

**THE STATE OF POLITICAL AND RELIGIOUS
FREEDOM IN THE MIDDLE EAST**

HEARING
BEFORE THE
SUBCOMMITTEE ON
THE MIDDLE EAST AND SOUTH ASIA
OF THE
COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES
ONE HUNDRED ELEVENTH CONGRESS
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THURSDAY, NOVEMBER 19, 2009

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE MIDDLE EAST
AND SOUTH ASIA,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:30 p.m., in room 2172, Rayburn House Office Building, Hon. Gary L. Ackerman (chairman of the subcommittee) presiding.

Mr. ACKERMAN. The committee will come to order.

In some places, and particularly in the Middle East, people may wonder about the sincerity of American concern about religious freedom. Skeptics, especially in the Arab world, may suspect that our professed interest in the freedom of belief, thought, and worship is merely a cudgel we use to beat our political opponents when convenient.

Such thinking is not only completely wrong on the facts, but utterly misunderstands our national character, which has always held to the belief in universal rights and the hope that these rights would spread throughout the world.

Among the Founders, Thomas Jefferson put it best in a letter sent only days before the 50th anniversary of our independence. Referring to that great July 4th 50 years earlier, he wrote:

“May it be to the world, what I believe it will be, (to some parts sooner, to others later, but finally to all,) the signal of arousing men to burst the chains under which monkish ignorance and superstition had persuaded them to bind themselves, and to assume the blessings and security of self-government. That form which we have substituted, restores the free right to the unbounded exercise of reason and freedom of opinion.”

So said Jefferson.

Whatever his other failings, Jefferson understood and expressed better than any other of the founding generation the ideals that have set the United States apart and won for us a special destiny.

And, in fact, that unique drive to share the blessings of freedom pervaded even those earliest years of the American diplomatic engagement with the Middle East. Though even few Americans recall or learn little of our Nation’s involvement in the Arab world before the 20th century, the fact is among our Nation’s very earliest foreign policy struggles and successes, the Middle East played a very

prominent role. And in seeking to protect American ships from piracy in the southern Mediterranean from the very start, American diplomats and envoys took it upon themselves to seek protection for religious minorities. And this work continues to this very day.

It is probably true that our relations throughout the region would be considerably simplified if we chose to regard religious discrimination and repression in other countries as purely internal matters. Many other states have taken this approach. But such an abdication of our most fundamental beliefs is not within the character of this country, not now, and not in the future. For better or worse, we are called to be witnesses.

It is not within our power or desire to shape the affairs of other states, but we are not blind to the suffering and misfortune which is meted out daily throughout the world, and particularly in the Middle East, on the basis of religion, even among our close allies. So as we are not blind or deaf, we must not also be mute.

There are several reasons for this obligation. First, we must be true to our own values. Religious freedom is a core American value, and remaining silent in the face of evil is to become complicit with that evil.

Secondly, as we maintain our belief in the righteousness of our values, we must also maintain hope that others will recognize and come to accept what we have always held to be self-evident truths.

And finally, both the victims and the perpetrators of religious bias, discrimination and violence should know that we are watching, and we are aware, and we are concerned. However certain the perpetrators of these acts may be of their authority, they rarely like to have their deeds exposed. Power cannot dispel shame.

And we are not without misdeeds ourselves. Our own history is sadly rife with long years of repression and outbreaks of brutality. But while our history may be flawed, the ideals to which we are ever struggling to come closer are not.

The right to believe or not, and to exercise that belief in worship and religious practice, is not a different thing here in the United States than it is in the Middle East or in any other place.

Some of our allies will complain that behind the facade of religion lie threats of the utmost urgency to their states and to the well-being of their publics. That may be so. But the obligation to distinguish between legal association and criticism, and illegal conspiracy and treason, lies with the state. The responsibility to protect the weak and the helpless from the strong and the powerful lies with the state. The boundary between the religious character of a nation and the secular aspect of a government must be maintained by the state.

We do not expect every, or any, nation to become cookie-cutter copies of the United States, but we do expect that states will adhere to their own international commitments and treaty obligations.

Jefferson concluded his letter with,

“All eyes are opened, or opening, to the rights of man. The general spread of the light of science has already laid open to every view the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the

grace of God. These are grounds of hope for others. For ourselves, let the annual return of this day forever refresh our recollections of these rights, and an undiminished devotion to them.”

[The prepared statement of Mr. Ackerman follows:]

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November 19, 2009

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“The State of Political and Religious Freedom in the Middle East”
Gary L. Ackerman
Chairman

In some places, and particularly, in the Middle East, people may wonder about the sincerity of American concern about religious freedom. Skeptics, especially in the Arab world, may suspect that our professed interest in the freedom of belief, thought, and worship is merely a cudgel we use to beat our political opponents when convenient.

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There are several reasons for this obligation. First, we must be true to our own values. Religious freedom is a core American value and remaining silent in the face of evil is to become complicit with that evil. Secondly, as we maintain our belief in the rightness of our values, we must also maintain hope that others will recognize and come to accept what we have always held to be self-evident truths. And finally, both the victims and the perpetrators of religious bias, discrimination and violence should know that we are watching and are aware and concerned. However certain the perpetrators of these acts may be of their authority, they rarely like to have their deeds exposed. Power can not dispel shame.

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Jefferson's letter concluded "All eyes are opened, or opening, to the rights of man. The general spread of the light of science has already laid open to every view the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God. These are grounds of hope for others. For ourselves, let the annual return of this day forever refresh our recollections of these rights, and an undiminished devotion to them."

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Mr. ACKERMAN. Mr. Green.

Mr. GREEN. Thank you, Mr. Chairman, and I would like to thank our assistant secretary, Mr. Posner, for testifying this afternoon.

Today we are here to discuss the state of political and religious freedom in the Middle East, which our witness is well aware of with last month's release of the State Department's 2009 Report on International Religious Freedom.

I recently joined several of my colleagues, including Chairman Ackerman, in sending a letter to the select member states of the United Nations about the defamation of religions resolution that is annually considered by the U.N. Human Rights Council and the U.N. General Assembly. This resolution is inconsistent with the basic freedoms of religion and expression, and the fact it is annually considered by the U.N. highlights the problem the U.S. faces in promoting these freedoms across the globe.

The International Religious Freedom Act of 1998 named the promotion of religious freedom for all persons as a core objective of U.S. foreign policy. I agree with this as religious freedom is a fundamental human right. However, there are significant challenges to these freedoms throughout many parts of the world, particularly in several Middle Eastern countries. In these countries religious minorities do not enjoy equal access to the basic services and opportunities those belonging to the religious majority are afforded.

I understand from your testimony, Assistant Secretary Posner, that the State Department is exploring ways to increase our capacity to engage the region's faith leaders as a way to bolster human rights and religious equality throughout the region. However, in a region extremely leery of Western involvement, how do we do this while avoiding a political backlash from regional governments, and Islamists, and especially avoiding charges of meddling in domestic affairs?

I look forward to hearing from you on this fundamental question. Again, thank you for being here.

I yield back my time.

Mr. ACKERMAN. Thank you.

Ms. Jackson Lee.

Ms. JACKSON LEE. Mr. Chairman, what an appropriate hearing as we continue to assess the conditions, both political, democratic and religious conditions, in the Mideast, a region in which I believe there is hope. But we cannot avoid the hard questions, and I look forward to hearing Assistant Secretary Posner on these issues.

I want to just highlight my concerns in particular with Iran. Throughout 2009, the Government of Iran has persistently violated the rights of its citizens. The Government of Iran's most overt display of disregard for political rights happened in the Presidential elections of June 12, 2009. And as I said on June 19th, 2009, we must condemn Iran for the absence of fair and free Presidential elections and urge Iran to provide its people with the opportunity to engage in democratic election processes. All of that contributes to the respect for individual rights. And we have seen repression and murder, arbitrary arrests, and show trials of peaceful dissidents in the wake of elections. It was a sad reminder. Right now Americans are being detained in Iran, which, again, emphasizes the lack of respect for human rights.

This whole issue of religion is also a question. In spite of Iran's constitutional guarantee that non-Shiite Muslims and other religious groups, including Zoroastrians, Christians and Jews, are protected, the State Department's annual Report on International Religious Freedom describes discrimination for those groups and the situation for religious minorities in Iran as "deteriorating." I might be more forceful and say "nonexistent."

National security and regional stability are overriding concerns with regard to Iran, but the rights violations that the Government of Iran perpetrates against its citizens are similarly unacceptable.

I have constituents from Iran, families who have been separated from each other, who have not been allowed to reconcile or to engage because of the problems in Iran. When we consider our relations with Iran, human rights, including political and religious freedoms, must be a high priority.

Just as well, even as we have made progress in Iraq, I am concerned about the political and religious freedoms in Iraq, because the degree to which Iraq protects those rights is a reflection on our own country and what we have been able to accomplish. There are groups, for example, that do exist, but do not have the protection in Iraq.

This year, 3 months after United States forces turned over control of Camp Ashraf, Iraqi security forces violated the human rights of the People's Mujahedin of Iran. Camp Ashraf detains over 3,400 exiled Iranian political dissidents or members of the PMOI, including over 1,000 women. Detaining is one we disagree with, but the oppression and violence is one that we cannot tolerate. The PMOI opposes the current Iranian regime, and for their political beliefs they have been exiled from Iran and sequestered in Camp Ashraf. Several women detained in this camp have reported acts of intimidation and threats of physical and sexual violence by members of the Iraqi security forces. I would only suggest that as we begin to highlight this question, we have to stand as well for the respect of all faiths.

I conclude by saying just in the past week, we were able to meet with the mayor of Jerusalem, who envisioned a Jerusalem where people of all faiths can live and worship as they choose. For those of us who have visited Israel, we can see where all religions converge. I support that concept. Let us have all religions converging, wherever they may find themselves, and let us hold as sacred the rights of people to practice their faith, a faith that is nonviolent, their faith that promotes unity, their faith that promotes love. And all the religions that I have been able to study in the world follow in that tradition. It is only when those traditions are violated when horrible and horrific acts are perpetrated under the name of religion. I hope we can support the religion that brings unity and reconciliation.

Mr. Chairman, I yield back.

Mr. ACKERMAN. Thank you.

We will now hear from my partner on the subcommittee, the distinguished ranking member from Indiana, Mr. Burton.

Mr. BURTON. Mr. Chairman, I want to once again apologize. This is my third or fourth—I can't remember—hearing today, so I may start talking about a subject that is not even relevant to this hear-

ing because of another committee. If I do, would you kind of hit me in the arm?

Mr. ACKERMAN. We have never done that before.

Mr. BURTON. I am going to submit my statement for the record so we can get to the witness.

But I would like to just say, Mr. Chairman, that there are a number of resolutions that we have talked about that have been supported and sponsored by Mr. Bilirakis, Mr. Crowley, Mr. Wolf and myself that deal with religious freedom and understanding in the Middle East, and I was hoping we might be able to talk about those or have a markup today. But since we haven't been able to, would it be possible for us to maybe take a hard look at those down the road?

Mr. ACKERMAN. We will be taking a look at it.

Mr. BURTON. Well, if you could, I would appreciate it.

I yield back, and just submit my statement for the record.

Mr. ACKERMAN. I thank the distinguished gentleman.

[The prepared statement of Mr. Burton follows:]

Opening Statement
Congressman Dan Burton
Subcommittee on the Middle East and South Asia
Committee on Foreign Affairs
“The State of Political and Religious Freedom in the Middle East”
November 19, 2009

Mr. Chairman, I thank you for calling this hearing today. The issue of political and religious freedom in the Middle East is one of tremendous importance. This hearing is long overdue and we should do even more in the effort to raise awareness of these issues and put pressure on the Administration to address persecution in the shaping of foreign policy.

I would like to bring to the committee's attention House Resolution 840, which I recently introduced, highlighting the numerous violations of religious freedom in the Middle East and calling on President Obama to renew the commitment to promoting religious freedom as a cornerstone of U.S. policy. Mr. Chairman, I have been attempting to work with you on this important legislation for quite some time. It was four months ago when we were told you would consider co-sponsorship. Just this past Monday, after repeated failed attempts to find out whether you had come to a decision, I wrote this letter to you which I now request unanimous consent to insert in the record. I have not yet received a response.

In this letter I requested that, as part of this hearing, you would allow the subcommittee to mark up my resolution along with H.Res. 200 regarding religious freedom in Egypt as introduced by Mr. Wolf, and H.R. 2278 addressing media incitements to violence against Americans in the Middle East, as introduced by Mr. Bilirakis and Mr. Crowley. These are neither partisan bills nor partisan issues. In fact, each one of these resolutions has a bi-partisan list of co-sponsors and highlights the important issues that we are examining today. Mr. Chairman, it is crucial that the Middle East South and Asia Subcommittee not just go through the motions of allowing a hearing, after months of requests, but it must also fulfill its duty to mark up legislation that relates to its jurisdiction and matters of pressing concern to the region.

The persecution of religious minorities throughout the Middle East is no small problem. In recent years increasing political extremism and violence, much as a result of Sharia law, has driven many indigenous Christians, Muslims, Jews and others from the region. Practices such as exclusion from public office, property seizure, harassment, imprisonment, unequal compensation for labor and even death due to religious affiliation are commonplace. We see from the 2009 report on International and Religious Freedom that this problem is only worsening.

More than ten years after the passage of the International Religious Freedom Act, the fight to defend this “foundational freedom” has never been more critical. Freedom of religion - the right to think, believe, and worship in accordance with the dictates of

conscience, without the fear of persecution - is a fundamental human right, and an important element in the development and sustainment of an open, democratic society.

The opposite is also true; the systemic religious-based discrimination we see permeating the Middle East is creating a destabilizing environment that makes it difficult to address the many internal and regional security challenges facing that part of the world. The violence allowed and even encouraged by some of these nation's laws and practices contribute to ongoing fear in their citizens.

I believe that we must commit ourselves anew to standing with persecuted people of faith around the world who against all odds, in the face of fear, intimidation, imprisonment, torture and worse gather secretly to worship as their conscience demands. This will require action and not just words. I hope that the members of this Committee and of the House of Representatives will consider co-sponsorship of the important resolutions that I have mentioned today, so that we can make a united statement that the United States is still a protector and promoter of religious freedom throughout the world.

Mr. Chairman, I ask again, when can we consider these bills and resolutions- any of them- in order to advance this cause?

I hope that the United States and President Obama will take action that condemns violations of religious freedom in the Middle East, and renews the United States' commitment to promoting religious freedom as a cornerstone of U.S. foreign policy. All Middle Eastern governments should continue to be pressured to respect and defend the rights of religious minorities within their borders.

Again, Mr. Chairman, I thank you for holding this long-overdue hearing and I look forward to hearing from our witness.

Mr. ACKERMAN. It is now my pleasure to introduce the new assistant secretary of state for Democracy, Human Rights and Labor, Mr. Michael H. Posner. We are delighted to have him here with us today.

Secretary Posner may be new to the subcommittee, but he has a long and distinguished history when it comes to promoting human rights. Prior to being confirmed as assistant secretary in September 2009, Mr. Posner was the executive director and then president of Human Rights First. During his tenure at Human Rights First, the organization was at the very forefront of U.S. and international efforts to enhance refugee protections, to demand accountability for crimes against humanity, and to combat all forms of illicit discrimination. Secretary Posner is probably best known for his effort to reintegrate human rights principles into even the most sensitive parts of the American national security efforts.

Mr. Secretary, without objection, your full written statement will be entered into the record, and I would ask you to summarize your testimony so that we could then move directly to questions.

You may begin as you will.

STATEMENT OF THE HONORABLE MICHAEL H. POSNER, ASSISTANT SECRETARY, BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, U.S. DEPARTMENT OF STATE

Mr. POSNER. Thank you. Chairman Ackerman and members of the subcommittee, it is an honor to be here today to discuss this important issue. In addition to my written statement, I would like to ask that the International Religious Freedom Report's introduction and executive summary be entered into the record.

Mr. ACKERMAN. Without objection.

Mr. POSNER. Thank you.

Mr. Chairman, you mentioned the universal application of human rights standards, and that is, in fact, one of the cornerstones of the Obama administration's approach to these issues, very much in the spirit of Jefferson. We believe that there are international and know that there are international standards that allow for free expression of religion, and allow people to choose and practice their religion, and that there be a tolerance of differences.

We also are very much committed to what we are calling principled engagement. President Obama's important speech in Cairo in June of this year set the tone for that, and he spoke about the importance of religious tolerance and religious freedom. He said people in every country should be free to choose and live their faith based on the persuasion of the mind and the heart and the soul. This tolerance is essential for religion to thrive.

A third element of what we are trying to do is to support broader civil society and allow civil society to flourish in countries around the world, including religious minorities. Sadly, in the Middle East region, as you have indicated, as all of you have indicated, there are a range of very troubling problems. I just want to highlight very quickly three countries, and then we can open up to questions.

The first is Iran. Congresswoman Jackson Lee made reference to it. It is one of two countries in the region that are designated countries of particular concern, and has been for some time. And, as she said, there is a much broader pattern of disrespect for human rights in Iran, intensified after the election with the crushing of demonstrations, imprisonment of people, detention and mistreatment.

But the respect for religious freedom in Iran is also a serious problem, the disrespect, and it continues to deteriorate. The government's rhetoric and actions against all non-Shia religious groups, particularly the Baha'i, the Sufi, evangelical Christians and Jews, is something that simply can't be tolerated. We continue to receive reports of imprisonment, harassment, intimidation and discrimination based on religious beliefs.

One case in particular that I would mention is the case of seven Baha'i leaders who were detained between March and May 2008. They weren't charged for 9 months, at which point they were charged with security offenses, including spying for Israel. In February of this year, a spokesman for the judiciary said that in addition to espionage, they also are going to be charged with "spreading corruption on Earth," which is a crime punishable by death. The Baha'i community in particular has really been targeted in Iran.

I will just say finally with respect to Iran that either today or tomorrow the U.N. General Assembly is going to consider a resolu-

tion on human rights in Iran, which has, more than it has ever had in the past, reference to and expression of concern about the denial of religious freedom to the Baha'i, Sufi and others. We are very much supporting that, and we are at this point cautiously hopeful that that resolution will be adopted, as it has been in the last several years.

You might ask, why do we spend the time and energy doing it? We do it because it is a signal to democratic forces in Iran that the world is watching, and we know what is happening. It is a piece of solidarity.

The second country that I will mention very briefly is Saudi Arabia, which is also a country of particular concern for what we call systematic, ongoing egregious violations of religious freedom. Freedom of religion is not recognized or protected, and for non-Muslims, there is not even the ability to practice their religion in public. Even Saudi Shia face significant religious discrimination, which I would be glad to go into if people want to discuss it further.

But it is the case that we continue to follow very closely a very, very restrictive regime there and believe that much work needs to be done. And Members of Congress have been helpful in that regard by constantly reminding us of the seriousness of the situation.

The third and last country that I will mention, again very briefly, is Egypt. It is a place where actual respect for religious freedom has declined in the last 3 years. And in particular I want to raise our concerns about the government's inaction, or insufficient action, in protecting the Coptic Christian population of Egypt. There are attacks against that population, and the government continues to try to avoid any legal accountability for the perpetrators of those attacks.

An example is the assault on the Abu Fana Monastery in 2008. Two Coptic brothers were arrested in connection with that bombing. They were held for 14 months. They were finally released, but their release was conditioned on an agreement with the government that the monastery drop criminal charges against those who actually perpetrated the attack. That lack of accountability we think actually perpetuates more violence and attacks against the Coptic community.

The last thing with respect to Egypt is the unified law. We are particularly concerned about the lack of attention to passing that law, which would treat all religious groups equally with regard to requirements for obtaining building permits to construct or repair worship facilities. And the effect of not having that law and existing laws on the books is that religious groups, including the Coptic Christian community, are often precluded from building houses of worship or repairing them.

So these are practical things we believe can and should be done in all of these places.

With that I want to stop and just take your questions. Thank you very much.

Mr. ACKERMAN. Thank you very much, Mr. Secretary.

[The prepared statement of Mr. Posner follows:]

Remarks by

Michael Posner,
Assistant Secretary for Democracy, Human Rights, and Labor

House Foreign Affairs Committee
Subcommittee on the Middle East and South Asia

November 19, 2009

Chairman Ackerman and members of the Subcommittee on the Middle East and South Asia, it is an honor to be here today to discuss religious freedom conditions in the Middle East and to share what the Obama Administration is doing to encourage progress on religious freedom in the region.

I commend the work of the Subcommittee and I thank you for drawing attention to this important human right.

As you know, in October the State Department released its 2009 Report on International Religious Freedom. I would like to submit the Report's Introduction and Executive Summary for the record.

The Report's Introduction articulates this Administration's approach to international religious freedom. We seek a principled engagement with other nations on this issue—in a spirit of mutual interest and mutual respect. Religion is a global phenomenon and all nations, including the United States, wrestle with how best to accommodate their religious diversity. We are convinced that the freedom to profess, practice, and promote one's religion is a basic human right, a social good, a source of stability, and a key component of international security.

President Obama has strongly emphasized the importance of religious freedom several times throughout the past year. In his historic Cairo speech the President stated our belief that, "People in every country should be free to choose and live their faith based upon the persuasion of the mind and the heart and the soul. This tolerance is essential for religion to thrive."

We recognize that there are many significant challenges to religious freedom and tolerance in the Middle East and South Asia. Throughout the region religious minorities do not enjoy equal access to education, employment, healthcare, and legal recourse. In some places, blasphemy and apostasy laws inhibit the social contributions of minorities and exacerbate inter-religious tension. In many Muslim-majority countries, minority Muslim sects are marginalized and members of the majority sect are not free to challenge official religious opinions. I want to emphasize that religious freedom is not just a concern for religious minorities; majority communities need space to self-critique and adapt to changing conditions over time. Our Annual Report details our findings in each country, as well as what the U.S. Government has done to foster greater respect for religious diversity throughout the region.

Our embassies regularly discuss religious freedom issues with majority and minority faith communities, with relevant government officials, and with academics and members of the media and civil society.

The Department operates or funds several programs aimed at fostering pluralism in the region and we are exploring ways to increase our capacity to engage the region's faith leaders.

Religion plays a central role in the life of every country in the region. It is vital that the United States engage all religious groups and encourage governments to treat all individuals and groups equally and allow the necessary space for all groups to advance the common good.

With that I would be happy to take your questions.

Mr. ACKERMAN. Let me ask a general question. How do we engage those countries in the region on this issue, countries that are our friends or our allies or who are helpful to us?

Mr. POSNER. We are, Congressman, engaging with these countries in a range of ways. We can't treat all of these countries in the same way, given the nature of the relationship. We don't have a relationship with the Iranian Government, for example. There is a long list of things I would love to be able to push—

Mr. ACKERMAN. I wasn't exactly counting them as our friends.

Mr. POSNER. That is right.

I think with the two other countries I mentioned, I mentioned them particularly because they are countries that we have a close relationship with, and I think it is particularly incumbent on us in places like Saudi Arabia and Egypt to be raising these and related issues constantly.

Mr. ACKERMAN. It was basically a "how" question. How do we do it?

Mr. POSNER. Well, I think we do it on several levels. At the 30,000-foot level, the President's speech in June set a very positive tone. It was a speech of engagement, but at the same time a speech that recognized the importance of these issues.

We are now involved with Egypt in a set of discussions, a set of bilateral discussions, that will include these issues. And that is part of my job is to make sure that these issues are getting raised. I plan to visit Egypt in the near future. We have a dialogue scheduled for mid-December with the Egyptians. It is critical that these issues be on the agenda and that we keep raising them and keep, again, reaching out to the religious community—in the case of Egypt the Coptic community in the case of Saudi Arabia the Shia community—to make sure that we are highlighting the importance we place on these subjects.

We need to keep—it shouldn't be just me or the Human Rights Bureau that is saying it to them. This needs to be done across the government. Again, the interest that Congress shows reinforces that commitment and allows us to do this in the best way possible.

Mr. ACKERMAN. A lot of that does go on with respect to the legislative branch. We have Members, besides all of our general interests, who have specific and keen interests in specific minorities, and many in all minorities, and their ability to practice their rights, including freedom of religion high among them, in these various places in the Middle East.

On the level of the administration, besides the necessary hand-holding, for lack of a better word, with those communities that need the assurances and bolstering up that we in the world are watching, is this brought up in any other way besides through your position? You just mentioned it should be through others as well. Do we seek—and I am talking about with our friends now. It is easy to beat up on our enemies because we don't have to be as sensitive sometimes, at least we think that, in the way that we cudgel them. But is there or should there be conditionality on the things that they expect from us? When we talk about those within the defense wing of our administration, should they be bringing this up? When we talk about trade issues, should we be bringing that up? When we talk about even humanitarian or other kinds of aid,

should we be bringing it up? And then after you say yes to all of that, I don't want to preempt you, the real question is are we bringing it up, and when was the last time we did?

Mr. POSNER. Yes. Again, I think there is a larger question of the relationship between a whole range of human rights issues and conditionality of aid, and it will depend on each situation.

I would say both on a bilateral basis and a multilateral basis we can and should be doing more. We have, for example—again focusing on Egypt, we have a very strong relationship with the Government of Egypt, and there is a long list of things that I would like to see us raise, and I will be raising with them. But it has to be raised across the board.

Mr. ACKERMAN. Yes. But specifically, it should be, it must be, it ought to be, it needs to be; my question is, is it being? Has it been? When Egypt comes to us and says they need, legitimately we will stipulate, certain types of military equipment or defense things, or Saudi Arabia needs some information, or “pick your country” does—and this is outside of your shop, but you know it needs to be done because you brought it up, and we know it has to be brought up, because we bring it up on all levels that we engage, at least most serious Members of Congress that I know—is it being brought up? Is this an issue for the Secretary of Defense, or are the other issues too important to dull his other messages with this goody-goody stuff?

Mr. POSNER. Mr. Chairman, this is essentially the centerpiece of what I am committed to do in this job. I have been on the job 2 months, and I am convinced that if we don't have an integrated approach to human rights issues throughout different agencies, we are not going to be effective on these things.

Has it been done? It has been done episodically in various ways in various places. Could it be done more? Yes. Should it be done more? Yes. Am I committed to trying to make that happen? Yes. Am I going to succeed? I don't know.

But I can say to you, and I will make this commitment, that in dealing with countries that are our closest allies, we ought to be using every opportunity we can and across the government to make sure that these central issues which matter so much to us in our own society are registered as issues of concern. It is precisely either the Trade Representative or the Defense Department that ought to be raising these issues.

Mr. ACKERMAN. I have overextended my time, and I will yield—my colleague is indicating that—I will extend whatever time you need.

Mr. BURTON. I never worry about you overextending your time, Mr. Chairman. You are my buddy, and you can have another 5 seconds if you like.

Mr. ACKERMAN. It is good to have buddies like that.

I hear what you are saying, and your appreciation and effort on the issue is duly noted historically through even the short tenure that you have had on your current job. We cannot hold you responsible for other agencies of the executive branch, either to know what they are doing or to be responsible for them not doing it. But would it be inappropriate for you to send a memo to the secretary of this and that, whatever “that” and “this” is, to suggest to them

that these issues are of great overriding national concern on a humanitarian basis, and it is really what America is all about, and ask them to bring it up? Because we do badger them from time to time, but I think somebody from inside that shop might lend a little bit of additional suasion.

Mr. POSNER. It took me 6 or 7 months to get through the confirmation process. And part of what I did was to reach out to other agencies in just the way you are describing to get a better sense of how I can communicate more regularly with both the economic and trade people, as well as people in Defense and Justice, et cetera. So I very much take to heart what you have just said, and it is something that I intend to keep doing.

If I just say one thing on the multilateral side, too, if you will just give me 1 second here. We have done two things. Congressman Green mentioned the defamation of religion resolution at the U.N., which we fought very hard against. I think there are opportunities in the context of the U.N. and other international organizations for us also to be raising these concerns and enlisting our allies, European and other allies, to join that fight.

It seems to me there is some combination of trying to figure affirmative ways to work with governments, in this respect Egypt, on a resolution on freedom of expression that we cosponsored at the Human Rights Council and got unanimous support for. It gave us the ability to then go in and challenge the overreaching and totally unacceptable defamation of religion resolution which they and others have been driving. Egypt and Pakistan drive that train. Those are both allies of the United States, and I think we ought to be very mindful of the fact that our close allies should not be fighting with us about these very basic things at the United Nations. So that is another piece of this which I am very keen that we bring in.

Susan Rice's shop is now engaged in those issues. Esther Brimmer, who is the assistant secretary for international organizations, is trying to broaden the discussion of this beyond just the particulars to also find a way for us to be pushing some of our allies to be stronger on some of these things.

Mr. ACKERMAN. Thank you very much.

Mr. Burton.

Mr. BURTON. Thank you, Mr. Chairman.

I believe the secretary just said that interest that Congress shows has an impact, and I realize that the State Department going to these other Middle East countries—and I presume that is what you will be doing, Mr. Secretary—has a positive impact. But a resolution or resolutions passed by the Congress talking about religious freedom and understanding, I think, would be a real asset to our State Department people that go over there.

Therefore, I would like to ask you one more time, Mr. Chairman, to take a hard look at the bills that are cosponsored on a bipartisan basis regarding religious freedom that have been introduced and that I think would augment what the State Department is trying to do. This is not a partisan issue. It is a bipartisan issue.

I would also like to thank the chairman of the full committee for moving the Iran sanctions bill out of our committee in October, and I hope that we can get the other relevant committees to sign off

on that so we can get that bill to the floor as quickly as possible. And with your tremendous influence, I know you can help us get that done. You are from New York. You can get all kinds of things done. You even got the Yankees to win the World Series.

Mr. ACKERMAN. I was no help to the Mets.

Mr. BURTON. Well, that is true, too.

I do want to talk about one serious thing, and that is the Saudi Arabians. The President, when he was over there, he bowed to the Saudi King, and he showed deference. Many of us were concerned about that. But, nevertheless, it was his way of showing, I guess, respect to the Saudi King.

But I went over to Saudi Arabia with a CODEL, a congressional delegation, a few years ago, and I think you are probably aware of that, Mr. Ambassador. The reason I went over there was we had a number of women who had married Saudi young men when they were in college or they had met them someplace, and they went over there full of love and understanding, and they end up with their children sleeping on the kitchen floor and living a life that was hellacious, to say the least. We even had one woman who got away from her husband, took her children to the U.S. Embassy, and our charge, I believe it was—I don't think it was the Ambassador, but the charge at that time told the Marine guards to take her and her children to the front of the embassy gates and return her to her husband. And Lord only knows what happened to that woman.

I had other women come up to me that were Americans that said, do anything you can to get us out of here, and they told me about their husbands threatening to carve them up with knives and kill them, and women are treated without almost any respect. So we are talking today about religious freedom, but also human rights.

I think since the Saudis do so much business with us in the area of oil and other trade, I think it is important that we continue to pressure them to show human rights and freedom to American citizens. These are not people that are not citizens; American citizens that are being held against their will over there, women and their children, and many of their children are being forced into marriage when they are 12 years old, and they are completely brainwashed.

I had a woman call me just the other day who had been over there. I met with her when I was in Saudi Arabia. She went over there to try to get her daughter out, and the religious police came in. And because her head was not properly covered—and I was talking to her—they were going to arrest her or whip her across the ankles or something. When they found out I was a Congressman and didn't mind going to jail, they rescinded their position.

So, I think it is important, since you are going to be over there and you will be working with our Ambassador, that we continue to press them for more equal and free rights for women over there and the children. The stories, I had women come to meet with me who said if their husband knew they were talking to us, they would kill them, and they could probably get away with it because of the sharia law or the law they have. I never can pronounce that right, sharia law.

So we, as a free country that has trade and diplomatic relations with Saudi Arabia, need to do everything we can to help those American citizens, women and children, have their rights respected. I know this is a tough issue, but we need to have continual pressure. And I hope when you meet with our ambassador over there, you will convey my concern and other Members' concerns that have concerns here in the Congress of the United States.

With that, Mr. Chairman, I don't think I have any questions of the secretary. I think he has been there 2 months. I wish him well.

If we can do anything to work with you to help solve these religious freedom issues as well as the human rights issues over there, give us a call. We would love to work with you. Thank you very much.

Mr. ACKERMAN. Did you want to respond? There was no question asked.

Mr. POSNER. No. I would only say on the cases that you raised, it is, in fact, much easier for us to intervene when U.S. citizens are involved. So if cases like that come to your attention now, it would really be helpful for me if you would send them my way so that I am aware. I am sure the embassy gets them, but it would also be helpful, if they come to your attention, that I see them. I will convey your concerns, and I agree with them.

Mr. ACKERMAN. Thank you very much.

Mr. Costa.

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

Mr. Posner, I realize you have been on the job for a couple months, but I would like to get a better idea of how your Bureau of Democracy and Human Rights and Labor is set up; how you are going to make changes, if any, in terms of your operation; and how you are going to work in conjunction with obviously the Secretary of State and the President as you pursue efforts to expand democratic institutions and focus on human rights as well as the recognition of oppression when we see it and religious freedoms as we know them to be, which clearly is different in the part of the world we are talking about; i.e., the Middle East.

First of all, tell me what are the tools and leverage that your Bureau has to deal, to provide pressure or leverage. How would you best describe them, quickly?

Mr. POSNER. Really three things. One, we are involved in the policymaking process. I think we need to be more involved in that within the State Department and within the government.

Mr. COSTA. You are going to get more involved in that policymaking process.

Number two?

Mr. POSNER. Number two, we are involved in reporting. We do the annual Country Reports on Human Rights and Religious Freedom, et cetera. But we lay the factual predicate for the government to act. Those reports have taken on a life of their own. We need to do those well. We need to disseminate them more aggressively.

Mr. COSTA. Are those reports confirmed? Are they utilized by any credible world agencies?

Mr. POSNER. They are. The Country Reports on Human Rights and the Religious Freedom Report are probably the most comprehensive reports produced by anybody in the world. The U.N., I

met today with nine European governments. They use them all the time.

Mr. COSTA. What is number three?

Mr. POSNER. The third issue, the third part of our operation is really a grantmaking program site. We have about \$80 million that is available for small grants to promote human rights and democracy. So we are able to get in and provide direct support.

Mr. COSTA. To deal with the countries directly that you are involved with in helping democratic institutions?

Mr. POSNER. We generally make grants to groups like National Democratic Institute or Freedom House or the International Republican Institute, and they make grants in conjunction—

Mr. COSTA. Other organizations, like the National Conference of State Legislatures, where emerging democracies are taking place? I know we participated in that in the past.

Mr. POSNER. Correct.

Mr. COSTA. So then the second tool that you have, you issue these reports. Then the next report that will be coming out on the Middle East of countries that are allies and countries that are foes, countries like Jordan and Egypt, as you noted, and Iraq, that obviously we have been heavily involved in. We will have a report on the level of not only human rights issues and potential violations, but religious freedoms.

Do you give criteria of grades? I have been familiar with the religious minorities, for example, that existed in Iraq and some of the troubles they are having and some of the assassinations that have taken place. You are going to rate those?

Mr. POSNER. Actually the two reports that you reference are a bit different. One of the things we are trying to do is reconcile everything.

The Report on Religious Freedom that just came out last month is a predicate for the Secretary, for the State Department making designations of countries of particular concern, and that is done on a—

Mr. COSTA. Whether they be friend or foe alike?

Mr. POSNER. Yes. So there are seven or eight countries that fall into that category, including in this region Saudi Arabia and Iran. And that process is ongoing right now, and there are likely to be decisions made in the next few months on that.

Mr. COSTA. So you are going to establish some new milestones that this subcommittee and others will be aware of as to when the new published reports will come out?

Mr. POSNER. The report is already out. Those designations will happen in the next few months. The broader Human Rights Report is just a factual summary.

Mr. COSTA. My final question before my time runs out is many of us have been concerned as it relates to religious freedoms and human rights the sort of curriculum we see taking place, whether it is out of Hamas in Palestine or whether it is in schools in Saudi Arabia. There have been commitments by governments, those that are friends of ours, that they are going to make changes in those curriculums that preach jihad, that preach religious hatred in essence. And what we find, or what I have found, to be the case is that oftentimes whatever comments or edicts have been issued by

the leadership of those governments have fallen short from what has taken place or changed in the actual schools themselves; i.e., the curriculum.

Are you going to be involved in this? Are you going to do something about this?

Mr. POSNER. Yes. In fact, this subcommittee and Members of Congress have for several years raised and we have taken on board an ongoing review process in particular of the Saudi textbooks. My predecessors, and I give them much credit for this, have entered into an ongoing dialogue with the Saudis about this particular subject, and some progress has been made.

But I am very mindful of this, and I think we need to be constantly vigilant both in terms of the content and dissemination of these materials. It is clearly an important issue.

Mr. COSTA. Well, as the chairman is fond of his home in New York and the great city that provides Broadway, I am very fond of that great musical from South Pacific, the song that talks about you have to teach to hate. And I think the teaching of hatred starts in the early years with these children, and I think that is a quick way to maybe begin to try to turn the table.

Thank you, Mr. Chairman.

Mr. ACKERMAN. Thank you, Mr. Costa.

Mr. Inglis.

Mr. INGLIS. Thank you, Mr. Chairman.

Mr. Secretary, we, I think, are all in agreement that we want to export from our country the principles of political and religious freedom. What do you think is the best means of doing that? How do we most effectively export the principles of political and religious freedom?

Mr. POSNER. You know, I guess what I would say is, going back to the chairman's opening comments, I think the way in which we do this is as important as the content, and one of the things that we have going for us is that we are not talking just about exporting a kind of American approach. We are talking about what really are universal legal standards, legal norms that have been developed over the last 60 years, to which a great majority of countries in the world at least profess on paper to believe are right.

So, we are not coming in to simply say, here is the American model; do it. We are saying, hey, look at the world. This is the new paradigm. Post-World War II, the Universal Declaration of Human Rights and a range of treaties have set forth some basic premises. It is a floor, not a ceiling. Every government ought to be doing it. You ought to be doing it just like your neighbor is doing it or just like the country down the street.

I think when we talk about principled engagement, that is what we are talking about. We ought to be one voice, a loud voice, but a loud voice that is part of a chorus that is basically saying if you want to be recognized in the world, if you want to trade, if you want to compete, if you want to live in harmony, this is what the world is now expecting.

I think it is a long process. I don't promise that overnight that is going to work. But our approach is very much to say let us try to build some momentum by getting multiple voices and being part

of that process to really pushing for these things based on universal standards.

Mr. INGLIS. Sometimes it involves support of organizations in countries that are doing those things or subscribe to those views. How do we support those effectively without tainting them with the American influence that causes them to be suspect in that country?

Mr. POSNER. That is a good question, and I think there is sort of a delicate balance between, as you say, being supportive without tainting people. But I think there are at least three things we can do.

One is we can be very vigilant when the defenders of freedom or religious community get in trouble. We can be a lifeline of protection. It also always is valuable for us to speak out. The examples that come across my desk all the time are there of individuals on whose behalf we have registered our concerns, and governments take notice of that. So that is point one.

The second thing is that I think we can help amplify their voices. I said earlier that I believe strongly that change occurs from within societies. It is very hard to force it from outside. But there is now a very active debate about human rights and a deep desire within every society in the world to begin to take greater responsibility for promoting a more open and democratic way of doing things.

We ought to be identifying those people and helping them to amplify their voices. We have a new set of communication tools with the Internet. We ought to be doing everything in our power to make sure that those messages get heard.

And then the third thing, and, again, this is on a country or case-by-case basis, there are moments where we can provide direct financial and material technical support. And where people desire it, we ought to be thinking creatively about how do we push the edge of what is possible to promote free media, to promote civil society, human rights and other organizations, and actually give them support to do the work?

Mr. INGLIS. Some of us have been concerned that the administration may be backing away from those folks in Iran who would be promoting the values that we are discussing here. Do you have any comment on that?

Mr. POSNER. Yes. Again, I don't accept that. In the last week, the amount of energy that the U.S. Government has devoted to getting a favorable result on a very strong resolution at the U.N. General Assembly that is going to be voted on today or tomorrow on Iran is a testament to the fact that people are really paying attention to this. It is really important that we be out there publicly. It is important to the people of Iran that they know that we are out there publicly.

This resolution at the General Assembly, which I am cautiously optimistic is going to pass, sends a very strong signal, and we are very much in the lead in trying to make sure that resolution gets a favorable outcome.

We have to keep pushing on these things. We have concerns about nuclear programs and whatever else, but these issues are absolutely essential, especially in the aftermath of the violent attacks on civil society after the elections. We have to redouble our efforts.

Mr. INGLIS. Thank you, Mr. Chairman.

Mr. ACKERMAN. Mr. Secretary, I want to ask you about a minority that is very often overlooked in the Middle East, and I am talking specifically about Palestinian Christians, a group that has been under a lot of pressure for a long period of time, very oft ignored by the rest of the world, even the human rights and freedom of religion advocates from all over, including our own country.

It seems if you look at the statistics and the numbers, the Palestinian Christian community is being diminished in the land of Christianity, in the birthplace of Christianity, almost like no other group, and no other group of numbers have been ravaged in a long period of time.

I know that as the holiday season approaches and Christmas nears, it becomes a great place for Christians to visit, as well as others, but a very difficult place for Christians to live. It would be almost sinful, if I can use that word in a political context, for the birthplace of Christianity to be devoid of Christians, which is basically what is happening.

Almost every Palestinian Christian that I know, if they could, would get a passport, or is trying to get a passport, if not for themselves, for their children and their families, to be able to get out. And that is evidenced all over the world, anywhere they could go to in the free world. And very few people will have them to begin with.

What do we do about that, besides using them as a great photo opportunity on December 25th?

Mr. POSNER. It is, as you say, a problem, and a growing problem. The numbers have diminished. I have met with representatives. Again, in my previous NGO life, I visited Nazareth, and I visited Bethlehem, and I talked with leaders of those communities, and they are shrinking communities. As you say, there is no doubt about that.

I think this is part of a broader discussion about what we can and should be doing with the Government of Israel as a friend, but as a friend that is willing to talk directly about issues that really are essentially confidence-building measures.

These are issues that haven't gotten the attention, I agree with you—

Mr. ACKERMAN. Are you saying it is an Israeli problem and not a Muslim problem?

Mr. POSNER. Well, I think it is both. There are elements of it that are certainly—

Mr. ACKERMAN. I have spoken to any number, and when they speak to you with a great deal of confidence, any of them who could have an opportunity to live in Israel within the 1948 borders or the 1967 borders or any other borders would seize the opportunity. And certainly the income level and opportunity level of Palestinian Christians within Israel is so much higher not just in dollars, but by multiples and factors than they are in anyplace that they are living right now within the cities and towns that you have just cited, as well as within the entire rest of the Arab world.

Mr. POSNER. All of what you just said is right, and there are obviously huge tensions, interreligious tensions within the Palestinian community. That is a piece of it we have to be attentive to. And there is also a piece of it that I think the Government of Israel

bears responsibility for. And on both sides, I think as part of a broader—

Mr. ACKERMAN. Are you talking about the general economy in the region?

Mr. POSNER. Yes, and provisions that discriminate on the basis of prior military service and the like. I mean, there are the income levels—

Mr. ACKERMAN. I am not sure what you are talking about. Israel has universal military service for all of its citizens. Any Palestinian, Christian or Muslim living within Israel who is an Israeli citizen—

Mr. POSNER. Palestinians don't routinely serve in the military.

Mr. ACKERMAN. They do not.

Mr. POSNER. No. So I guess the point for me—

Mr. ACKERMAN. Not traditionally. Traditionally they don't.

Mr. POSNER. Not traditionally. So I view this as an opportunity. There are so many places. It is so easy to—

Mr. ACKERMAN. But I don't think the problem of the Christian community is that they thirst to serve in the Israeli military and they are not able to. That is not what I am talking about. If you think that is the benefit that I am talking about, then we are talking different languages.

Mr. POSNER. No. What I am saying is there are certain social services and social benefits that are tied to military service. If you look at the—

Mr. ACKERMAN. I am talking about the huge populations within the Christian Palestinian community, and as I understand it, we are not talking about Israeli communities and territories. We are talking about Palestinian-controlled territories, although under Israeli administration. This is not in Israel proper.

Mr. POSNER. We are having two different discussions here.

Mr. ACKERMAN. We sure are.

Mr. POSNER. One, we have to talk about the situation of Palestinians that are living within the green line, within Israel.

Mr. ACKERMAN. I am talking about Christians.

Mr. POSNER. That is right. Palestinian Christians living within Israel is one subject, and then a second subject—

Mr. ACKERMAN. Which communities are you talking about?

Mr. POSNER. I am talking about the first. And with respect to the Palestinians—

Mr. ACKERMAN. No, which neighborhoods?

Mr. POSNER. With respect to Palestinians, let me start where you are focused.

Mr. ACKERMAN. Are you talking about Bethlehem? Is that in Israel?

Mr. POSNER. No, Bethlehem is in the West Bank.

Mr. ACKERMAN. That is what I am talking about. People living in Bethlehem don't serve in the Israeli Army. Their problems are with the exercise of their religious freedom. Those, for the most part, are within the communities, Bethlehem, Nazareth. Those are the bulk of them. Those are where the populations have been depleted.

Mr. POSNER. We agree that there needs to be more attention to this, and—

Mr. ACKERMAN. Look, I am all for solving the Israeli, Palestinian, Arab, Jewish, whatever you want problem, but I am talking about the specific problems, religious problems, that the Christians are facing.

Mr. POSNER. And we are in the middle of a discussion, a range of discussions, with the Palestinian Authority, and the Palestinian Authority ought to be pushed as hard as possible to do what they can, given their authority over the population there. I totally agree with that.

Mr. ACKERMAN. Okay. I think that is part of the problem, why this problem hasn't been addressed. It is being looked at as part of the Israel-Palestinian conflict. And what I am talking about is the free exercise of the Christian religion within Christian towns and villages. I am not talking about the overall construct, but I am talking about who is putting down what pressure on their lives as a specific community. And we could argue Israel's role in the West Bank or anyplace else, but I am talking about Christian holy sites. Most of that is not a conflict with Israel at all.

Mr. POSNER. I agree with you.

Mr. ACKERMAN. The Christian community is not living under Israel's rules; they are living under Palestinian Authority's rules and regulations and the ability to exercise control over their own religious sites. Most don't control their own religious sites. That is not Israel, that is the Palestinian Authority.

Mr. POSNER. And we should be raising that.

Mr. ACKERMAN. And we should, before that community disappears.

Mr. Secretary, you have been very kind, and I appreciate the fact that you and we had to wait while another subcommittee was using the room, getting us off to a late start. But you have answered all of our questions and concerns and have been a great help to the deliberations of this subcommittee.

We stand adjourned.

[Whereupon, at 3:30 p.m., the subcommittee was adjourned.]

A P P E N D I X



MATERIAL SUBMITTED FOR THE HEARING RECORD

SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.

Subcommittee on the Middle East and South Asia
Gary L. Ackerman (D-NY), Chairman

November 12, 2009

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Subcommittee on the Middle East and South Asia, to be held in **Room 2172 of the Rayburn House Office Building**:

DATE: Thursday, November 19, 2009

TIME: 2:00 p.m.

SUBJECT: The State of Political and Religious Freedom in the Middle East

WITNESS: The Honorable Michael H. Posner
Assistant Secretary
Bureau of Democracy, Human Rights, and Labor
U.S. Department of State

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON MESA MEETING

Day Thursday Date 11/19/09 Room 2172

Starting Time 2:30 Ending Time 3:30

Recesses (to)

Presiding Member(s) Ackerman

CHECK ALL OF THE FOLLOWING THAT APPLY:

Open Session Electronically Recorded (taped)
Executive (closed) Session Stenographic Record
Televised

TITLE OF HEARING or BILLS FOR MARKUP: (Include bill number(s) and title(s) of legislation.)
The State of Political and Religious Freedom in the Middle East

SUBCOMMITTEE MEMBERS PRESENT:
Ackerman, Jackson-Lee, Costa, Green (TX), Burton, Inglis

NON-SUBCOMMITTEE MEMBERS PRESENT: (Mark with an * if they are not Members of HIRC.)

HEARING WITNESSES: Same as meeting notice attached? Yes No
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)
Ackerman, Burton, Posner, Jackson-Lee

ACTIONS TAKEN DURING THE MARKUP: (Attach copies of legislation and amendments.)

RECORDED VOTES TAKEN (FOR MARKUP): (Attach final vote tally sheet listing each member.)

Subject	Yeas	Nays	Present	Not Voting

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED 3:30


Subcommittee Staff Director

**Statement of Representatives Anna G. Eshoo and Frank Wolf
Co-Chairs of the Religious Minorities in the Middle East Caucus**
House Foreign Affairs Subcommittee on the Middle East and South Asia
2172 Rayburn House Office Building
November 19, 2009

We are pleased to have this opportunity as co-chairs of the Religious Minorities in the Middle East Caucus to discuss the State Department's *Annual Report on International Religious Freedom*'s Iraq section and to review the testimony of Assistant Secretary Michael H. Posner. We provide this statement with the hope that our diplomatic officials will recognize the enormity and seriousness of the situation faced by religious minorities in Iraq and move the Administration toward proactive measures that will protect these ancient faith communities.

Since 2004, our Caucus has focused attention on the varied mosaic of religious beliefs and perspectives that once symbolized the Middle East. The images that many people see of that region often are skewed, so that one or two religions dominate debate and drive our diplomatic efforts and resource allocation. Our goal has been to provide balance and perspective to discourse on these issues and ensure that all people in the Middle East, regardless of their religious affiliation, receive the attention they deserve – particularly when they are facing targeted violence and persecution.

Despite our best efforts, few are fully aware of the dire circumstances surrounding the very existence of ethno-religious minorities in the Middle East, particularly the Iraqi Assyrian/Chaldean/Syriac Christian people in the Nineveh Plains Region. Ethnic Christians are an endangered minority and their situation, which was once relatively stable, has deteriorated considerably since the onset of the Iraq War. Where these ethno-

religious minorities once numbered in excess of a million people just before the Iraq War, today their numbers have dwindled to less than half that. Even though Christians make up only three percent of the country's population, according to the UN High Commission for Refugees, they comprise nearly half of all refugees leaving Iraq. Indeed, these ancient communities are in danger of complete extinction.

We have worked to ensure basic funding for programs to alleviate the plight of the religious minorities of Iraq. The State Department's *Report* notes the importance of funding the infrastructure needs of the Nineveh Plains to encourage the remaining population to stay and rebuild their lives. While the active dialogue between local people that State officials have encouraged can help resolve day-to-day issues, it is not sufficient to prevent the displacement of the remaining population. Security concerns remain paramount and must be addressed.

Both in FY2008 and the subsequent FY2008 supplemental, State received \$10 million in appropriated funds to direct toward Nineveh Plains projects, from unobligated Economic Support Fund money and from the Quick Response Fund. Although State spent these funds on education, microfinance and infrastructure, we were concerned enough with the facts surrounding the ultimate distribution of the funds that we asked for more comprehensive language in the Foreign Operations Appropriations bill to ensure that State develops a specific plan for the distribution of \$20 million set aside in FY2010 for the Nineveh Plains. Although that language was not included in the House Report, Chairwoman Lowey engaged in a colloquy on the floor to discuss the importance of

ensuring that the funds reached their intended recipients and utilized recognized Non-Government Organizations already in place on the ground to develop programs.

Unfortunately, the Senate has not included funds for the ethno-religious minorities in the Committee's version of the foreign operations appropriations bill, and we remain concerned that the final conference report will not properly address the situation that exists in the Nineveh Plains. The loss of these people to this region of the world is the death knell for ethnic and faith cultures that have existed since antiquity and does not bode well for a modern, pluralistic, democratic Middle East.

A November 10, *Christianity Today* article describes the loss this way: "Their displacement not only threatens to end Christianity's 2,000-year history in Iraq, it also deprives the country of a huge swath of middle-class professionals at a critical time. Since no Christian was able to have a government job under Saddam Hussein, university graduates became lawyers, doctors, and engineers. Crucial to Iraq's recovery, they are now scattered, afraid to return."

We have a moral obligation to ensure that these cultures have a future. The *Annual Report on International Religious Freedom* provides a stark account of the challenges confronting these communities, but does so in almost clinical terms: "Conservative and extremist Islamic elements continued to exert pressure on society to conform to their interpretations of Islam's precepts. Although these efforts affected all citizens, non-

Muslims were especially vulnerable to this pressure and violence because of their minority status and their lack of protection provided by a tribal structure.”

More importantly, as State’s *Report* noted, the groups singled out for brutality are least capable of defending themselves as the Christian minorities mostly subscribe to concepts of nonviolence. This situation makes them an easy target for religious extremists.

While State’s *Report* paints a picture of some of the issues faced by these ethno-Christian groups, it does not provide the thorough analysis of underlying socio-political tensions that may cause what the Human Rights Watch Report released last week, “*On Vulnerable Ground*,” describes as a potential “full-blown human rights catastrophe.” Given these realities, infrastructure funding will not sufficiently address the problems facing this community. The United States and the Iraqi Government must provide additional security measures to stem the possibility of full-scale destruction.

While we recognize that Human Rights Watch’s conclusions should be reviewed by the Department of State, the HRW Report provides some important contrasts to interpreting the situation for minorities on the ground in Iraq. That is precisely why we call for a more comprehensive and systematic approach to understanding the problems in this region and the development of a blueprint for action.

We are deeply concerned that the Human Rights Watch Report found that members of minority groups are caught in the middle of a struggle for land and resources between

Arabs and the central government on the one hand and leaders of Iraq's semiautonomous Kurdish region on the other. In addition to the ethno-Christian groups, the Human Rights Watch Report also discusses conditions for the Shabaks and Yazidis, both of which are in equally dire straits.

The Human Rights Watch Report gives more texture to the ethnic conflicts outlined by the *State Report* and we ask for a comprehensive discussion of this situation from State in order to quantify the current conditions. Specifically, the Human Rights Watch Report states:

“At issue is the status of the disputed territories immediately south of the semi-autonomous Kurdistan Regional Government (KRG) region. Previous Iraqi governments ‘arabized’ this large area of northern Iraq, expelling hundreds of thousands of Kurds and other minorities from their homes and replacing them with ethnic Arabs. After more than three decades of forced expulsions, and in the aftermath of the overthrow of the government of Saddam Hussein, an emboldened KRG leadership insists it is entitled to claim this land as part of the territory that Kurds have historically lived in, which stretches from the western villages of Sinjar near the Syrian border all the way to Khanaqin near the Iranian border in the east.

“While Kurds and Arabs alike have claimed these contested lands, the reality on the ground differs from the ethnically exclusive narratives portrayed by their

leaders. The disputed territories are historically one of the most ethnically, culturally, and religiously diverse regions of Iraq, and have for centuries been inhabited by Turkmens, Assyrian and Chaldean Christians, Yazidis, Shabaks, and other minorities, as well as Kurds and Arabs.”

The Human Right Watch Report also chronicles a more serious story of religious-based violence:

“Extremist elements among the insurgents have viciously attacked the Chaldo-Assyrian, Yazidi, and Shabak communities, labeling them crusaders, devil-worshippers, and infidels, respectively. Simultaneous truck bombings in Nineveh in August 2007, presumably by armed Islamists, killed more than 300 Yazidis and wounded more than 700 in the single worst attack against civilians since the start of the war. In late 2008 a systematic and orchestrated campaign of targeted killings and violence by insurgents left 40 Chaldo-Assyrians dead and more than 12,000 displaced from their homes in Mosul.”

After being upended from their homes and displaced, many to the Nineveh Plains region and others to lands beyond their ancestral homes, and after surviving the initial onslaught of the war and years of systematic abuse, the religious minorities of Iraq might now face potential subjugation by the Kurds. Remaining ethno-religious minorities are caught between larger ethnic rivals with “decades of animosity between them,” according to Human Rights Watch.

The ethno-religious minorities in Iraq cannot wait for another *Annual Report on International Religious Freedom* to chronicle additional abuses. They cannot wait for money to trickle down from USAID to government-approved distribution sources. They need our full attention now. They need the United States to develop and adopt a comprehensive policy to address the unique needs of the vulnerable people living in the Nineveh Plains region. We need a complete review of the security situation, including a thorough analysis of the allegations of Human Rights Watch, in order to better plan for the future in Iraq.

The State Department has an obligation to develop a plan for the survival of all religious minorities in that region. If the ethno-religious minorities of the Nineveh Plains were a group of birds or animals endangered by a government's course of action, and their numbers had dropped so dramatically, we would take immediate action to preserve their habitat. We should do no less for human beings upended by a war not of their choosing, and ethnic strife and religious-based violence not of their making.

Thank you again for this opportunity to focus attention on these ancient peoples and their current plight. We hope that the U.S. Department of State provides special attention to this situation and develops a course of action that indicates a seriousness of purpose and a commitment to stopping the potential disappearance of the ethno-religious minorities of Iraq.

**Questions of Representative Anna G. Eshoo
Co-Chair of the Religious Minorities in the Middle East Caucus
House Foreign Affairs Subcommittee on the Middle East and South Asia
2172 Rayburn House Office Building
November 19, 2009**

My deep thanks to the distinguished Chairman of the Foreign Affairs Subcommittee on the Middle East and South Asia, Mr. Ackerman, for this special opportunity to ask questions during this hearing on “The State of Political and Religious Freedom in the Middle East.”

I am proud of my Assyrians roots. This is one of the very groups discussed in State’s *Religious Freedom Report*. I am also of Armenian descent and equally proud of that heritage. Armenians, like Assyrians, understand the meaning of the word genocide. We understand all too well what can happen when the world turns its back on vulnerable populations and lets religious extremism dominate politics.

I have worked tirelessly with the Department of State for several years to ensure that the Assyrian/Chaldean/Syriac Christian people in the Nineveh Plains Region receive adequate attention and funds to ensure their basic survival. Given the dramatic drop in this population over the past several years, we need State to develop a comprehensive

blueprint for action that includes a complete analysis of many of the points raised in the Human Rights Watch Report released last week. My joint statement with Religious Minorities Caucus Co-Chair Mr. Wolf, provides extensive background on the HRW Report.

Although language instructing State to develop an analysis of this situation didn't make it into the House State-Foreign-Ops Appropriations Report, I did have a colloquy with the Chairwoman Lowey and she affirmed the need for more attention to this region and a comprehensive plan for spending the \$20 million appropriated for FY2010.

I have met with Mike Corbin, Deputy Assistant Secretary of State for Near Eastern Affairs and he expressed the desire to continue providing targeted assistance for these religious minorities, regardless of whether they receive a special earmark – and the question in part is, why should they have to receive a special earmark to receive the attention that they deserve from State? We are talking about a precipitous drop from well over a million people to less than 500,000.

My question, Assistant Secretary Posner, is if you will commit to a more comprehensive analysis of the socio-political situation there and work toward developing the plan of action that I mention – one that encompasses security and development with an eye toward not only preserving the remnants of these communities, but possibly helping to restore some of their numbers.

INTRODUCTION

Freedom of religion is central to the ability of peoples to live together.
--President Barack Obama

In his landmark speech at Cairo University, President Obama articulated his vision for "a new beginning" between the United States and Muslims around the world—a relationship based on mutual interest and mutual respect. Building stronger ties, he said, requires "a sustained effort to listen to each other, to learn from each other, to respect one another, and to seek common ground." This renewed engagement compels us not to shirk from contentious issues, but rather to "face these tensions squarely" and work as partners to solve problems.

The Department of State offers its *Annual Report on International Religious Freedom* in this spirit of dialogue and cooperation. Religion is a global phenomenon; all countries face the challenges and opportunities religious diversity poses, and no country has a perfect record on religious freedom. As Americans we are rightfully proud of our own heritage of religious liberty; countless religious refugees have fled persecution in their homelands and found sanctuary on our shores. But we are also painfully aware of our nation's past mistreatment of certain minority groups. From the public execution of Quakers in mid-17th century Massachusetts Bay Colony to the expulsion of Mormons from Missouri in 1838-39 to the discrimination many Muslim Americans felt following 9/11, our society has long struggled to accommodate its religious diversity. Yet we have learned from experience that we are enriched by a pluralism that is endorsed by government and embraced by society. Through the *Annual Report* and other diplomatic efforts, we encourage all nations to protect religious freedom and promote religious tolerance for all groups and individuals. As President Obama said in Cairo:

"People in every country should be free to choose and live their faith based upon the persuasion of the mind and the heart and the soul. This tolerance is essential for religion to thrive, but it's being challenged in many different ways."

The *Annual Report* surveys those "many different ways" in 198 countries and territories. Covering both deteriorations and improvements in the status of governmental and societal respect for religious freedom, the *Annual Report* aims to be comprehensive and balanced, considering the diversity and dynamism of the world's religious traditions and socio-political contexts. Despite the varied

conditions religious communities encounter around the globe, the principled and practical reasons for safeguarding their freedom remain the same: religious freedom is a fundamental right, a social good, a source of stability, and a key to international security. President Obama touched on issues related to each of these four reasons in remarks given throughout this past year.

First, religious freedom is the birthright of all people, regardless of their faith or lack thereof. Enshrined in the Universal Declaration of Human Rights and other international instruments, the freedom to profess, practice, and propagate one's faith must be respected by all societies and governments. The United States takes this obligation seriously. "America will always stand," the President said in his Ramadan message to Muslims, "for the universal rights of all people to speak their mind, practice their religion, contribute fully to society, and have confidence in the rule of law."

Second, religious freedom empowers communities of faith to advance the common good. On balance, freedom tends to channel the convictions and passions of faith into acts of service and positive engagement in the public square. In the United States scores of religious groups, from the largest denominations to the smallest local congregations, have put their faith into practice and helped to build a more just and compassionate society. In announcing the establishment of the White House Office of Faith-based and Neighborhood Partnerships, President Obama said, "There is a force for good greater than government. It is an expression of faith, this yearning to give back, this hungering for a purpose larger than our own, that reveals itself not simply in places of worship, but in senior centers and shelters, schools and hospitals."

Third, religious freedom is not only a human right and social good, it is imperative for national stability. Authoritarian regimes that repress religious groups and ideas in the name of stability create the very conditions that subvert their stated goals. Repression radicalizes. Coercive and arbitrary interference in peaceful religious practice can harden resentment against the state and lead some to separatism or insurgency. By contrast, "freedom of religion and expression," the President remarked to the Turkish Parliament, "lead to a strong and vibrant civil society that only strengthens the state... An enduring commitment to the rule of law is the only way to achieve the security that comes from justice for all people."

Fourth, in an age when terrorist groups export their hatred around the world, religious freedom is critical to international security. As the President noted in Cairo, "when violent extremists operate in one stretch of mountains, people are

endangered across an ocean." Governments must ensure that their policies on religion do not have negative international consequences. Regimes that manipulate religion or marginalize minority groups exacerbate interreligious tension and throw fuel on the fire of radical religious ideologies. Environments of robust religious freedom, on the other hand, foster communal harmony and embolden voices of moderation to openly refute extremists on religious grounds.

In light of the benefits of religious freedom and the dangers of denying it, the United States promotes this universal right as a core objective of its foreign policy. The *Annual Report* is the flagship tool in this effort. It informs our bilateral policies and diplomatic strategies, shines a spotlight on abusive governments, and gives hope to millions who suffer on account of their faith. The *Report* also serves as a rich resource of detailed data on religion in society, and we greatly value the contributions of activists and scholars who make use of our reports and enrich our understanding of the complex causes and effects of religious freedom and persecution. We welcome further analysis using our reports, as well as critiques of U.S. domestic and international religious freedom policies. It is our hope that the *Annual Report* stimulates global dialogue and inspires cooperative action leading to a more just and secure world.

Michael Posner

Assistant Secretary for Democracy, Human Rights, and Labor

