their homes post-conflict;
- Ensure that religious freedom and diversity are given a high priority in the Vienna Process by encouraging both the National Coalition for Syrian Revolutionary and Opposition Forces and any negotiating teams developed by the ISSG to be inclusive of all religious and ethnic groups; the ISSG should also provide training to negotiating teams on international human rights standards;
- Ensure that U.S. government planning for a post-conflict Syria is a "whole-of-government" effort and includes consideration of issues concerning

religious freedom and related human rights, and that USCIRF and other U.S. government experts on those issues are consulted as appropriate;

- Initiate an effort among relevant UN agencies, NGOs, and like-minded partners among the Global Coalition to Combat ISIL to fund and develop programs that bolster intra- and inter-religious tolerance, alleviate sectarian tensions, and promote respect for religious freedom and related rights, both in neighboring countries hosting refugees (especially Lebanon, Jordan, Egypt, and Turkey), and in preparing for a post-conflict Syria;
- Commit to a goal of resettling 100,000 Syrian refugees to the United States, subject to proper vetting and a prioritization based on vulnerability, in order to aid those Syrians in the greatest peril, demonstrate U.S. leadership in efforts to address this extraordinary humanitarian crisis, and show support for governments in the Middle East and Europe that are hosting millions of Syrian refugees;
- Allocate sufficient resources to the Department of Homeland Security and other agencies that conduct the rigorous individualized vetting of refugees being considered for resettlement to allow them to expeditiously process applications and thoroughly conduct background checks, in order to facilitate resettlement without compromising U.S. national security; and
- Consider issuing an exemption to U.S. immigration law's "material support bar" provision for Syrian refugees who supported specific U.S.-backed rebel groups or provided "support" by force or under duress to terrorist organizations, and properly apply existing exemptions, so that Syrians who pose no threat to the United States and are fleeing the al-Assad regime or terrorist groups are not erroneously barred from the U.S. refugee program.

The U.S. Congress should:

- Include in the Fiscal Year 2017 Department of State, Foreign Operations, and Related Programs Appropriations Bill, or in another appropriate vehicle, a provision that would permit the U.S. government to appropriate or allocate funds for

in-kind assistance to genocide, crimes against humanity, or war crimes cases at the ICC on a case-by-case basis and when in the national interest to provide such assistance.

TIER 2

COUNTRIES

-AFGHANISTAN

-AZERBAIJAN

-CUBA

-INDIA

-INDONESIA

-KAZAKHSTAN

-LAOS

-MALAYSIA

-RUSSIA

-TURKEY

OTHER COUNTRIES/REGIONS MONITORED

- BAHRAIN
- BANGLADESH
- BELARUS
- HORN OF AFRICA
- KYRGYZSTAN
- WESTERN EUROPE

BAHRAIN

During the past year, there was an increase in the number of interrogations, detentions, and arbitrary arrests of Shi'a Muslims, including clerics, for peaceful protests and criticizing the government's human rights and religious freedom record. While the Bahraini government has made significant progress in rebuilding 30 mosques and religious structures it destroyed during unrest in the spring of 2011, it did not meet its self-imposed deadline to complete the process by the end of 2014. In addition, the government has yet to fully implement recommendations from the Bahrain Independent Commission of Inquiry (BICI) to redress past abuses against Shi'a Muslims and further improve religious freedom conditions.

Background

With a population of approximately 1.3 million, about half are Bahraini citizens and half are expatriate workers, primarily from South Asian countries. Almost half of the expatriate workers are non-Muslim (approximately 250,000-300,000). Bahraini citizens are estimated to be 60-65 percent Shi'a and 30-35 percent Sunni, with approximately one to two percent non-Muslims, including Christians, Hindus, Sikhs, Jews, and Baha'is. Compared to other countries in the region, Bahrain is among the most tolerant of non-Muslim religious minority communities. The government officially recognizes at least 19 Christian denominations, a tiny Jewish community, Hindus, and Sikhs. A small Baha'i community is recognized as a social entity. Most Bahrainis acknowledge that their society has been historically tolerant of all faiths and religiously pluralistic to a degree that is notable in the region.

Progress and Concerns Related to Accountability for Past Abuses

Since the release of the 2011 BICI report, the Bahraini government has created entities to address accountability for abuses, including a Civilian Settlement Office to compensate for deaths and injuries from the 2011 unrest,

as well as an Office of the Ombudsman in the Ministry of Interior to ensure compliance with policing standards and receive reports of misconduct. However, the government still has not adequately held high-level security officials accountable for serious abuses, which included targeting, imprisoning, torturing, and killing predominantly Shi'a demonstrators. Bahraini courts have tried, prosecuted, and convicted only a few lower-level police officers, with little or no transparency about the trials, convictions, and length of prison terms; several have been acquitted. The government has stated that there are ongoing investigations of commanding officers related to the 2011 abuses, but has not disclosed details.

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Ongoing Abuses and Discrimination

In October 2015, UN experts found that patterns of cultural, economic, educational, and social discrimination against Shi'a Muslims in Bahrain persisted in 2015. They found that excessive use of force and abuses targeting Shi'a clerics continued, as did discrimination in the education system, media, public sector employment, and other government social policies, such as housing and welfare programs.

During the reporting period, Shi'a Muslims continued to be interrogated, detained, and arrested, and, in some cases, convicted and sentenced to prison terms. For example, in August and December 2015, Shi'a cleric and interfaith activist Maytham al-Salman was interrogated about his criticism of Bahraini government policies and his advocacy of human rights and religious freedom. He

was charged with “expressing views regarding a case still in court” and “inciting hatred against the regime” and his travel was restricted. At the end of the reporting period, the charges were still pending. In June 2015, Shi’a cleric and prominent opposition leader Ali Salman was sentenced to four years in prison on a range of security-related charges, including inciting regime change and insulting the Ministry of Interior, which UN experts have criticized as violations of the freedoms of expression, association, and religion. Salman originally was arrested and imprisoned in December 2014. At the end of the reporting period, he continues to appeal the sentence and remains in detention.

Furthermore, while government officials often make public statements condemning sectarian hatred, pro-government media continued to use inflammatory, sectarian rhetoric. New media laws that would curb anti-Shi’a incitement, as recommended in the BICI report, have not been passed. According to interlocutors, members of the Shi’a community still cannot serve in the active military, only in administrative positions, and there are no Shi’a Muslims in the upper levels of the Bahrain government security apparatus, including the military and police.

Despite a self-imposed end-of-2014 deadline, the Bahraini government has not completed rebuilding destroyed structures.

Progress in Rebuilding Shi’a Mosques and Religious Structures

Despite a self-imposed end-of-2014 deadline, the Bahraini government has not completed rebuilding destroyed structures. In early 2014, the government increased to approximately US\$8 million the amount to rebuild Shi’a mosques and religious structures, nearly twice what it pledged in 2012. It also moved the deadline from 2018 to the end of 2014 to complete rebuilding the 30 destroyed structures identified in the BICI report. In October 2015, the government stated publicly that 27 had been completed and were approved for use and that three still required legal and administrative approval. Nevertheless, as of February 2016, other credible sources found

that the government had rebuilt 20 structures – 15 fully in use and five nearly complete but not yet in use – and the Shi’a community itself had rebuilt seven structures. The government has stated that it helped secure legal permits for the structures built by the Shi’a community, but despite indicating willingness in the past, officials have not committed to reimbursing the community.

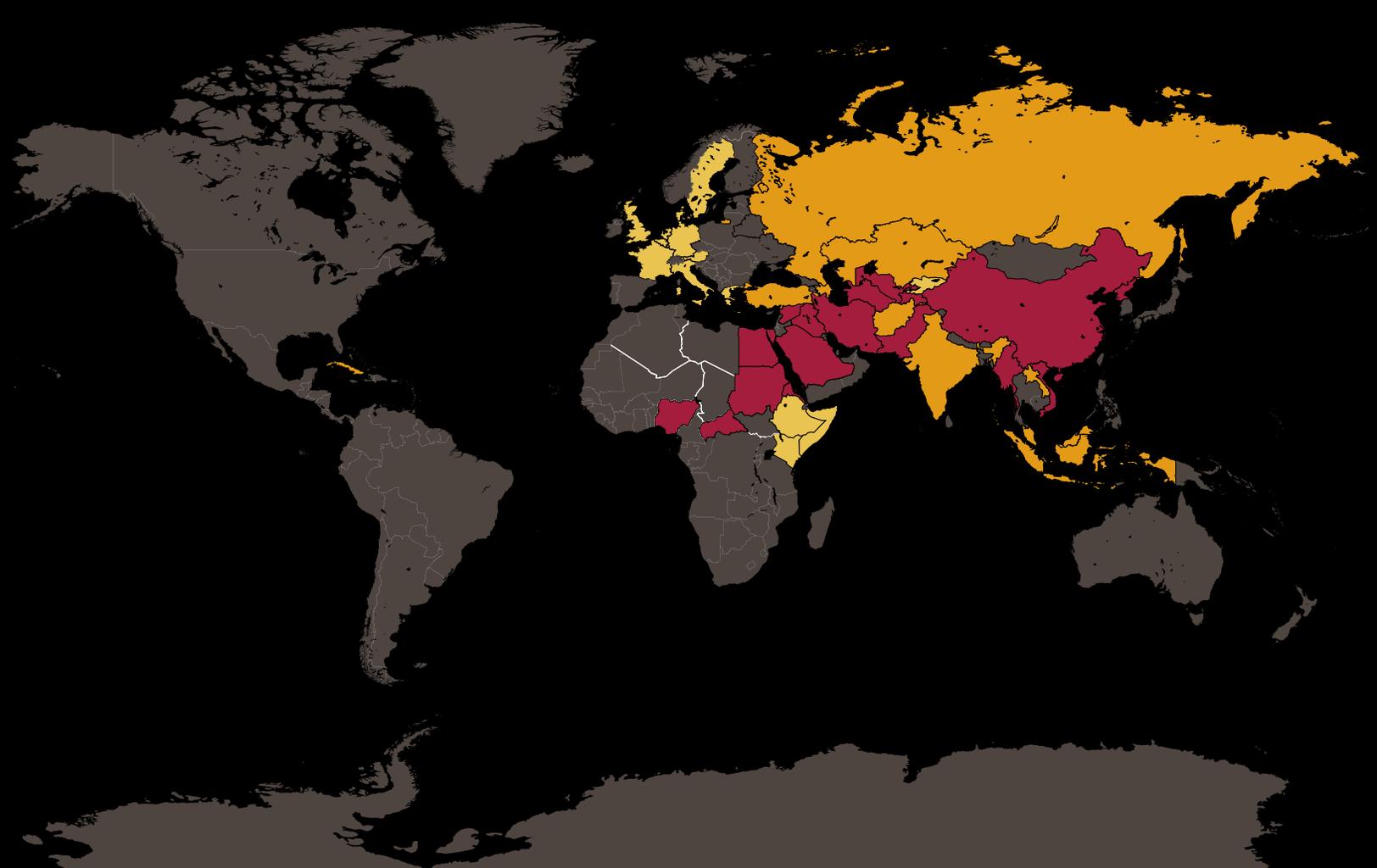
Of the 27 completed or nearly complete, one mosque – the Mohamad Al Barbaghi mosque, which is religiously and historically significant to the Shi’a community – was rebuilt some 200 meters from its original site. The government has stated this was for security reasons, since the original mosque site is next to a major highway, but some members of the Shi’a community continue to insist that the mosque can only be built on the original location. Bahraini officials have committed to an ongoing dialogue with the Shi’a community to resolve the remaining disputed cases, although some community representatives do not believe the government is fully committed to the negotiations.

Other Developments

In December 2015, Bahrain’s Shura Council approved amendments to the law governing political societies that ban clerics from delivering sermons and carrying out religious duties while also being members of political societies. In August, the Shura Council debated criminalizing contempt of religion and insults to religious sanctities, as well as hate speech that promotes sectarian discord and undermines national unity. By the end of the reporting period, no further action had been taken. In October, there were numerous reports that authorities removed Ashura banners in some locations where commemorations were taking place; clashes followed, resulting in injuries to dozens of protestors.

Recommendations

USCIRF urges the United States government to continue to press the Bahraini government to implement fully the BICI recommendations, including those related to freedom of religion and belief and accountability for past abuses against the Shi’a community. In addition, USCIRF continues to encourage the Bahraini government to reimburse the Shi’a community for expending its own funds to rebuild seven mosques and religious structures that were demolished in 2011.



■ **TIER 1 COUNTRIES OF PARTICULAR CONCERN**

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

■ **TIER 2 COUNTRIES**

Afghanistan, Azerbaijan, Cuba, India, Indonesia, Kazakhstan, Laos, Malaysia, Russia, Turkey

■ **CLOSELY MONITORED COUNTRIES/REGIONS**

Bahrain, Bangladesh, Belarus, Horn of Africa, Kyrgyzstan, Western Europe



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