The Tom Lantos Human Rights Commission

United State House of Representatives

Hearing on

# Worldwide Persecution of Christians: Responding to New Challenges

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Statement of


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## Introduction

Co-Chair Smith, Co-Chair McGovern, and Members of the Commission:

Thank you for the opportunity to participate in this important hearing. Alliance Defending Freedom is grateful for the Tom Lantos Human Rights Commission's attention to the persecution of Christians around the world. The plight of Christians is worsening yet egregiously underreported. Almost 400 million Christians worldwide face persecution or violence, making Christians the world's most persecuted religious groups.[1] When the freedoms of speech and religion are not cherished, Christians are persecuted for speaking the truth of the gospel. Surprisingly, this is increasingly occurring in countries founded on Christian values. These countries still claim to support the God-given human rights of free speech and freedom of religion, yet their laws and actions often show otherwise.

Alliance Defending Freedom is one of the nation's most successful United States Supreme Court advocates, with 20 wins since 2011.[2] We work in the courts and with lawmakers across the political spectrum to advance the right of every person to live and speak the truth. We also serve thousands of churches through our Church and Ministry Alliance. Internationally, we have spent more than 15 years defending religious freedom and free expression before courts and public bodies, including the European Court of Human Rights and the European Parliament. We also currently have cases before the highest courts of Nigeria, Algeria, and Türkiye, as well as the European Court of Human Rights, in defense of religious freedom and free expression.

ADF also works with partners around the world to oppose attacks on these fundamental rights. We recently launched a Counter Censorship Task Force to expose and confront these threats. The Task Force advocates for the protection of free speech and religious freedom in the U.S. Congress, U.S. state legislatures, the European Parliament, and other parliamentary bodies; works with major companies to ensure their policies respect the religious beliefs and views of employees and customers; and supports clients who are targeted for peacefully expressing their religious beliefs. In the Task Force's early work, one pattern is already clear: online censorship is becoming one of the most powerful tools for suppressing religious speech.

I want to take this opportunity highlight Europe's mounting censorship crisis and the extent to which Christian expression is often in the crosshairs of government efforts to silence dissent. In the UK, for example, several Christians have been criminally prosecuted for silent prayer in a so-called "buffer zone" around an abortion facility, including one conviction. I also want to examine the insidious interplay between online censorship and Christian persecution, with a particular focus on the European Union (EU). The EU is among the world's greatest purveyors of censorship, largely through the draconian Digital Services Act (DSA).

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[1] Isabella H. de Carvalho, *Holy See: Christians Are Most Persecuted Religious Community in World*, Vatican News (Mar. 5, 2026), https://www.vaticannews.va/en/vatican-city/news/2026-03/holy-see-christian-persecution-religious-freedom-human-rights.html.

[2] ADF clients won before the Supreme Court in eight free-speech cases. *See, e.g.*, *Reed v. Town of Gilbert*, 576 U.S. 155 (2015); *National Institute of Family & Life Advocates v. Becerra*, 585 U.S. 755 (2018); *Uzuegbunam v. Preczewski*, 592 U.S. 279 (2021); *303 Creative LLC v. Elenis*, 600 U.S. 570 (2023); *Chiles v. Salazar*, No. 24-539, slip op. (U.S. Mar. 31, 2026); *First Choice Women's Resource Centers, Inc. v. Davenport*, No. 24-781, slip op. (U.S. Apr. 29, 2026). ADF has also secured six religious freedom Supreme Court victories for its clients. *See, e.g.*, *Arizona Christian School Tuition Organization v. Winn*, 563 U.S. 125 (2011); *Town of Greece v. Galloway*, 572 U.S. 565 (2014); *Burwell v. Hobby Lobby Stores, Inc.*, 573 U.S. 682 (2014); *Trinity Lutheran Church of Columbia, Inc. v. Comer*, 582 U.S. 449 (2017); *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission*, 584 U.S. 617 (2018).

European officials who championed the DSA did so under the motto "what is illegal offline, should be illegal online."[3] As the examples below demonstrate, this makes the treatment of Christian expression under existing EU Member State laws central to understanding the DSA's dangers. For instance, if expressing a pro-life viewpoint outside of an abortion clinic is "illegal," the DSA would make it unlawful to share that same viewpoint online. When governments investigate and prosecute Christians for expressing their faith, those cases reveal the speech standards and enforcement practices around which online regulation operates. The DSA extends the reach of relevant restrictions through platform moderation, backed by substantial regulatory penalties. The same is true of the United Kingdom's Online Safety Act (OSA).

In short, the DSA and OSA give European officials the machinery to export European speech restrictions worldwide, often targeting Christians and their most fundamental practices and beliefs. The threat is not abstract. Because of these large and complex censorship systems, online platforms are strongly incentivized to apply European speech rules globally. This means churches, ministries, and speakers feel the effects of European censorship far beyond Europe's borders, including here in the United States.

## I. The freedom to proclaim and practice the Christian faith is under attack in Europe.

In the United States, we recognize the freedom to speak and practice one's religion as inviolable principles of American life that must be safeguarded. The First Amendment protects both religious exercise and free speech. We don't allow a listener's offense to preempt either of these rights. This is due not only to the United States' foundational affirmation of inalienable rights as Creator-endowed, but also to a pragmatic understanding of a pluralistic society. A government that can silence one community's deepest beliefs can do the same to all others. "The First Amendment envisions the United States as a rich and complex place where all persons are free to think and speak as they wish, not as the government demands."[4]

Freedom of religion is a fundamental, universal human right. Our laws and international law recognize it as such. The history of the Western world illustrates that society, to remain free, must protect these rights. As Europe once did.

Unfortunately, recent years have seen a proliferation of censorship enforcement proceedings by European states—most often pursuant to laws that use vague terms such as "hate," "disinformation," "offense," and "insult," thereby granting government officials unbridled discretion to censor views they dislike. But pluralism does not mean keeping religious convictions out of public life or silencing one view among many. It reflects a shared belief that the answer to speech we reject is more speech, not censorship. It also reflects the belief that citizens may bring their whole selves, including their faith, into the public square. Yet in Europe, those freedoms face significant attacks.

Examples of Europe's growing state censorship of Christians abound, and they are both shocking and deeply disturbing; this represents the type of oppression Europe has not seen in quite some time. Take ADF client Päivi Räsänen, a member of the Finnish parliament, who faced three criminal trials and was recently convicted by the Supreme Court of Finland. Her crime? Publishing

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[3] John Rosenthal, *Make Speech Free Again: How the U.S. Can Defeat E.U. Censorship*, CLAREMONT REV. BOOKS, Spring 2025.
[4] *303 Creative*, 600 U.S. at 603.

a church booklet *in 2004* and later tweeting her biblical view that marriage is between one man and one woman.[5]

In June 2019, Räsänen, a medical doctor and devoted grandmother, took to social media to post a Bible passage, Romans 1:24–27, challenging her church's decision to participate in a Helsinki Pride event. "I wanted to exercise my basic right to free speech," Räsänen said, "to publicly ask how they reconciled their activities with biblical teaching."[6]

Her post drew the ire of the Finnish authorities. In the following days, she faced hours of police investigations, followed by seven years of criminal prosecution and three trials. She was unanimously acquitted for the tweet-related charge in two lower courts, only to be convicted on another charge after the state prosecution dug through her past and discovered the church booklet. Disturbingly, the booklet was written in 2004, years before the 2012 law under which she later would be convicted came into effect.

Räsänen's trials were peppered with theological questions that delved into the details of scriptural interpretation. At one point, the state prosecutor vigorously questioned whether it was really possible to separate the sin from the sinner—a fundamental tenet of the Christian faith, and hardly the business of the state.

"I couldn't believe I was sitting in a courtroom where the prosecution discussed the interpretation of Bible verses," Räsänen noted.[7] In March 2026, the Supreme Court convicted the Christian grandmother, finding her guilty under the country's War Crimes and Crimes against Humanity section of its criminal code.[8] In August, she was banned from entering the UK because of her conviction.[9] Räsänen has appealed her conviction to the European Court of Human Rights.[10]

In today's Europe, Christian beliefs are seen as an existential threat to those who seek to assert control through authoritarian overreach. Räsänen's prosecution sends an unmistakable message: dare to share Christian views that go against the orthodoxies of the day, and you may find yourself a convicted criminal.

Consider also Adam Smith-Connor, a British Army veteran who served in Afghanistan to defend his nation's liberties. Yet when he returned to Britain, he *silently* prayed near an abortion facility. For that, he was criminally convicted and ordered to pay a $9,000 fine.[11]

Smith-Connor is the first man in modern British history to be convicted for a thought crime. "*Free speech, I fear, is in retreat*," warned Vice President Vance during a February 2025 address

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[5] *Päivi Räsänen*, ADF Int'l, https://adfinternational.org/case/paivi/ (last modified Oct. 19, 2026).
[6] Paul Coleman & Elyssa Koren, *Freedom of Speech Under Threat*, Plough (Dec. 27, 2024), https://www.plough.com/articles/freedom-of-speech-under-threat.
[7] *Id*.
[8] *Finnish Parliamentarian Convicted of "Insulting" a Group for 20-Year-Old Church Booklet to Appeal to European Court of Human Rights*, ADF Int'l (May 7, 2026), https://adfinternational.org/news/finnish-parliamentarian-convicted-of-insulting-a-group-for-20-year-old-church-booklet-to-appeal-to-european-court-of-human-rights/.
[9] Bryan Chai, *Päivi Räsänen Banned from the UK After Criminal Conviction for Her Christian Beliefs*, Alliance Defending Freedom (Aug. 18, 2026), https://adflegal.org/article/paivi-rasanen-banned-from-the-uk-after-criminal-conviction-for-her-christian-beliefs/.
[10] *Finnish Parliamentarian Convicted Under "Hate Speech" Law Files Appeal to European Court of Human Rights*, ADF Int'l (July 24, 2026), https://adfinternational.org/news/finnish-parliamentarian-files-appeal-to-european-court-of-human-rights/.
[11] *UK Army Vet Appeals Conviction for Praying Silently Near Abortion Facility*, Alliance Defending Freedom (Apr. 2, 2025), https://adflegal.org/article/uk-army-vet-appeals-conviction-for-praying-silently-near-abortion-facility/.

to world leaders in Munich.[12] He said he was particularly concerned about censorship in the United Kingdom, "where the backslide away from conscience rights has placed the basic liberties of religious Britons, in particular, in the crosshairs" and highlighted Smith-Connor's case to illustrate the UK's censorship crisis.[13]

Isabel Vaughan-Spruce, another British Christian, faced police investigations and legal action three times for silently standing near an abortion facility and praying in her mind.[14] Vaughan-Spruce was the first person to have been criminally charged under national "buffer zone" legislation, which came into force in October 2024 and prohibits "influencing any person's decision to access, provide or facilitate the provision of abortion services" within 150 meters of abortion facilities. This October, she once again pleaded not guilty to new charges stemming from her silent prayer. Egregiously, these charges follow a prior acquittal and a settlement payment by the police after they previously arrested her for praying silently outside of an abortion clinic.[15]

In her words: "Standing silently and holding certain beliefs in a public space should never be a crime. Yet, despite being vindicated of wrongdoing on multiple occasions and receiving a financial settlement after two wrongful arrests, I was once again charged last year for my mere presence within a 'buffer zone,' and have today received fresh charges. I am deeply troubled by this violation of the basic right to my own thoughts and to my deeply-held Christian pro-life convictions. I pray that common sense and freedom will prevail, so that no one else has to face criminal treatment for what they believe."[16]

In Scotland, Rose Docherty, a Christian grandmother, was prosecuted for standing outside a hospital while holding a sign that said "coercion is a crime" and that she "was here to talk, only if [the other person] wants."[17] The 75-year-old was arrested in September 2025 merely for offering to speak with people in the vicinity of the Queen Elizabeth University Hospital in Glasgow and holding her sign. She did not approach anyone, did not speak about abortion, did not engage in any behavior that was obstructing, harassing, or intimidating, and was not protesting. Following her arrest, Mrs. Docherty was held in custody for several hours. She was refused a chair to sit on in her cell, despite making it known that she had had a double hip replacement. In May, a judge dismissed two criminal charges of "influencing" against her, in the first-ever victory under national legislation introducing abortion facility "buffer zones" in the UK.

In Bristol, England, police arrested Christian pastor Dia Moodley after he peacefully commented on Islam and transgender ideology while street preaching in the city center.[18] The pastor, who suffers from a heart condition, was held in a police cell for eight hours before being

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[12] Press Release, ADF Int'l, *U.S. Vice President Vance: "Concerning" British Silent Prayer Conviction Shows Free Speech Is "in Retreat"* (Feb. 14, 2025), https://adfinternational.org/news/u-s-vice-president-vance-concerning-british-silent-prayer-conviction-shows-free-speech-is-in-retreat/.
[13] *Id.*
[14] *Isabel Vaughan-Spruce*, ADF Int'l, https://adfinternational.org/case/isabel-vaughan-spruce/ (last modified Sept. 9, 2026).
[15] Press Release, ADF Int'l, *BREAKING: Christian Woman Pleads "Not Guilty" to Fresh Charges for Standing and Silent Prayer, Arguing that Prosecution Amounts to "Abuse of Process"* (Oct. 7, 2026), https://adfinternational.org/news/christian-woman-pleads-not-guilty-to-fresh-charges/.
[16] *Id.*
[17] *Rose Docherty*, ADF Int'l, https://adfinternational.org/case/rose-docherty-uk/ (last modified Sept. 9, 2026).
[18] Press Release, ADF Int'l, *Police Arrest Christian Pastor and Visit His Home After He Commented on Islam and Transgender Ideology While Street Preaching* (Feb. 16, 2026), https://adfinternational.org/news/police-arrested-and-visited-christian-pastors-home/.

released under censorial bail conditions banning him from entering and therefore preaching in Bristol city center over the Christmas period. After more than four months, police dropped their criminal investigation.[19]

In Ireland, authorities charged and convicted 78-year-old pastor Clive Johnston with recklessly conducting an unsafe act in an abortion buffer zone and refusing to leave the premises. His alleged offense was preaching a sermon on John 3:16[20] near a general hospital on a Sunday. The verses did not mention abortion, and the only person inside seeking abortion care at that time could not see or hear him.[21]

In Germany, YouTubers Niko and Tino run a channel, Eternal Life, where they speak about their Christian beliefs. In December 2024, Niko and Tino published a video titled "Islam is no peace."[22] From February 2025, the two were investigated under Section 166 of the German Criminal Code for insulting religious beliefs – based on nothing more than mere offense. But authorities ended the investigation last month because YouTube deleted the video.[23]

French authorities prosecuted Father Matthieu Raffray, a Catholic priest, before the Paris criminal court over an Instagram video he posted as a Church representative. In the video, he said one can overcome homosexuality and other human "weaknesses" or "vices," such as anger and greed. He faced two charges: public insult, based only on the word "vices," and public provocation to hatred or violence, based on the full Instagram post. On June 29, 2026, he was acquitted on both counts. The court held that "vices" referred to the Catholic concept of sin and found no appeal to hatred or violence. But his acquittal was appealed, and the case remains pending.[24]

In Spain, authorities opened a criminal investigation into Catholic Bishop José Ignacio Munilla for opposing Spain's counseling censorship law that prohibits counselors from helping individuals achieve their goals related to their sexuality and identity.[25] Under that same law, Christian identity coach Elena Lorenzo is awaiting trial for alleged "hate crimes" based on statements on her website about counseling same-sex attracted persons. If convicted, she could face years in prison.[26]

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[19] Press Release, ADF Int'l, *Christian Pastor Cleared as Police End Criminal Investigation, Following Arrest for Commenting on Islam and Transgender Ideology While Street Preaching* (May 16, 2026), https://adfinternational.org/news/christian-pastor-cleared-as-police-end-criminal-investigation/.

[20] John 3:16 (English Standard Version) states, "For God so loved the world, that he gave his only Son, that whoever believes in him should not perish but have eternal life."

[21] Maria McCann, *Retired Pastor Guilty of Abortion Buffer Breach*, BBC (May 7, 2026), https://www.bbc.com/news/articles/cewpk8er8e5o.

[22] Tré Goins-Phillips, *German YouTubers Investigated for Insulting Islam over Video Against "Demonic" Antisemitism*, CBN News (Apr. 16, 2026), https://cbn.com/news/world/german-youtubers-investigated-insulting-islam-over-video-against-demonic-antisemitism.

[23] Maria Rahenbrock, *Investigations dropped: Criticism of Islam by Christian YouTubers not a crime after all,* Apollo News (Oct. 12, 2026) https://apollo-news.net/ermittlungen-eingestellt-islamkritik-von-christlichen-youtubern-doch-keine-straftat/.

[24] *Le Tribunal correctionnel de Paris relaxe un abbé ayant qualifié l'homosexualité de « vice »* (The Paris Criminal Court Acquits a Priest Who Called Homosexuality a "Vice"), STOP homophobie (June 29, 2026), https://www.stophomophobie.com/le-tribunal-correctionnel-de-paris-relaxe-un-abbe-ayant-qualifie-lhomosexualite-de-vice/.

[25] Rafa Burgos, *The Madrid Prosecutor's Office investigates the bishop of Alicante for defending false conversion therapies for homosexuals*, El Pais (Nov. 19, 2025), https://elpais.com/sociedad/2025-11-19/la-fiscalia-de-madrid-investiga-al-obispo-de-alicante-por-un-posible-delito-de-odio-al-defender-las-terapias-de-conversion-de-homosexuales.html.

[26] *Elena Lorenzo may end up in prison: "I am not afraid to defend my principles"*, Religion in Freedom (Sep. 15, 2026), https://www.religionenlibertad.com/polemicas/260915/entrevista-elena-lorenzo-entrevista-juicio_119998.html.

In Malta, former X Factor Malta contestant Matthew Grech is being prosecuted for sharing his own story of conversion to Christianity and away from the gay lifestyle. After he told his story on a local news outlet, prosecutors charged him with allegedly advertising "conversion therapy."[27] After two years and ten court hearings, Matthew was found not guilty. But Malta's Attorney General appealed, so the case remains ongoing.[28]

## II. European digital regulations magnify the threat to Christian expression and extend it globally.

The prosecutions described above are directly relevant to the dangers of the Digital Services Act because that regulation draws its definition of "illegal content" from existing EU and Member State laws. Those cases show how European authorities interpret and enforce restrictions against Christian expression and why empowering platforms to enforce those restrictions online threatens religious freedom. The DSA (and OSA as well),[29] builds platform enforcement systems around relevant underlying laws, requiring companies to make decisions about speech that the Member States deem "unlawful" or "hateful" content under threat of regulatory sanctions. The danger extends beyond individual prosecutions: restrictions enforced against individual Christians shape moderation decisions affecting churches, ministries, and believers and around the world.

Under the DSA, the EU has granted itself sweeping powers to regulate content deemed "harmful" across the largest and most widely used online platforms.[30] It strong-arms major online platforms (such as Google, Meta, or X) into enforcing EU speech standards—including censoring anything that any of the 27 Member States deem "illegal content."[31] Its lack of clear definitions of key terms like "misinformation" and "hate speech," combined with crippling fines for social media companies that fail to comply, means tech giants must adopt a "censor first; ask questions later" mentality.

In short, the DSA is global censorship, via bureaucratic overreach, masquerading as "safety and security" for the masses, with devastating consequences for religious freedom and free speech both in and outside of Europe.

As evidenced by the above examples, what EU officials classify as "hate speech" can be as innocent as a citing a Bible verse, making a social media post, or distributing a church pamphlet. The exportation of this censorial framework has enormous implications for Christian speech worldwide. To understand how the DSA operates in practice, it helps to view it not as a single rule but as an integrated enforcement system, one whose parts work together to pressure online platforms into removing disfavored speech.

### A. *The Blueprint*: A patchwork of national "hate speech" codes and "illegal content" laws that supply meaning to the DSA.

At the core of DSA's censorship framework is one basic rule: no one may post or permit online speech "that is not in compliance with Union law or the law of any Member State."[32] That

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[27] *Matthew Grech*, Christian Concern, https://christianconcern.com/cccases/matthew-grech/ (last visited Nov. 16, 2026).
[28] Id.
[29] *See infra* Part III.
[30] *See* Regulation 2022/2065, of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and Amending Directive 2000/31/EC (Digital Services Act), 2022 O.J. (L 277) 1, art. 2 (EU) [hereinafter DSA].
[31] DSA art. 3(h).
[32] *Id.*

may sound simple. It is not. The European Union has 27 Member States, each with its own (often draconian) speech laws. Through the DSA, speech that is illegal in one state can be treated as illegal across the EU, and potentially across the globe. That means online users are not only bound by their own country's laws. They may also be affected by the laws of 26 other countries they may know little or nothing about.

The prosecutions described above show what this means for Christians. Biblical teaching, personal testimony, and other peaceful expressions of faith can become targets of criminal enforcement. The DSA gives those restrictions a new reach, pressuring platforms to suppress the same expression online. Remember, if it is declared "illegal" offline in Finland, it is deemed "illegal" online within the entirety of the EU and beyond.

B. *Cogs and Other Parts*: The European Commission, national regulators, trusted flaggers, monitoring reporters, and platforms.

The European Commission is the linchpin of DSA enforcement. Under the DSA, the Commission sets policy priorities and initiates enforcement actions. It is also the primary governmental overseer of service providers it designates as very large online platforms and very large online search engines. But the Commission is not the only enforcer. The DSA requires each Member State to designate a Digital Services Coordinator (the Coordinator), who serves as the main DSA administrator and enforcer within that Member State (unless superseded by the Commission).

The DSA also creates "Trusted Flaggers." These are civil society groups, industry organizations, law enforcement bodies, and other private or semi-public actors that Member States may authorize to monitor online speech and flag potentially illegal content.[33] The Commission may also designate nonprofit or public entities with "expertise on illegal hate speech" as "Monitoring Reporters." Their role is to monitor the internet for "illegal hate speech."[34]

Finally, there are the service providers themselves. Under the DSA, providers must proactively look for and remove so-called "illegal content." If they fail to do so, or if the Commission decides they have not done enough, they face punishment. That punishment can include blocking access to a service in all or part of the EU.[35]

C. *Designed Bias*: Self-selection of friendly organizations to police Christians for politically inconvenient speech.

The inherent danger in the DSA's trusted-flagger system is that it gives government-certified organizations (i.e., "trusted flaggers") privileged access to speech enforcement. Trusted flaggers can determine whose speech is monitored, which beliefs are treated as suspicious, and which speakers are repeatedly reported. And when making those determinations, the trusted flaggers can bring their own institutional bias into the decision-making. Nothing in the DSA requires flaggers to be "neutral" among differing world views. Thus, the anti-Christian bias

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[33] *Digital Services Coordinators*, European Commission Digital Strategy, https://digital-strategy.ec.europa.eu/en/policies/dsa-dscs (last updated October 2, 2026).
[34] European Commission, Code of Conduct on Countering Illegal Hate Speech Online+.
[35] DSA art. 51.

problem is built into the system—a certified organization's ideological commitments can shape what gets reported.[36]

A certified trusted flagger's own statements show why this concern deserves scrutiny. Germany's HateAid declares: "We are independent and non-partisan. But we are not neutral."[37] HateAid's educational material construes traditional Christian views on gender, sexuality, and love as an attack on the LGBTQ community. For Christians and others who hold these traditional beliefs, this poses a serious threat that their speech will be judged by an ideological framework that inherently links their beliefs to "harm," without tying it to specific legal prohibitions.[38]

The concern extends beyond Germany. Greece Fact Check published an article by its senior adviser declaring, "Banning platforms that spread hateful ideologies is also a vital step in protecting European democracy."[39] These statements do not establish that every notice is biased or that lawful Christian speech is always removed. But these statements nevertheless expose a central flaw in the DSA: organizations that take sides in contested political and moral debates receive state-backed priority in initiating scrutiny of other people's speech.[40]

D. *The Control Board*: EU and Member State investigations

The DSA allows the European Commission to deeply inject itself into a platform's inner workings via several tools. For starters, the Commission may issue what is, in effect, a broad subpoena to very large online platforms and very large online search engines. What's more, the Commission can interview a provider's staff, send investigators to inspect its premises, require providers to document and explain internal systems (including sensitive commercial information such as algorithms), and may even seal the premises of these companies' European operations.

A platform's failure to comply with the devastating consequences: A platform or search engine faces penalties of up to *5% of its global daily revenue for each day of noncompliance*. That fine could potentially can reach billions of dollars.

But it gets worse. If the Commission finds prima facie evidence of a DSA violation—such as a platform leaving up a post that some EU member state has labelled "unlawful"—the Commission may fine the platform *up to 6% of its annual global revenue* until it capitulates.[41] If those fines do not work, the Commission may seek the most severe penalty. Through a Coordinator, it may ask a Member State's courts to restrict access to the provider or order other intermediaries, such as internet service providers, to block users from reaching it.[42] And if those ruinous fines still do not effectuate the EU's censorial purposes, the Commission may seek a truly crippling penalty for any online platform: direct a Member State's courts to restrict access to the provider or order other intermediaries, such as internet service providers, to *block users from reaching it*.

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[36] DSA art. 22(1)–(2).
[37] *This Is HateAid*, HateAid, https://hateaid.org/en/this-is-hateaid/ (last modified Mar. 27, 2026) (under "Our position").
[38] *LGBTQIA+: Queerfeindlichkeit und Empowerment im Netz* [*LGBTQIA+: Queerphobia and Empowerment Online*], HateAid (last updated May 13, 2026), LGBTQIA+: Queerfeindlichkeit und Empowerment im Netz (noting, in the opening discussion, traditional ideas about gender, sexuality, and love).
[39] Christopher J. Kremidas-Courtney, *Protecting European Democracy During Trump 2.0*, Greece Fact Check (Jan. 31, 2025), https://www.factchecker.gr/2025/01/31/protecting-european-democracy-during-trump-2-0/.
[40] *Id.*
[41] DSA art. 52 (3).
[42] DSA art. 51.

The Coordinators, charged with state-specific enforcement, use similar procedures. Each Member State, however, sets its own rules for the Coordinators' investigations and penalties.

E. *Forced Self-Policing*: Ongoing risk assessment and mitigation duties build censorship into platform policies and algorithms.

The DSA requires companies to conduct opaque "risk assessment and mitigation."[43] In practice, that pushes companies to re-engineer algorithms and train artificial intelligence systems to suppress categories of lawful but disfavored speech. These technical choices happen inside corporate systems, so the public cannot see, debate, or challenge them. The result is hidden, large-scale, pre-publication censorship. Thus, the DSA gives providers a strong incentive to remove flagged content, even when it is lawful. So, to protect itself, the machine propagates its bias, and censorship spreads unchecked.

F. *The Output*: Regulatory pressure rewards platforms for suppressing controversial religious expression.

The DSA's enforcement tools and self-policing requirements lead to one result: over-censorship and under-protection. Service providers face a hard choice. They can maximize compliance with the DSA and avoid crushing fines by over-censoring online speech. Or they can protect speech more fully, pay for costly legal review, and still risk violating the DSA. And that risk, of course, includes major fines and possible service suspension.

That risk is highest when users speak about public issues or important societal topics such as religion and politics. As the examples above clearly demonstrate, Christians in Europe have faced prosecution for online and offline speech, prayer, and debate. Platforms know that religious speech is an easy target under DSA-style rules, which impose even lower standards than those for offline speech. Protecting one user's speech provides no financial benefit sufficient to offset the DSA-imposed costs and risks of leaving it online.

G. *The Global Reach*: European speech restrictions threaten American religious expression.

The DSA is, and was always designed to be, extraterritorial, both in its substance and implementation. And the EU has not been shy about saying so. "The [European Economic and Social Committee (EESC)] believes *[the DSA] is an opportunity to establish global standards* for the digital markets that can lead Europe into this new era, ensuring a high level of consumer safety and protection online."[44] Seamus Boland, president of EESC Diversity Global Europe, added, "All eyes are on Europe to lead [the digital age], so that EU regulations become the global standard. So it is not just about making 'Europe fit for the digital age', it is also about making the 'digital age

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[43] *See* DSA arts. 34–35.

[44] Opinion of the European Economic and Social Committee on the Proposal for a Regulation of the European Parliament and of the Council on a Single Market for Digital Services (Digital Services Act) and Amending Directive 2000/31/EC, COM(2020) 825 final, 2020/0361 (COD), 2021 O.J. (C 286) 70., https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX%3A52021AE0022&from=EN.

fit for Europe and the world'."[45] The DSA "will set new global standards," said Christel Schaldemose, the DSA's lead negotiator moments after its enactment.[46]

As detailed by the House Judiciary Committee report, entitled "The Foreign Censorship Threat, Part II: Europe's Decade-Long Campaign to Censor the Global Internet and How it Harms American Speech in the United States," the European Commission conducted more than one hundred meetings beginning in 2020 to pressure platforms to change their globally applicable content moderation standards to censor content in a way that directly infringed on Americans' online speech in the U.S.

Christian speech is at the forefront of the censorship assault in Europe. And that same speech is now threatened here in the U.S. via the DSA's exportation of EU censorship standards globally.

## III. The UK's Online Safety Act: A different name, but the same dangerous incentives.

The Online Safety Act of 2023 (OSA) is the UK's version of the Digital Services Act. Like the DSA, the OSA creates heavy censorship incentives, including penalties that can reach 10% of a company's annual global revenue or £18 million, *whichever is higher*, if they refuse to censor specific content.[47] Unlike the DSA, the OSA does not build on the speech laws of several countries. It builds on the U.K.'s own "public order" laws. Those laws bar "grossly offensive message[s]" even if no one actually receives the message or feels offended by it.[48] They also prohibit insulting, abusive, or threatening words if they cause a listener mere distress. And they cover speech that "stirs up" religious or racial hatred.

Pastor Dia Moodley's case shows why these underlying laws matter. Police arrested him while he was expressing his Christian views on Islam and transgender ideology, invoking suspected religious hatred and a religiously aggravated public-order offense. The OSA expressly incorporates relevant hatred and public-order offenses into its list of priority offenses, requiring platforms to take preventive measures against content that meets those criminal standards. Laws invoked against Christian preaching in the public square also supply standards for restricting Christian expression online. Although police ultimately dropped their investigation into Pastor Moodley, platforms must make their own judgments about allegedly illegal content without waiting for a court to determine whether a crime occurred.

And Pastor Moodley is just the tip of the iceberg. British oversight group Big Brother Watch reports that U.K. police forces arrested more than 62,000 people, charged 18,500 of them, and convicted 12,292 for "communications offences [sic]" within the past five years.[49] That is

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[45] Press Release No. 42/2020, Eur. Econ. & Soc. Comm., *#DigitalServicesAct, #DigitalMarketsAct: Time for Our Democracy to Catch Up with Technology* (Dec. 4, 2020), https://www.eesc.europa.eu/en/news-media/press-releases/digitalservicesact-digitalmarketsact-time-our-democracy-catch-technology.

[46] Press Release, Eur. Parl., *Digital Services Act: Agreement for a Transparent and Safe Online Environment* (Apr. 23, 2022), https://www.europarl.europa.eu/news/en/press-room/20220412IPR27111/digital-services-act-agreement-for-a-transparent-and-safe-online-environment.

[47] Dep't for Digital, Culture, Media & Sport & Department for Sci., Innovation & Tech., *Online Safety Act: Explainer,* GOV.UK (last updated Apr. 24, 2025), https://www.gov.uk/government/publications/online-safety-act-explainer/online-safety-act-explainer.

[48] Communications Act 2003, c. 21 § 127 (U.K.).

[49] *Campaigners Urge Burnham to Review UK's "Anti Free Speech Laws"*, Big Brother Watch (Sep. 6, 2026), https://bigbrotherwatch.org.uk/press-releases/campaigners-urge-burnham-to-review-uks-anti-free-speech-laws/.

about 12,400 arrests and 2,450 convictions each year. According to one Freedom of Information request, U.K. police arrested about one person for every 1,110 people living in the U.K.[50]

## IV. What can Congress and the Administration do?

Members of Congress can stand up to foreign restrictions on Americans' bedrock constitutional rights. The Legislative branch has a long tradition of legislating and conducting foreign affairs to great effect on behalf of the American people. Members of this Commission can lead the way and set a tone internationally for freedom of religion and speech.

### A. Legislation

The GRANITE Act, sponsored by Rep. Michael A. Rulli[51] and Sen. Mike Lee,[52] provides a strong starting point to resolve these issues. The bills would clarify that federal and state courts need not recognize, enforce, or give effect to foreign court rulings that restrict, penalize, or compel speech protected by the First Amendment. Put simply, it would signal to American courts that our constitutional values, and laws enacted under those values, outweigh contrary foreign laws.

The bills would also strip foreign governments of sovereign immunity when they censor American voices, regardless of viewpoint. That would allow affected Americans to bring those foreign actors into court. Finally, the bills would authorize declaratory and equitable relief to stop foreign censorship before it causes further harm, rather than limiting Americans to damages after the fact.

Congress should also consider Alliance Defending Freedom's SACRED (Securing American Constitutional Rights from External Diminution) Legislation. SACRED includes five separate bills that work in tandem to ensure Americans' speech is protected from foreign censorship. The first bill bars U.S. courts from recognizing foreign authorities' censorship judgments. The second prohibits online platforms from enforcing a foreign country's judgments or regulations that would remove or suppress First Amendment-protected speech. It would also authorize the President to impose civil penalties and make that country ineligible to receive federal funds for up to three years. The third bill makes foreign acts that censor Americans' constitutionally protected speech actionable by the U.S. Trade Representative and authorizes the Treasury Department to impose tariffs or other measures against the offending country. The fourth prohibits awarding federal grants to any foreign entity that the Secretary of State credibly finds to have engaged in, facilitated, or promoted censorship of American speech. The fifth bill requires the Attorney General to issue a detailed, categorized, and public report annually to Congress on foreign censorship affecting Americans, the costs, penalties, or other actions taken, and further recommended countermeasures.

### B. Diplomacy

Foreign relations are not limited to the executive branch. Congress can express its concerns regarding First Amendment rights at home and abroad. CODELs and STAFFDELs allow Members

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[50] *Id*.
[51] GRANITE Act, H.R. 10174, 119th Cong. (2026).
[52] GRANITE Act, S. 5478, 119th Cong. (2026).

and their staff to go to European countries to observe firsthand what is occurring there.[53] Travel to Europe would also allow members and staff to have candid, in-person conversations with foreign officials to raise concerns about the DSA's impact on these rights both at home and abroad.

Congress also has extensive authority it can exercise in foreign relations. The Senate ratifies treaties and confirms ambassadors. But, most importantly, the House controls the taxing powers, including tariffs. Congress could use that power to make clear to European partners that censoring American voices carries a cost. Congress could also push for and ratify treaties that give the United States greater oversight of the nongovernmental actors empowered by the DSA. Both chambers can also use Committee time and floor speeches to educate the public about efforts to defend the right of all Americans to live freely and proclaim the Truth.

C. Support for Legal Challenges

Finally, Congress could also support the calls, by the President and 25 federal lawmakers, to have the U.S. Trade Representative investigate the EU's overregulation and excessive fines on American corporations that do not submit to the EU's censorship regime.[54] Increased fines or compliance costs imposed by foreign states, after all, reduce the American corporation's ability to pay U.S. taxes, engage in further innovation, and create more jobs.

## Conclusion

There is much Congress can do to protect Christians from persecution, both at home and abroad. This hearing is an important first step. I thank the Commission for focusing attention on this matter, and Alliance Defending Freedom looks forward to working with the members of this Commission and Congress as a whole to address these important issues.

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[53] Nathan Cook & Patrick W. Naughton, *The Congressional Delegation: A Great Opportunity to Build Trust and Inform Strategic Decisions*, Mil. Rev., Mar.–Apr. 2022, https://www.armyupress.army.mil/Journals/Military-Review/English-Edition-Archives/March-April-2022/Naughton/.

[54] Donald J. Trump (@realDonaldTrump), Truth Social (July 24, 2026), 1:06 p.m. ET), https://truthsocial.com/@realDonaldTrump/posts/116976043318889040.