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Hearing on the 2011 International Religious Freedom Report

*Subcommittee on Africa, Global Health and Human Rights Hearing
November 17, 2011*

Statement by Chairman Christopher H. Smith

Good afternoon, and thank you for attending this oversight hearing on the congressionally-mandated *International Religious Freedom Report* and designations of Countries of Particular Concern (CPC) for 2011.

This is the first oversight hearing on the IRF Report since I chaired a hearing on the 2006 Report in December of that year. It is one of a series being held by this subcommittee that is examining this critically important issue. In June of this year, we held a hearing on prioritizing international religious freedom in U.S. foreign policy in the context of amending the International Religious Freedom Act of 1998, known as IRFA. We have also examined freedom of conscience and religion in the context of China's and North Korea's overall abysmal human rights records.

A study conducted by Dr. Brian Grim of the Pew Forum on Religion and Public Life, who testified before this Subcommittee in June, found that almost 70% of the world's population lives in countries with high or very high restrictions on religion. Although this study was conducted between 2006 and 2009, it was apparent back in the late 1990's that the fundamental human right of religious freedom was under severe attack around the world.

Congress gave expression to our commitment to international religious freedom with the passage in 1998 of IRFA, which concretely established the promotion and protection of religious liberties as a foreign policy goal. I was shocked at the time when IRFA was strongly opposed on the record by the Clinton Administration. John Shattuck, the former Assistant Secretary for

Democracy, Human Rights and Labor, claimed during his testimony in this very room that it would establish a hierarchy of human rights under U.S. law.

I chaired the hearings on the legislation, and I as well as others pointed out that, for example, when we fought against apartheid and enacted laws to mitigate the abomination of racism in South Africa, we certainly did not detract from other human rights policies, it was always value added. Similarly, when we took up the cause of Soviet Jewry, and the Jackson-Vanik amendment was employed with such effectiveness, even though we risked superpower confrontation in order to effectuate the release of Jews who were being harassed and persecuted in the former Soviet Union, it did not detract. It was not a “hierarchy of human rights”; it was all value added.

In like manner, the International Religious Freedom Act was an important addition to the overall effort to defend and promote human rights, by focusing the spotlight on one of the most fundamental human rights. We persisted, and eventually the bill, authored by my good friend and colleague Frank Wolf, was signed into law.

A critical component of the law is the requirement that the State Department review foreign countries each year and submit a report on the status of religious freedom to Congress. Those countries found to be engaged in or tolerating particularly severe violations of religious freedom during the preceding 12 months are to be designated as "Countries of Particular Concern" (CPCs).

In September, the Department of State issued its report for the last 6 months of 2010. The reason for the abbreviated report is to introduce a new reporting cycle that will be based on the calendar year instead of the previous July to June reporting period.

The State Department also notified Congress in September that eight countries had been redesignated as CPCs: Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, and Uzbekistan. These are the same eight countries that previously had been designated by the Bush Administration on January 16, 2009.

Pursuant to the IRF Act, the Secretary must impose new presidential actions, issue waivers, or authorize an additional 90-day extension for such actions against these eight countries by December 12th. I and other Members of Congress are strongly urging the Administration not to double-hat sanctions against these countries as has been done previously, but to impose measures that have some teeth and that are likely to produce the desired effect. Any thoughts from our witnesses about what actions should be taken would be both timely and most appreciated.

The U.S. Commission on International Religious Freedom recommended several additional countries be added to that list. They include Egypt, Iraq, Nigeria, Pakistan, Turkmenistan, and Vietnam. I also will be interested in hearing from our witnesses as to whether they agree with the Commission that any or all of these countries should be CPCs.

Just two days ago, I chaired a hearing of the Helsinki Commission on the horrendous plight of Coptic Christians in Egypt. In July, the Foreign Affairs Committee accepted two religious freedom amendments that I proposed to the Foreign Relations Authorization Act, H.R. 2583. One calls on the Administration to include the protection of the Coptic Christian communities as a priority in our diplomatic engagements with the Government of Egypt, and the other prohibits increased non-humanitarian assistance to Vietnam until its government makes substantial progress toward respecting the right to freedom of religion, among other requirements.

I was also deeply disturbed by the assassination of Pakistan's Federal Minister of Minorities Affairs Shahbaz Bhatti on March 2nd of this year. I met personally with Minister Bhatti when he visited Washington, D.C. and was extremely appreciative of his courage and commitment to promote the rights of religious minorities and harmony among all faith communities in his country. His killing was a tragic loss for all Pakistanis, and the ongoing failure of the Pakistani Government to identify his assassins and bring them to justice is a blatant and ongoing severe violation of respect for religious freedom.

In closing, I would like to note that the State Department's Ambassador-at-Large for International Religious Freedom, Dr. Suzan Johnson Cook, was invited to testify at this hearing and present the report written by her office. Unfortunately, the State Department refused to allow her to appear without another State Department official on her panel. Given the important responsibilities assigned to the Ambassador-at-Large pursuant to the IRF Act, including advancing the right to religious freedom abroad through diplomatic representations on behalf of the United States, our Subcommittee looks forward to the opportunity to hear from Ambassador Johnson Cook when she is allowed to testify on her own.

I thank the distinguished witnesses who have joined us here today, and I look forward to hearing your testimony.