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Photo Credits

Above: A demonstrator wearing a mask painted with the colours of the flag of East Turkestan and a hand bearing the colours of the Chinese flag attends a protest of supporters of the mostly Muslim Uighur minority and Turkish nationalists to denounce China's treatment of ethnic Uighur Muslims during a deadly riot in July 2009 in Urumqi, in front of the Chinese consulate in Istanbul, on July 5, 2018. - Nearly 200 people died during a series of violent riots that broke out on July 5, 2009 over several days in Urumqi, the capital city of the Xinjiang Uyghur Autonomous Region, in northwestern China, between Uyghurs and Han people. (Photo by OZAN KOSE / AFP) (OZAN KOSE/AFP/Getty Images)

Left: Ethnic Uighurs take part in a protest march asking for the European Union to call upon China to respect human rights in the Chinese Xinjiang region and asking for the closure of 're-education center[s]' where some Uighurs are detained, during a demonstration around the EU institutions in Brussels on April 27, 2018. (Photo by Emmanuel DUNAND / AFP) (EMMANUEL DUNAND/AFP/Getty Images)

Bottom Left: People from the Uighur community living in Turkey carry flags of what ethnic Uighurs call 'East Turkestan', during a protest in Istanbul, Tuesday, Nov. 6, 2018, against what they allege is oppression by the Chinese government to Muslim Uighurs in far-western Xinjiang province. (AP Photo/Lefteris Pitarakis)

Below: A gate of what is officially known as a vocational skills education centre is photographed in Dabancheng, in Xinjiang Uighur Autonomous Region, China September 4, 2018. This centre, situated between regional capital Urumqi and tourist spot Turpan, is among the largest known ones, and was still undergoing extensive construction and expansion at the time the photo was taken. Police in Dabancheng detained two Reuters journalists for more than four hours after the photos were taken. Picture taken September 4, 2018. To match Special Report MUSLIMS-CAMPS/CHINA REUTERS/Thomas Peter

ANNUAL REPORT

OF THE U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

APRIL 2019

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INTRODUCTION

On October 27, 2018, the International Religious Freedom Act (IRFA), which created the U.S. Commission on International Religious Freedom (USCIRF), reached its 20th anniversary. In the two decades since, a greater and more diverse number of actors across the globe are working to protect the fundamental freedom of thought, conscience, and religion as prescribed in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. In fact, the U.S. Department of State's 2018 Ministerial to Advance Religious Freedom became a fulcrum for change in these efforts—more foreign governments than ever before are taking action to uphold these rights in their own countries and around the world.

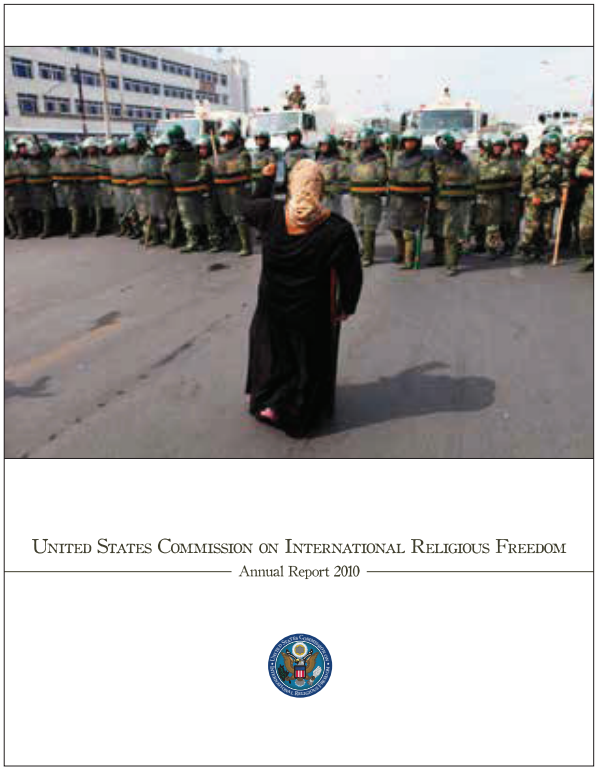
But the enduring story of the last 20 years is not about IRFA or USCIRF. Rather, it is the story of people who wish to live their lives as their conscience leads, who dream of raising their children so that they can make their own choice about what to believe or not believe freely and openly. Yet for some, the last 20 years have been a chronicle of a different kind, spanning a generation of cruel and unrelenting treatment because of their beliefs.

One such saga is currently unfolding in China where the government has been particularly pernicious toward religion and religious believers during the last 20 years—and increasingly so in recent years, including in 2018.

As a Tibetan, you may be forced to study Buddhism in a language that is not Tibetan, your native tongue, or detained for possessing a photo of your spiritual leader, the Dalai Lama. As a Christian, your Bible may have been rewritten by the Chinese government, your church shuttered or demolished, and your pastor imprisoned. As a Falun Gong practitioner, you may end up at a detention center where you are attacked with electric batons and forced to undergo medical and psychological experimentation. As a human rights defender who works to protect people targeted for their faith, you may be arrested, or worse, disappeared. And as a Muslim—particularly an ethnic Uighur Muslim—you may be forcibly sent to a concentration camp where you are held against your will and subjected to unspeakable acts of abuse and alleged torture, all while authorities pressure you to abandon your faith.

The cover of USCIRF's 2019 Annual Report tells the story of abuses against Uighur Muslims in China, a tragedy that Secretary of State Michael R. Pompeo in March 2019 called "abhorrent." Sadly, the atrocities predate both IRFA and USCIRF.

Twenty years ago—in June 1999—USCIRF selected three countries as the primary focus of the Commission's first-ever Annual Report, released in 2000: Russia, Sudan, and China. In that first report, USCIRF found that Uighur Muslims: "faced heightened repression of their religious and other human rights;" were subject to arbitrary arrests, torture, and extrajudicial executions; and were "imprisoned for their religious belief, association or practice."



Ten years later, USCIRF's 2010 Annual Report—which covered events in 2009 and early 2010—featured on its cover a photograph of a Uighur Muslim woman facing down armed Chinese security forces, with a

defiant fist raised in protest to Chinese government repression. She was responding to authorities' disproportionate response to peaceful demonstrations in 2009 in Urumqi, the capital of the Xinjiang Uighur Autonomous Region where at least 10 million Uighur Muslims reside. The ensuing violence left an estimated 200 Uighur Muslims dead and more than 1,600 injured. Moreover, Chinese authorities carried out enforced disappearances of Uighur men and teenage boys and sentenced others to death.

Nearly 20 years later, Uighur Muslims are constantly surveilled, their phones confiscated and scanned, their skin pricked for blood samples to collect their DNA, their children prohibited from attending mosque. Even worse, the Chinese government has ripped entire families apart, detaining between 800,000 and two million adults in concentration camps and relegating some of their children to orphanages. Families cannot contact one another due to fear of government monitoring; thus, countless Uighur Muslims have no idea where their loved ones are or if they are even alive.

Although a handful of foreign governments—including the United States, Britain, and Turkey—have harshly condemned the Chinese government for these egregious abuses, China has faced few, if any, consequences. Despite years of escalating abuses, the wider international community has tragically missed the opportunity to prevent what is now happening to Uighur and other Muslims in China. Policy and practice now must focus on holding the responsible parties accountable, ceasing China's myriad abuses against all faith communities, and documenting the evidence of the atrocities that have occurred.

The U.S. government—and the international community—must swiftly and resolutely sanction Chinese officials and agencies that have perpetrated or tolerated severe religious freedom violations, including Chen Quanguo, Communist Party Secretary in the Xinjiang Uighur Autonomous Region and Politburo Member, among others. The U.S. and other governments must press the Chinese government to immediately and unconditionally set Uighur and other Muslims free and also release prisoners of conscience like Uighur Muslims Gulmira Imin and Ilham Tohti, Tibetan Buddhists like the Panchen Lama and Tashi Wangchuk, Christians like Pastor Wang Yi and Hu Shigen, and human rights defenders like Gao Zhisheng. Also they must urge the Chinese government to cease detaining, arresting, and imprisoning believers and human rights defenders for their peaceful activities and stop interfering in the practice, instruction, and observance of their beliefs.

The U.S. government—and the international community—must swiftly and resolutely sanction Chinese officials and agencies that have perpetrated or tolerated severe religious freedom violations, including Chen Quanguo.

Unfortunately, China is only one of several countries where freedom of religion or belief remained in peril throughout 2018, as documented in USCIRF's 2019 Annual Report. Although some foreign governments have joined the fight to promote freedom of religion or belief, others brazenly suppress it. Some—like Sudan, Vietnam, and Tajikistan—do so under the guise of protecting "public order" or "national security," frequently invoking real or perceived threats of public discontent or even terrorism to justify not just the restriction of rights, but the outright persecution of their own people. Some—like Russia, China, Eritrea, and Turkmenistan—expose their own insecurities by branding religious and ethnic minorities as "extremists," in part because these governments believe these groups are under "foreign influence."

In several countries where USCIRF found deteriorating religious freedom conditions it also found increased securitization and politicization of religion: for example, in countries like India, it is increasingly difficult to separate religion and politics, a tactic that is sometimes intentional by those who seek to discriminate against and restrict the rights of certain religious communities. And the very governments perpetrating or tolerating these abuses often decry "interference in internal affairs" when they are rightfully admonished for their deplorable religious freedom and human rights records.

In 2018, both state and nonstate actors increasingly used religion as a

tool of exclusion to isolate, marginalize, and punish the "other" through discrimination and violence. For example, blasphemy and related laws in countries like Pakistan and Saudi Arabia—and also in countries with comparatively lesser challenges such as Indonesia and Egypt—were typically enforced against individuals belonging to a minority faith, following a faith not recognized by the state, or holding no faith at all. At times, when a government or nonstate actor deems actions and expressions blasphemous or insulting to religion, it is that declaration—and not the underlying alleged defamation—that incites hatred and violence. Nationalistic and ideological sentiment underpins some of these accusations, and can motivate state and nonstate actors to manipulate religion in a way that is detrimental to other, often minority, religious and ethnic groups, such as in Burma and Iran.

As USCIRF's 2019 Annual Report concludes, despite two decades of tireless work to bring an end to religious-based discrimination, violence, and persecution, innumerable believers and nonbelievers across the globe continued in 2018 to experience manifold suffering due to their beliefs.

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On the one hand, it is the responsibility of governments to protect and uphold freedom of religion or belief and the related freedoms of expression, assembly, association, and press. No nonstate or state actor—not the Chinese government nor any other government—has the authority to command a person's soul and beliefs. On the other, the international community is increasingly responsible for allowing the Chinese government and other governments to get away with systematic, ongoing, egregious violations of religious freedom without consequence or accountability.

Across the globe, the collective voices of those fighting for freedom of religion or belief must consistently sound the alarm against state and nonstate actors who perpetrate and tolerate such abuses. These violators must be held accountable. The impunity must end now.

2019 ANNUAL REPORT OVERVIEW

Created by the International Religious Freedom Act of 1998 (IRFA), the U.S. Commission on International Religious Freedom (USCIRF) is an independent, bipartisan U.S. government advisory body, separate from the U.S. Department of State, that monitors religious freedom abroad and makes policy recommendations to the president, secretary of state, and Congress. USCIRF bases these recommendations on its statutory mandate and the standards in the Universal Declaration of Human Rights and other international documents.

The 2019 Annual Report documents religious freedom violations and progress during calendar year 2018 in 28 countries and makes independent recommendations for U.S. policy. The key findings, recommendations, and analysis for each country chapter reflected in this report—and each country's Tier status—are based on a year's work by USCIRF, including travel, meetings, briefings, and research, and are approved by a majority vote of Commissioners, with each Commissioner, under the statute, having the option to include a statement with his or her own individual views. In 2018 and early 2019, Commissioners and/or staff visited 10 countries to assess conditions: Bahrain (March 2018, March 2019), Bangladesh (January/February 2018), Egypt (March 2018, January 2019), Indonesia (October 2018), Iraq (March 2018), Kazakhstan (April 2018), Nigeria (May 2018, November 2018), Saudi Arabia (September 2018), Sudan (April/May 2018), and Thailand (August 2018). In the coming year, USCIRF also intends to hold hearings, pursuant to its statutory authority under IRFA.

USCIRF's annual reports—and USCIRF's mandate more broadly—are different from, and complementary to, the State Department's Annual Reports on International Religious Freedom. First, USCIRF's annual reports have a refined focus on fewer than 30 countries, typically those that experience the most problematic religious freedom violations. The State Department's reports cover every country in the world except the United States. Second, USCIRF's annual reports unflinchingly describe violations of international religious freedom. Whereas the State Department must account for overall bilateral relationships in its reporting, USCIRF has the independence and objectivity to call out violations wherever and whenever they may occur. Third, USCIRF's annual reports, unlike the State Department, analyze U.S. policy with respect to international religious freedom and make extensive policy recommendations, both to the Executive Branch and Congress. Fourth, USCIRF's annual reports are timely: in its 20-year history, USCIRF has each year submitted its Annual Report to the White House, State Department, and Congress by its statutory May 1 deadline, conveying up-to-date analysis of current country conditions from the preceding calendar year. Finally, in addition to featuring select prisoners of conscience in individual country chapters, USCIRF's annual reports also feature prisoners in the report appendices, putting a human face to the myriad religious freedom violations perpetrated and tolerated by state and nonstate actors.

USCIRF's annual reports—and USCIRF's mandate more broadly—are different from, and complementary to, the State Department's Annual Reports on International Religious Freedom.

The 2019 report is divided into three sections. The first section focuses on the U.S. government's implementation of IRFA and provides recommendations to bolster U.S. efforts to advance freedom of religion or belief[1] abroad.

[1] In this report, USCIRF uses the terms "religious freedom," "freedom of religion," and "freedom of religion or belief" interchangeably to refer to the broad right to freedom of thought, conscience, and religion or belief, including the right to nonbelief, protected under international human rights law.

The second section highlights 16 countries USCIRF concludes meet IRFA's standard for "countries of particular concern," or CPCs, for the period covered by this report, which USCIRF refers to as Tier 1 countries. IRFA requires the U.S. government to designate as a CPC any country whose government engages in or tolerates particularly severe religious freedom violations, meaning those that are systematic, ongoing, and egregious.

In 2019, USCIRF recommends that the State Department redesignate the following 10 countries as CPCs: Burma, China, Eritrea, Iran, North Korea, Pakistan, Saudi Arabia, Sudan, Tajikistan, and Turkmenistan. **USCIRF also finds that six other countries meet the CPC standard and should be so designated**: Central African Republic, Nigeria, Russia, Syria, Uzbekistan, and Vietnam.

The State Department most recently made CPC designations in November 2018, naming 10 countries: Burma, China, Eritrea, Iran, North Korea, Pakistan, Saudi Arabia, Sudan, Tajikistan, and Turkmenistan. At the same time, the State Department named three countries—Comoros, Russia, and Uzbekistan—to its Special Watch List, a category created by the Frank R. Wolf International Religious Freedom Act of 2016 (Frank Wolf Act) for governments that engaged in or tolerated severe violations but were deemed to not meet all the criteria of the CPC test. In the State Department's previous designations, in December 2017, Pakistan had been on the Special Watch List and Uzbekistan had been designated as a CPC.

The third section of the Annual Report highlights 12 countries USCIRF categorizes as Tier 2, defined by the Commission as nations in which the violations engaged in or tolerated by the government during 2018 are serious and characterized by at least one of the elements of the "systematic, ongoing, and egregious" CPC standard.

In 2019, USCIRF places the following 12 countries on Tier 2: Afghanistan, Azerbaijan, Bahrain, Cuba, Egypt, India, Indonesia, Iraq, Kazakhstan, Laos, Malaysia, and Turkey.

USCIRF's 2019 Annual Report covers a select group of countries, but during the year, USCIRF monitored and had concerns about religious freedom conditions globally, including in countries not included in this report. The fact that other countries are not included in this report does not mean religious freedom issues do not exist in those countries or that concerns discussed in previous USCIRF annual reports have improved. Information on religious freedom conditions in all foreign countries may be found in the State Department's annual International Religious Freedom reports. USCIRF also issues publications throughout the year on a variety of countries and topics, which can be found at www.uscirf.gov.

As USCIRF's annual reports have long recognized, nonstate actors are among the most egregious violators of religious freedom. The Frank Wolf Act requires the U.S. government to identify nonstate actors engaging in particularly severe violations of religious freedom and designate them as "entities of particular concern," or EPCs. The law defines nonstate actor as "a nonsovereign entity that exercises significant political power and territorial control; is outside the control of a sovereign government; and often employs violence in pursuit of its objectives."

In 2019, USCIRF recommends five organizations for designation as EPCs based on their violations during 2018. USCIRF also continues to report, in various country chapters, on particularly severe violations of religious freedom perpetrated by nonstate actors that do not meet the Frank Wolf Act's definition because, for example, they do not exercise significant political power and territorial control.

In 2019, USCIRF recommends that the State Department designate the following five organizations as EPCs: the Islamic State of Iraq and Syria (ISIS), the Taliban in Afghanistan, al-Shabaab in Somalia, Houthis in Yemen, and Hay'at Tahrir al-Sham (HTS) in Syria.

There were two sets of EPC designations in 2018. On March 5, 2018, the State Department designated eight nonstate actors as EPCs for particularly severe

religious freedom violations: "al-Nusra Front, al-Qa'ida in the Arabian Peninsula, al-Qa'ida, al-Shabab, Boko Haram, ISIS, ISIS-Khorasan, and the Taliban." On November 28, 2018, the State Department designated nine entities as EPCs: the eight designated in March and the Houthis. Although USCIRF's assessment of the statutory requirement that EPCs "exercise significant political power and territorial control" differs from the State Department's, the Commission is similarly concerned by these entities' particularly severe religious freedom violations as defined by the December 2016 amendments to IRFA.

USCIRF 2019

CPC Recommendations (Tier 1):

Burma*

Central African Republic

China*

Eritrea*

Iran*

Nigeria

North Korea*

Pakistan*

Russia**

Saudi Arabia*

Sudan*

Syria

Tajikistan*

Turkmenistan*

Uzbekistan**

Vietnam

* Designated as CPCs by the State Department on November 28, 2018

** Designated as Special Watch List by the State Department on November 28, 2018

Tier 2 Countries:

Afghanistan

Azerbaijan

Bahrain

Cuba

Egypt

India

Indonesia

Iraq

Kazakhstan

Laos

Malaysia

Turkey

EPC Recommendations:

The Islamic State of Iraq and Syria (ISIS)*

The Taliban in Afghanistan*

Al-Shabaab in Somalia*

Houthis*

Hay'at Tahrir al-Sham (HTS)

* Designated as EPCs by the State Department on November 28, 2018

IMPLEMENTATION OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT

KEY FINDINGS

In 2018, the administration of Donald J. Trump took action on the commitments to prioritize religious freedom it made in 2017. Samuel D. Brownback, who as a U.S. Senator was a sponsor of the International Religious Freedom Act of 1998 (IRFA), assumed the position of Ambassador-at-Large for International Religious Freedom in February and energetically implemented his mandate. In July, the U.S. Department of State hosted the first-ever Ministerial to Advance Religious Freedom, bringing together hundreds of government officials, international organization representatives, religious leaders, civil society actors, and victims of religious persecution. Key outcomes included a declaration and plan of action, new programs to respond to persecution and promote religious freedom abroad, and a commitment to hold a second ministerial in 2019.

In November, the State Department made the first new addition since 2016 to its list of "countries of particular concern," or CPCs, under IRFA for particularly severe violations of religious freedom: Pakistan, which USCIRF had recommended for CPC designation since 2002. It also named three countries to its "Special Watch List" for severe violations, including Uzbekistan, which had been on the State Department's CPC list since 2006, and Russia, which USCIRF had recommended for CPC designation since 2017. The State Department also made two sets of designations during the year of "entities of particular concern," or EPCs, citing nine nonstate groups for particularly severe violations. The State Department and U.S. Department of the Treasury actively used the Global Magnitsky Human Rights Accountability Act and a related executive order to impose targeted sanctions for corruption or human rights abuses, but only a few of these sanctions related to religious freedom violations.

In November, the State Department made the first new addition since 2016 to its list of "countries of particular concern," or CPCs, [naming] Pakistan, which USCIRF had recommended for CPC designation since 2002.

During the year, the U.S. Agency for International Development (USAID) placed a new emphasis on humanitarian aid for religious groups targeted for persecution or genocide and programs to promote religious freedom, tolerance, and pluralism. The State Department worked to develop an online training course on international religious freedom for all foreign service officers, as required by the Frank R. Wolf International Religious Freedom Act of 2016 (Frank Wolf Act). U.S. refugee resettlement decreased in 2018 and a special program for Iranian religious minorities stopped accepting new applicants; instead, the Trump administration focused on humanitarian assistance for those displaced abroad and programs to help enable their return home. Longstanding flaws in the U.S. government's processing of asylum-seekers at ports of entry and the border remained unaddressed. Throughout 2018, the Trump administration continued to prioritize the case of Dr. Andrew Brunson, an American pastor unjustly imprisoned in Turkey. After sustained high-level pressure, Pastor Brunson was released in October and allowed to return to the United States.

RECOMMENDATIONS TO THE ADMINISTRATION

- Appoint a Special Adviser to the President on International Religious Freedom within the National Security Council (NSC) staff, as outlined by IRFA;
  - Develop a government-wide strategy for promoting religious freedom abroad;
  - Prepare action plans for specific countries; and
  - Establish an interagency working group to oversee implementation;
- Increase the use of targeted sanctions against specific officials, agencies, and military units for severe religious freedom violations, including visa denials under section 604(a) of IRFA (section 212(a)(2)(G) of the Immigration and Nationality Act) and visa denials and asset freezes under the Global Magnitsky Human Rights Accountability Act and Executive Order 13818;
- Ensure that the State Department and USAID sponsor programs to assist countries in developing school textbooks, curricula, and teacher training materials that accurately portray religious groups; promote tolerance, pluralism, and respect for the human rights—including religious freedom—of all individuals; and do not contain language urging hatred, discrimination, or violence; and
- Allocate funding through the State Department's Antiterrorism Assistance Program and relevant U.S. Department of Defense programs to train and equip local officials and communities to protect places of worship and other holy sites, especially in countries where such sites face a high risk of attack.

RECOMMENDATIONS TO CONGRESS

- Hold annual oversight hearings on the implementation of IRFA and the Frank Wolf Act, as well as hearings on religious freedom issues, and raise religious freedom and cases of religious prisoners of conscience in country-specific hearings and ambassadorial confirmation hearings;
- Examine, during delegation trips abroad, conditions for persons of all faiths and beliefs or none, including by meeting with religious communities, religious freedom advocates, and prisoners held for their religion or belief or their religious freedom advocacy; and
- Participate in the Tom Lantos Human Rights Commission's Defending Freedoms Project, through which Members of Congress advocate on behalf of prisoners of conscience abroad, and the International Panel of Parliamentarians for Freedom of Religion or Belief, an informal, global network of legislators working to counter persecution and promote religious freedom.

LEGAL PROVISIONS

IRFA, as amended by the Frank Wolf Act, seeks to make religious freedom a higher priority in U.S. foreign policy through a range of mechanisms and tools:

Government Institutions

Inside the U.S. executive branch, IRFA created the position of Ambassador-at-Large (an appointee nominated by the president and confirmed by the Senate) to head a State Department office focused on religious freedom abroad: the IRF Office. The law also urges the appointment of a special adviser dedicated to the issue on the White House NSC staff, although no administration since the law's enactment has done so. The Frank Wolf Act reiterates this position's importance. IRFA also created USCIRF, an independent legislative branch agency mandated to independently assess and to accurately and unflinchingly describe threats to religious freedom around the world, evaluate U.S. policy, and make policy recommendations to the president, secretary of state, and Congress.

Monitoring and Reporting

IRFA mandates that the State Department prepare an annual report on religious freedom conditions in each foreign country (the IRF Report), in addition to the department's annual human rights report. It also requires that USCIRF issue its own annual report setting forth its findings and providing independent policy recommendations, including whether or not efforts by the United States to advance religious freedom abroad are timely, appropriate to the circumstances, prudent, and effective. IRFA further requires the State Department to maintain country-by-country lists of prisoners and issues of concern for use by executive and legislative branch officials, and the Frank Wolf Act now requires

that USCIRF, to the extent practicable, make available online lists of prisoners and other victims of governments or nonstate actors the Commission recommends for CPC or EPC designation.

Consequences for Violators

IRFA requires the president—who has delegated this power to the secretary of state—to designate CPCs annually and take action designed to encourage improvements in those countries. CPCs are defined as countries whose governments either engage in or tolerate "particularly severe" violations of religious freedom. A menu of possible actions is available, including negotiating a bilateral agreement, imposing sanctions, taking "commensurate action," or issuing a waiver. The Frank Wolf Act amends this provision to add a "Special Watch List" category, in which the State Department is to place countries it deems to have engaged in or tolerated severe violations of religious freedom. The term "severe violations" is not defined. No specific actions are required or delineated for Special Watch List countries.

The Frank Wolf Act also creates a new presidential designation of EPCs for nonstate actors engaging in particularly severe religious freedom violations. The law defines nonstate actor as "a nonsovereign entity that exercises significant political power and territorial control; is outside the control of a sovereign government; and often employs violence in pursuit of its objectives." The president delegated the power to make EPC designations to the secretary of state on January 26, 2018.

IRFA also makes inadmissible to the United States foreign government officials who are responsible for or directly carried out particularly severe religious freedom violations. The Frank Wolf Act now requires the State Department to establish, maintain, and submit to Congress every 180 days "designated persons lists" of foreign individuals denied visas or subject to financial sanctions or other measures for particularly severe violations of religious freedom.

CPCs are defined as countries whose governments either engage in or tolerate "particularly severe" violations of religious freedom.

IRFA defines "particularly severe" violations of religious freedom as "systematic, ongoing, egregious violations of religious freedom, including violations such as—(A) torture or cruel, inhuman, or degrading treatment or punishment; (B) prolonged detention without charges; (C) causing the disappearance of persons by the abduction or clandestine detention of those persons; or (D) other flagrant denial of the right to life, liberty, or the security of persons."

Laws other than IRFA also provide tools to sanction individual religious freedom abusers. Some of these apply to specific countries, such as the Comprehensive Iran Sanctions and Divestment Act (CISADA, P.L.111-195) and the Countering America's Adversaries Through Sanctions Act (CAATSA, P.L. 115-44). More broadly, the 2016 Global Magnitsky Human Rights Accountability Act allows the president, who has delegated these authorities to the secretaries of treasury and state, to deny U.S. visas to and freeze the U.S.-based assets of any foreigner responsible for "extrajudicial killings, torture, or other gross violations of internationally protected human rights" against someone seeking to expose illegal government activity or to exercise or defend internationally protected rights. Executive Order 13818, issued in December 2017 to implement and build on the Global Magnitsky Act, authorizes visa bans and asset freezes against foreign persons involved in "serious human rights abuse," providing an even more expansive basis for targeted sanctions.

International Standards

Under IRFA, USCIRF's and the State Department's reports and determinations are based on international legal standards: the law defines violations of religious freedom as "violations of the internationally recognized right to freedom of religion and religious belief and practice" as articulated in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and other international instruments and regional agreements.

Programs and Training

IRFA includes religious freedom as an element of U.S. foreign assistance, cultural exchange, and international broadcasting programs. It also provides that State Department foreign service officers and U.S. immigration officials receive training on religious freedom and religious persecution. The Frank Wolf Act requires the State Department to make international religious freedom training mandatory for all foreign service officers at certain points in their careers and to develop, in consultation with USCIRF, a specific curriculum for it.

Refugee and Asylum Issues

In recognition that religious freedom violations can drive displacement, IRFA includes provisions on U.S. refugee and asylum policy, including requiring that the president consider information about religious persecution as part of his annual determination of refugee admissions, and that immigration officials use the IRF Report as a resource in adjudicating refugee and asylum claims. IRFA also sought assessments of whether immigration officials were implementing Expedited Removal—a summary removal procedure that was new when IRFA was enacted—in a manner consistent with the United States' obligations to protect individuals fleeing persecution, including by authorizing USCIRF to examine the issue.

In recognition that religious freedom violations can drive displacement, IRFA includes provisions on U.S. refugee and asylum policy . . .

Additional Resources

For a more detailed discussion of IRFA's legislative history, provisions, and first decade and a half of implementation, please see the 15th anniversary retrospective included in USCIRF's 2014 Annual Report. For more information on the Frank Wolf Act's provisions, please see the IRFA Implementation chapter of USCIRF's 2017 Annual Report. To watch USCIRF's April 2018 summit marking IRFA's 20th anniversary, please click here.

DEVELOPMENTS IN 2018

High-Level Commitment

During 2018, the Trump administration continued to emphasize its commitment to international religious freedom through statements from high-level officials, as it had in 2017. For example, speaking at the July 2018 Ministerial to Advance Religious Freedom, Vice President Michael R. Pence said that "[t]he right to believe or not believe is the most fundamental of freedoms," and that "America will always stand for religious freedom, and we will always speak out boldly wherever and whenever it's threatened." Secretary of State Michael R. Pompeo made similar comments at the ministerial, and published an op-ed in *USA Today* highlighting the importance of religious freedom. USAID administrator Mark Green also spoke at the ministerial, stating that "[a]t USAID, we see freedom of worship as an essential element in our pursuit of government that is citizen-centered and citizen-responsive." In May, at the release of the IRF Report, Secretary Pompeo stated that "[a]dvancing liberty and religious freedom advances America's interests," and that "protecting and promoting global respect for religious freedom is a priority of the Trump Administration," citing the administration's December 2017 National Security Strategy.

Ambassador-at-Large and Related Positions

On February 1, 2018, Sam Brownback was sworn in as Ambassador-at-Large for International Religious Freedom. President Trump nominated him in July 2017 and the Senate confirmed him in January 2018. Ambassador Brownback, who previously served as the governor of Kansas, is the fifth Ambassador-at-Large for International Religious Freedom in IRFA's 20-year existence. As a U.S. senator from 1996 to 2011, he was a key sponsor of IRFA and a cochair of the Congressional Human Rights Caucus. During 2018, Ambassador Brownback energetically implemented his mandate, including through public speeches, travel, meetings with the nongovernmental organization (NGO) IRF Roundtable and other stakeholders. Pursuant to IRFA, the Ambassador-at-Large also serves ex officio as a nonvoting USCIRF Commissioner, and USCIRF welcomed Ambassador Brownback's nomination and confirmation.

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

of State regarding matters affecting religious freedom abroad" and, under the Frank Wolf Act, is to report directly to the secretary of state. In previous administrations, the Ambassador-at-Large reported to the assistant secretary for democracy, human rights, and labor, not the secretary, although some Ambassadors-at-Large were given informal access. During 2018, consistent with the Frank Wolf Act, the Ambassador-at-Large reported to the secretary. The IRF Office remained housed in the Bureau of Democracy, Human Rights, and Labor (DRL).

Over the years, various administrations and Congress created other State Department positions with overlapping or related mandates, such as special representatives or envoys on religion and global affairs, to Muslim communities, to the Organization of Islamic Cooperation (OIC), and to monitor and combat anti-Semitism, as well as a special advisor for religious minorities in the Near East and South and Central Asia. The only one of these positions that was filled during 2018 was the special advisor on religious minorities in the Near East and South and Central Asia. In February 2019, after the reporting period, Secretary Pompeo named Elan Carr to be special envoy to monitor and combat anti-Semitism, an appointment USCIRF welcomed.

Ministerial to Advance Religious Freedom

On May 29, 2018, Secretary Pompeo announced at the release of the IRF Report that the United States would hold the first-ever Ministerial to Advance Religious Freedom. Its purpose was to bring together representatives of likeminded governments, international organizations, religious communities, and civil society to highlight the importance of freedom of religion or belief for all and identify ways to fight persecution and promote religious freedom.

[The Ministerial's] purpose was to bring together representatives of likeminded governments, international organizations, religious communities, and civil society to highlight the importance of freedom of religion or belief for all and identify ways to fight persecution and promote religious freedom.

The ministerial took place at the State Department on July 24–26. Attendees included officials from 84 governments; representatives of the European Union, Organization of American States, Organization for Security and Cooperation in Europe, and United Nations; more than 400 NGO representatives and religious figures; and survivors of persecution from Burma, China, Iran, Iraq, Nicaragua, North Korea, Pakistan, Sudan, and Vietnam, representing a range of religious groups including Christians, Muslims, Jews, Yazidis, Baha'is, Ahmadis, and Buddhists. Alongside the sessions at the State Department, USCIRF hosted an event marking the 20th anniversary of IRFA and a training session for NGOs on how to apply for U.S. government grants. Numerous NGOs also hosted separate events on a variety of countries and topics throughout the entire week.

At the ministerial, the United States released the Potomac Declaration and Plan of Action to stress the importance of promoting religious freedom for all and propose activities for the international community. Groups of country delegations signed statements of concern on Burma, China, Iran, blasphemy and apostasy laws, counterterrorism as a pretext for repression, and violations by nonstate actors. The U.S. government announced two new programs—the International Religious Freedom Fund, for the United States and likeminded partners to fund efforts to protect and support religious freedom worldwide, and the Genocide Recovery and Persecution Response Program, for the State Department and USAID to partner with faith and community leaders to quickly deliver aid to persecuted communities, beginning with Iraq—as well as a special accelerator workshop, Boldline, to support innovative public-private partnerships. Vice President Pence and Secretary Pompeo announced that a ministerial on religious freedom would be an annual event, other governments offered to host regional conferences, and civil society organizations expressed interest in creating NGO religious freedom roundtables in a variety of countries. Just before or after the ministerial, several governments, including the United Kingdom, Germany, Mongolia, Bahrain, and Taiwan, created new ambassador-level positions on religious

freedom, joining the existing ones from the United States, Norway, Denmark, and the European Union.

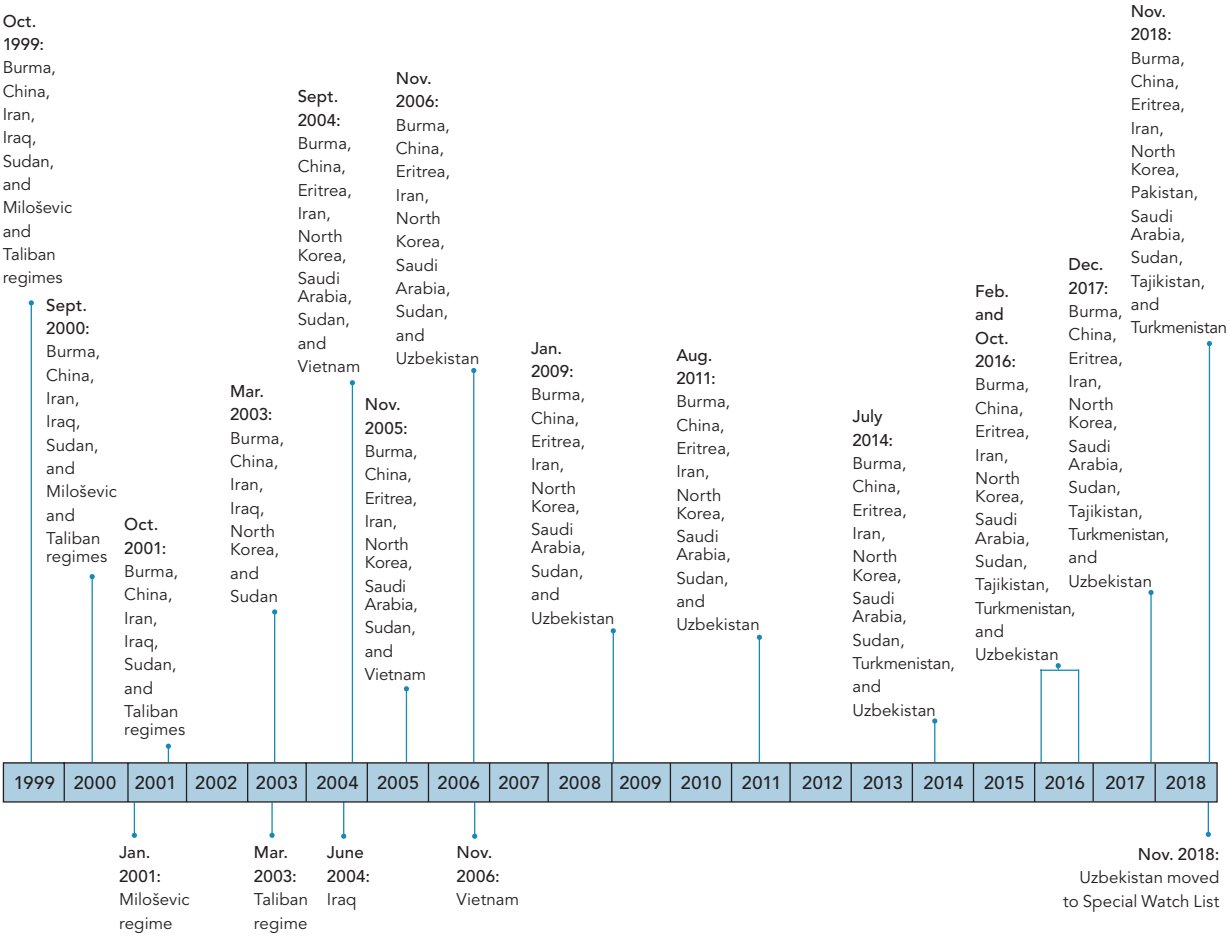
On January 26, 2019, after the reporting period, Secretary Pompeo announced that the United States would host the second Ministerial to Advance Religious Freedom on July 16–18, 2019, in Washington, DC.

CPC and Special Watch List Designations

On November 28, 2018, Secretary Pompeo designated 10 countries as CPCs for engaging in or tolerating particularly severe religious freedom violations: Burma, China, Eritrea, Iran, North Korea, Pakistan, Saudi Arabia, Sudan, Tajikistan, and Turkmenistan. This was the State Department's 14th set of CPC designations over IRFA's 20-year existence. Pakistan was a new designee, the first addition to the State Department's CPC list since Tajikistan in February 2016.

On the same date, Secretary Pompeo named Comoros, Russia, and Uzbekistan to the State Department's Special Watch List, the Frank Wolf Act's category for countries that engaged in or tolerated severe violations of religious freedom. The Special Watch List is a level below the CPC threshold, but neither IRFA nor the Frank Wolf Act more explicitly define "severe violations." Uzbekistan had been on the State Department's CPC list since 2006, but made some improvements in response to U.S. concerns. This was the first time the State Department removed a country from its CPC list due to diplomatic activity since its lifting of Vietnam's CPC designation in 2006. USCIRF welcomed the November 28 designations, particularly regarding Pakistan and Russia, but questioned whether Uzbekistan had improved enough to be moved from the CPC list to the Special Watch List.

STATE'S DESIGNATIONS OF COUNTRIES AND REGIMES AS CPCs



STATE'S REMOVALS OF COUNTRIES AND REGIMES FROM CPC LIST

Source: GAO analysis of Department of State information, updated by USCIRF

The Frank Wolf Act requires the State Department to make its CPC and Special Watch List designations annually, not later than 90 days after the issuance of the IRF Report. The IRF Report covering 2017, on which these designations were based, was issued on May 29, 2018, meaning that the CPC and Special Watch List designations made on November 28 should have been issued by August 27.

For the nine countries that were redesignated as CPCs on November 28, the same presidential actions that had been imposed in December 2017 were continued. For Pakistan, the new designee, a waiver was put in place "in the important national interest of the United States." The 2018 presidential actions are shown in the table below. Of the 10 CPC designees, six are subject to preexisting or "double-hatted" sanctions, and four have waivers. Successive administrations have relied on such an approach, and while the statute permits it, USCIRF has long expressed concern that using preexisting sanctions or indefinite waivers provides little or no incentive for CPC-designated governments to reduce or halt egregious religious freedom violations.

The Frank Wolf Act requires the State Department to notify Congress of CPC designations not later than 90 days after they are made and to provide justifications for any waivers. This notification was due on February 26, 2019, but as of March 7 did not appear to have been made. Under the Frank Wolf Act, waivers are permitted to continue for 180 days; after that period, the law gives the president waiver authority if the president determines and reports to Congress that the foreign government has ceased violations or that the waiver is required in the important national interest of the United States.

Individual Violators

Section 212(a)(2)(G) of the Immigration and Nationality Act, a provision added by IRFA, makes inadmissible to the United States foreign officials who are responsible for or directly carried out particularly severe religious freedom violations. To date, the provision's only publicly known use was in 2005, when then Chief Minister Narendra Modi of Gujarat State in India was excluded due to his complicity in 2002 riots in his state that resulted in the deaths of an estimated 1,100 to 2,000 Muslims. Because of

PRESIDENTIAL ACTIONS FOR 2018 CPC DESIGNATIONS (AS DESCRIBED IN THE FEDERAL REGISTER)

For Burma, the existing ongoing restrictions referenced in 22 CFR 126.1, pursuant to section 402(c)(5) of the Act;

For China, the existing ongoing restriction on exports to China of crime control and detection instruments and equipment, under the Foreign Relations Authorization Act of 1990 and 1991 (Pub. L. 101-246), pursuant to section 402(c)(5) of the Act;

For Eritrea, the existing ongoing restrictions referenced in 22 CFR 126.1, pursuant to section 402(c)(5) of the Act;

For Iran, the existing ongoing travel restrictions in section 221(c) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (TRA) for individuals identified under section 221(a)(1)(C) of the TRA in connection with the commission of serious human rights abuses, pursuant to section 402(c)(5) of the Act;

For the Democratic People's Republic of Korea, the existing ongoing restrictions to which the Democratic People's Republic of Korea is subject, pursuant to sections 402 and 409 of the Trade Act of 1974 (the Jackson-Vanik Amendment), pursuant to section 402(c)(5) of the Act;

For Pakistan, a waiver as required in the "important national interest of the United States," pursuant to section 407 of the Act;

For Saudi Arabia, a waiver as required in the "important national interest of the United States," pursuant to section 407 of the Act;

For Sudan, the restriction in the annual Department of State, Foreign Operations, and Related Programs Appropriations Act on making certain appropriated funds available for assistance to the Government of Sudan, currently set forth in section 7042(i) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (Div. K, Pub. L. 115-141), and any provision of law that is the same or substantially the same as this provision, pursuant to section 402(c)(5) of the Act;

For Tajikistan, a waiver as required in the "important national interest of the United States," pursuant to section 407 of the Act; and

For Turkmenistan, a waiver as required in the "important national interest of the United States," pursuant to section 407 of the Act.

the confidentiality of visa decisions, there may be other, unknown uses. In recent years, the IRF Office has worked to identify noncitizens who would be inadmissible on this basis should they apply for U.S. visas.

Two newer accountability tools—the 2016 Global Magnitsky Human Rights Accountability Act and a related 2017 executive order, E.O. 13818—allow the secretaries of state and treasury to deny U.S. visas to or block the U.S.-based assets of foreigners involved in corruption or human rights abuses. As of December 2018, the U.S. government had sanctioned 101 foreign individuals and entities under these authorities, including a few for religious freedom violations. The initial set of these sanctions, announced by the State and Treasury Departments in December 2017, included General Maung Maung Soe, who as then head of the Burmese Army's Western Command oversaw atrocities against Rohingya Muslims. In addition, in August 2018, four Burmese military and border guard police officials and two Burmese military units were sanctioned for abuses against Rohingya Muslims. The same month, the U.S. government sanctioned the Turkish ministers of justice and interior over the detention of Pastor Brunson. Those sanctions were lifted in November, after Pastor Brunson's October release.

The Frank Wolf Act requires the State Department to establish, maintain, and submit to Congress every 180 days "designated persons lists" of foreign individuals denied visas or subject to financial sanctions or other measures for particularly severe violations of religious freedom. No designated persons lists were made public in 2018.

EPC Designations

The State Department made two sets of EPC designations during 2018. On March 5, then Secretary of State Rex Tillerson designated the following eight nonstate actors as EPCs for particularly severe religious freedom violations: "al-Nusra Front, al-Qa'ida in the Arabian Peninsula, al-Qa'ida, al-Shabab, Boko Haram, ISIS [the Islamic State of Iraq and Syria], ISIS-Khorasan, and the Taliban." On November 28, Secretary Pompeo designated nine entities as EPCs: the eight designated in March and the Houthis.

The State Department made two sets of EPC designations during 2018.

Programs

IRFA envisaged the funding of religious freedom programs, authorizing U.S. foreign assistance to promote and develop "legal protections and cultural respect for religious freedom." For FY2018, USCIRF was funded at $3.5 million for its operations, while the IRF Office was appropriated $8.5 million for operating costs and $25 million for programs on international religious freedom and on protecting, investigating abuses against, and providing justice to vulnerable and persecuted religious minorities.

During 2018, as part of the Trump administration's prioritization of religious freedom, USAID placed a new emphasis on humanitarian aid for religious groups targeted for persecution or genocide and on programs to promote religious freedom, tolerance, and pluralism. Iraq was a particular focus, with the agency allocating nearly $300 million in assistance for northern Iraq and posting a special representative for minority assistance in Erbil, Iraq. USAID also sought to expand its partnerships with civil society and religious groups, including by signing a memorandum of understanding with the Knights of Columbus to work together to respond to genocide and persecution in the Middle East. More broadly, in his remarks at the Ministerial to Advance Religious Freedom, Administrator Green stated that USAID was supporting programs to address religious hate speech and interfaith conflict, strengthen laws protecting religious freedom, increase civil society capacity to advocate for freedom of religion or belief, and reinforce pluralism.

Training

The Frank Wolf Act added a provision to the Foreign Service Act requiring the State Department to provide training on international religious freedom for all foreign service officers, including by covering the topic in courses required for entry-level officers, for officers prior to postings outside the United States, and for ambassadors and deputy chiefs of mission (DCMs), as well as by developing a specific curriculum. The State Department's Foreign Service Institute (FSI) began including

religious freedom issues in its courses for entry-level officers and ambassadors and DCMs in 2017. During 2018, FSI and the IRF Office, with input from USCIRF, worked to develop a distance learning course on religious freedom to be required for all foreign service officers prior to assignments overseas, which they planned to roll out in early 2019.

Refugee Resettlement

Under the United States Refugee Admissions Program (USRAP), the president sets a ceiling for how many refugees the United States will accept from abroad each year; under IRFA, religious persecution should be considered in this determination. Since 2001, the refugee admission ceiling has averaged 75,000 per year. After suspending the USRAP for part of FY2017 to put into place enhanced vetting procedures, the Trump administration resumed the program and set the ceilings for FY2018 and FY2019 at 45,000 and 30,000, respectively. Actual refugee admissions in FY2018 totaled 22,491, the lowest in the program's history. Instead of resettlement, the Trump administration focused on aiding refugees and internally displaced persons abroad through humanitarian assistance and programs to help enable their safe and voluntary return home. For example, the administration prioritized assistance to support vulnerable minority communities in Iraq.

During 2018, approximately 90 Iranians seeking refugee status in the United States under the Lautenberg Amendment—a special resettlement program for certain persecuted religious minority groups—had their applications denied or significantly delayed, an unusual situation about which USCIRF and Members of Congress expressed concern. Because of these issues, the Lautenberg program, which USCIRF has long supported as a lifeline for vulnerable Iranian minorities, stopped accepting new applicants. It had not resumed by the end of 2018.

Asylum-Seekers in Expedited Removal

Under U.S. law, noncitizens who fear persecution or torture at home may apply for asylum if they arrive at, or are already in, the United States. As authorized by IRFA, USCIRF has examined the U.S. government's treatment of asylum-seekers in Expedited Removal, the process that allows Department of Homeland Security (DHS) officers to quickly deport, without immigration court hearings, noncitizens who arrive at U.S. ports of entry or cross the border without proper documents, unless they can establish a credible fear of persecution or torture. USCIRF's reports on the subject, released in 2005, 2007, 2013, and 2016, documented major problems that successive administrations have not addressed.

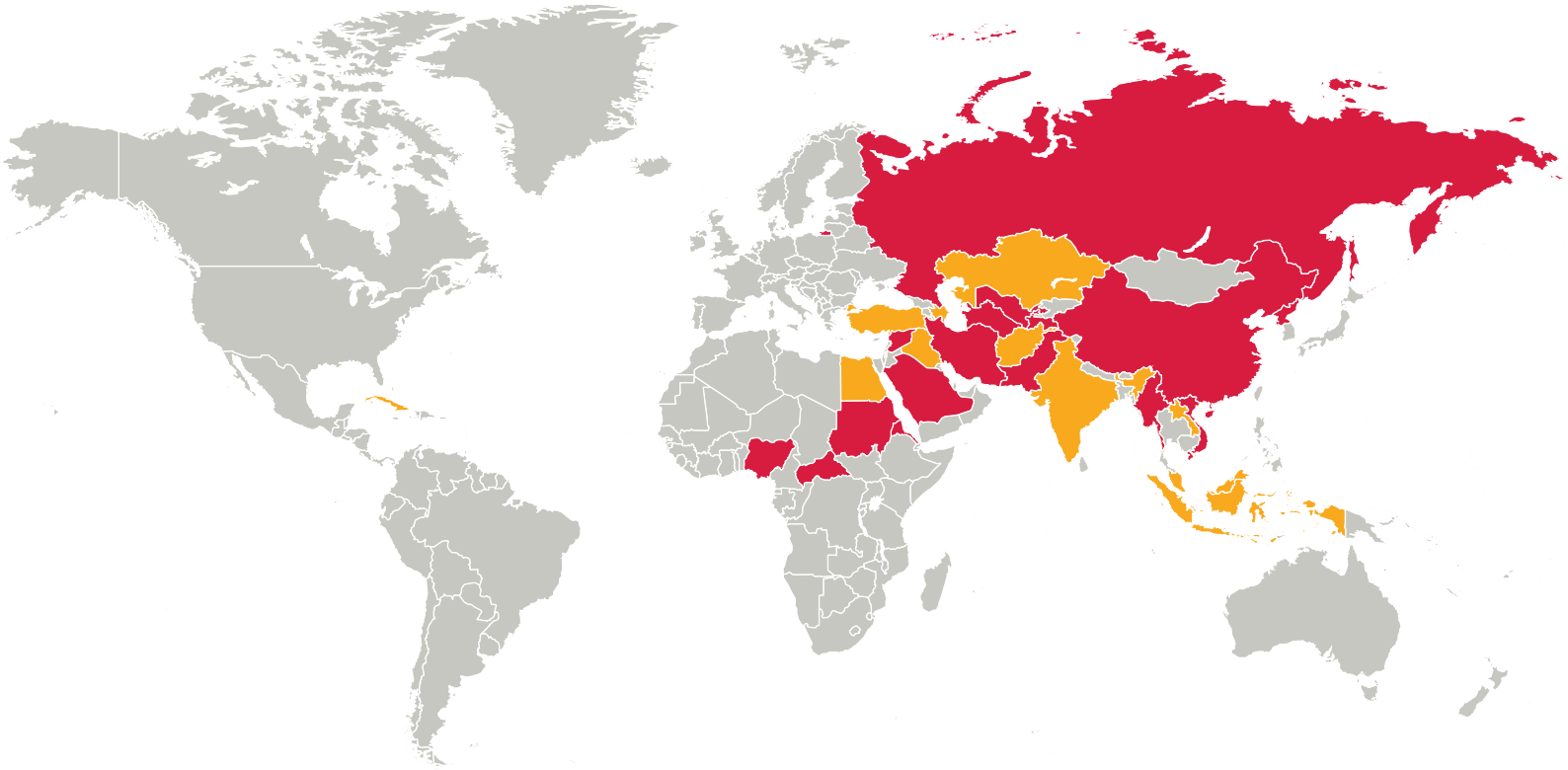
Specifically, USCIRF's monitoring over more than a decade revealed that DHS officials often fail to follow required procedures to identify asylum-seekers and refer them for credible fear determinations, and that they detain asylum-seekers in inappropriate, prison-like conditions. Over the past few fiscal years, the percentage of individuals in Expedited Removal who say they fear return has been rising. As a result, the unaddressed flaws in the system placed even more asylum-seekers at risk of erroneous return. To ensure the fair and humane treatment of asylum-seekers while protecting U.S. borders, USCIRF has recommended that DHS (1) appoint a high-level official to coordinate refugee and asylum issues and oversee reforms, (2) improve quality assurance measures, (3) give officers additional training, (4) use non-prison-like detention facilities, and (5) increase funding for asylum officers and immigration courts to promptly and fairly adjudicate claims. USCIRF also has urged Congress to exercise oversight on these matters, including by requesting the Government Accountability Office to assess whether noncitizens removed to their home countries under Expedited Removal have faced persecution or torture upon return.

> *As authorized by IRFA, USCIRF has examined the U.S. government's treatment of asylum-seekers in Expedited Removal, [and its reports on the subject have] documented major problems that successive administrations have not addressed.*

Prisoners

During 2018, the Trump administration continued to prioritize seeking the release of American citizens unjustly imprisoned abroad. One of these cases, that of Pastor Brunson in Turkey, was also a high priority for USCIRF, and was part of USCIRF's Religious Prisoners of Conscience Project. After significant U.S. advocacy and pressure, including the imposition of Global Magnitsky sanctions on two Turkish cabinet ministers, Pastor Brunson was released in October 2018 and allowed to return to the United States. A Turkish court convicted Pastor Brunson on the unfounded charge of aiding terrorism but ruled that his two-year detention and good conduct counted as serving the imposed sentence of imprisonment for three years and one month. USCIRF Commissioner Tony Perkins was at the final court hearing and accompanied Pastor and Mrs. Brunson home.

2019 COUNTRIES



TIER 1 COUNTRIES OF PARTICULAR CONCERN

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

TIER 2 COUNTRIES

Afghanistan	Cuba	Indonesia	Laos
Azerbaijan	Egypt	Iraq	Malaysia
Bahrain	India	Kazakhstan	Turkey

AFGHANISTAN

TIER 2

KEY FINDINGS

In 2018, religious freedom conditions in Afghanistan trended negatively. Afghanistan's leadership struggled to maintain security in the country, especially for religious minority groups. The ongoing operation of terrorist groups, such as the Islamic State in Khorasan Province (ISKP), threaten the country's overall security but particularly endanger the nation's Shi'a Muslim population who have faced increased attacks in recent years. In fact, 2018 was one of the most fatal in Afghanistan for all civilians—and particularly religious minorities—due to terrorist activity, and the government often was unable to protect civilians from attacks. Also, during the reporting period, non-Muslim groups like Hindus, Christians, and Sikhs remained endangered minorities—many fled the country and many of their community leaders who remained were killed in a largescale July 2018 terrorist attack. In general, religious minorities in Afghanistan have endured severe human rights violations since the 1990s under the Taliban's rule and subsequently have suffered ongoing attacks by extremist groups. Sikhs and Hindus have been driven underground without the ability to publicly practice their religious traditions for fear of reprisal by terrorist groups or society at large. While the government has provided assurances to religious minority communities and made limited attempts to include them in the policy-making process, socioeconomic discrimination and lack of security continued to challenge the survival of these groups, which include other vulnerable populations, such as women and girls. This trend could worsen if religious freedom is not made a focal point for talks between the U.S. government, the Afghan government, and the Taliban.

Based on these concerns, USCIRF again places Afghanistan on its Tier 2 in 2019, as it has since 2006, for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). USCIRF is concerned about the degree to which the Afghan government has control, both in general and with respect to religious freedom violations. As such, USCIRF will monitor religious freedom conditions to determine whether developments worsen and warrant a change in Afghanistan's status during the year ahead. USCIRF also finds that the Taliban continued to commit particularly severe religious freedom violations in 2018 while controlling parts of Afghanistan's territory, and therefore again recommends in 2019 that the group be designated as an "entity of particular concern," or EPC, under December 2016 amendments to IRFA. The U.S. Department of State designated the Taliban in Afghanistan as an EPC, most recently in November 2018.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Press the Afghan government to acknowledge the significant threat to freedom of religion or belief posed by the Taliban and raise these concerns during peace negotiations between the U.S. government, the Afghan government, and the Taliban by:
  - Emphasizing the need to protect vulnerable groups—including women and girls—whose religious freedoms and related rights have been endangered in the past due to the Taliban's actions and policies; and
  - Highlighting the interconnected role of government officials, security forces, and former affiliates of the Taliban in ensuring religious freedom rights throughout the country;
- Ensure the integration of religious freedom concerns with related issues such as countering religious extremism and resolving sectarian conflict into U.S. Department of State, U.S. Agency for International Development (USAID), the Millennium Challenge Corporation, and U.S. Department of Defense strategies and policies concerning Afghanistan;
- Urge the Afghan government to revoke the 2004 media law prohibiting "un-Islamic" writings and overturn through appropriate legislation the 2007 decision by the Supreme Court that the Baha'i faith is blasphemous and converts to it are apostates through cooperation between the embassy, leading parliamentarians, the Ministry of Law, and the Directorate on Fatwa and Accounts in the Supreme Court;
- Encourage the Afghan Ministry of Education and Ministry of Information and Culture to:
  - Ensure—and, if possible, in coordination with USAID's Textbook Printing and Distribution Project—that inflammatory and intolerant textbook and curricula content is discontinued and removed from usage; and
  - Create a civic space for the open discussion of diverse opinions on matters of religion and society in the country; and
- Advocate for the Ministries of Interior, Defense, and Hajj and Religious Affairs to work collectively to provide security for and facilitate cooperative meetings between faith leaders and scholars from various religions and from the various Muslim communities that exist in Afghanistan.

COUNTRY FACTS

FULL NAME
Islamic Republic of Afghanistan

GOVERNMENT
Unitary Presidential Islamic Republic

POPULATION
34,940,837

GOVERNMENT RECOGNIZED RELIGIONS/FAITHS
Islam

RELIGIOUS DEMOGRAPHY*
98.99% Muslim (80% Sunni; 10–19% Shi'a Muslim, including Ismailis)
>1% Other (Hindu, Sikh, Baha'i, Christian, Buddhist, and Zoroastrian)

*Estimates compiled from the CIA World Factbook

BACKGROUND

Afghanistan is home to a diverse array of ethnic groups, including Pashtuns (42 percent), Tajiks (27 percent), Hazaras (9 percent), Uzbeks (9 percent), Turkmen (3 percent), and Baloch (2 percent). Historically, the nation was also home to a religiously diverse population; however, the vast majority of non-Muslims fled the country after the Taliban took over the government in 1992. The country continues to be used as a center of operations for international terrorist groups like the Taliban, the ISKP, and al-Qaeda. Further, there are regional terrorist groups operating within Afghanistan and across the border in Pakistan, including the Haqqani network, Lashkar-e-Jhangvi, Lashkar-e-Taiba, and Tehreek-e-Taliban Pakistan.

The United Nations and other nongovernmental organizations (NGOs) declared 2018 as one of the bloodiest years in the Afghan conflict, with 2,798 civilians killed and at least 5,000 injured due to terrorist activity. While the overall population is facing increasing threats to their security, religious minorities in particular continued to face threats as the nation's leadership has not been able to prevent attacks against them. In fact, the national government of Afghanistan only controls 50 to 60 percent of the overall territory in the country, with extremist groups contesting or outright controlling the remaining areas. Further complicating matters, the Afghan government continued to engage in peace talks with the Taliban during the reporting period, despite the fact that the latter does not acknowledge the government's role in the peace process.

The constitution recognizes Islam as the official religion of the state and requires all parliamentary laws to respect Islamic principles. Non-Muslims are prohibited from holding the highest offices in the land, including president and vice president. Although chapter 18 of Afghanistan's Penal Code protects all religions by criminalizing assault against those publicly practicing any faith and the destruction of any religious places, there have been few cases enforcing this protection.

Since 2004, a vaguely worded media law criminalized "anti-Islamic content" and assigned enforcement to a commission of government officials and members of the media. The constitutional rules for the judiciary require the use of Hanafi Shari'ah jurisprudence in the absence of laws or constitutional provisions governing a case. This has impacted the criminalization of blasphemy, which is not listed in Afghanistan's Penal Code but is punishable by death for Muslims under Hanafi jurisprudence. There have been no recorded cases involving the death penalty for a person accused of blasphemy since 2001.

Article 2 of the constitution, which makes Islam the state religion, also states that non-Muslims are free to practice their "religious rites," but must do so "within

the bounds of law." This means that laws can be created to limit the religious practices of non-Muslims. Moreover, the limited right to worship that is permitted for non-Muslims differs greatly from the more expansive right recognized under international human rights standards. This is especially important because Afghanistan's constitution explicitly requires respect for international law, in particular the Universal Declaration of Human Rights (UDHR).

RELIGIOUS FREEDOM CONDITIONS 2018

Treatment of Shi'a Muslims

Since the U.S. invasion of Afghanistan in 2001, a few historically disadvantaged ethnic and religious minority groups have overcome generations of discrimination to hold prominent positions in the public and private sectors. This is especially true for the Shi'a Muslim community, whose sociopolitical influence has grown over the last two decades as its members increasingly hold leading positions in the government, media, and private industry. There are now more than 10,000 Shi'a mosques in the country, 400 of which are in the capital city of Kabul. There are also several prosperous neighborhoods and enclaves throughout the country that are predominately inhabited by the Shi'a Muslim community.

Shi'a Muslims' sociopolitical ascendance has been one of the reasons some extremist groups have continued to target the community, whom they consider to be apostates. Yet, a superficial division has formed between extremists allied with the ISKP and those working for the Taliban. For example, in the aftermath of an attack in November 2018, the Taliban's website explained that its aim was not to target any "specific race, ethnicity or sect" but rather to attack anyone abetting the government.

On the other hand, extremists affiliated with the Islamic State of Iraq and Syria (ISIS) have intentionally escalated their attacks and increased their public hate speech dehumanizing Afghanistan's Shi'a Muslims. This is, in part, due to the fact that some of Afghanistan's Shi'a Muslim population fought against ISIS in Syria. As a result, many ISIS leaders who fled from Syria to Afghanistan to establish bases have exported their intent to exact revenge against all Shi'a Muslims in the country. This is especially significant because an increased number of local Taliban fighters have started to switch their allegiance to the ISKP. In 2018, this culminated in an increasingly lethal series of ISKP attacks against Shi'a mosques, such as an attack in March 2018 that left one dead and eight wounded and another in August that resulted in the deaths of 29.

While the ISKP carried out attacks that targeted all civilians in general, its attacks targeting the Shi'a Muslim community have been more lethal, with nearly 300 fatalities from almost two dozen attacks in 2018 alone. Such attacks often have coincided with Shi'a religious festivals like Ashura or Muharram. In response to this threat, the Afghan government has attempted to provide additional security and offered weapons to civilians living near Shi'a mosques.

In 2018, extremist groups, including the ISKP, continued targeting one specific ethnic group in particular: the overwhelmingly Shi'a Hazaras. Some examples include the ISKP's twin bombings on September 5 of a Shi'a Hazara enclave that resulted in the deaths of 20 and injuries to 70, along with an attack on August 15 that resulted in 48 young Shi'a Muslims being killed and 67 injured. These kinds of attacks were not limited in 2018 to major cities like Kabul, but increasingly occurred at the provincial level, such as a series of attacks in Ghazni Province. Hazara advocates have complained that the government has failed to provide proper security to the community and that Hazara political leaders were granted limited influence over the government's policy-making process.

Due to persistent attacks on these communities, loss of property through land grabs, and socioeconomic exclusion, only 3,000 to 7,000 Sikhs and Hindus remain in the country.

Treatment of Non-Muslim Communities

Before the fall of the government to the Taliban in 1992, there were nearly 200,000 Hindu and Sikh citizens in Afghanistan. Due to persistent attacks on these communities, loss of property through land grabs, and

socioeconomic exclusion, only 3,000 to 7,000 Sikhs and Hindus remain in the country. Small numbers have represented the communities in the parliament since 2016, and the president has employed Sikhs and Hindus in government service.

Yet, several prominent leaders from both communities were killed in a July 2018 ISKP terrorist attack in Jalalabad that left 19 dead. The attack took place as leaders from the community were awaiting a meeting with President Ashraf Ghani; one of the victims was Awtar Singh Khalsa, the only Sikh candidate running in the October 2018 elections. The attack increased both communities' level of fear of further persecution in the absence of leaders capable of representing their interests.

There were increasing calls from the communities to leave the country as they feel the government is unwilling and unable to provide adequate security. Many have fled to India where they have been given rights to residence, while the remaining members of the community complain of limited access to housing and employment. Some Sikh community members have been relegated to living inside their temple (or *gurdwara*) due to lack of financial means and secure housing options. Further, in order to avoid attacks, the remaining Hindu families—as well as Christians—have abandoned visually distinguishable temples and churches in favor of plain buildings. With few crematoria in the country, these communities are unable to carry out their religious funeral rites. When ceremonies were carried out in residential areas, conflicts with the neighborhood's Muslim community increased in 2018.

For nonbelievers in Afghanistan, authorities interpret Shari'ah law to allow for capital punishment. The number of nonbelievers is unknown because admission of such a status could lead to death.

Similarly, for the Baha'i community in Afghanistan, there are few population data available. The community has lived in anonymity since the 2007 declaration by the General Directorate of Fatwas and Accounts of the Supreme Court of Afghanistan, which proclaimed Baha'is to be a blasphemous group.

Women and Religious Freedom

During the reporting period, the status of women's rights in Afghanistan remained much the same as in 2017. Extremist groups continued to cite their interpretation of Islamic principles when attacking the basic rights of women to hold and inherit property, gain an education or employment, and marry according to their own wishes. Also, during 2018, governmental and societal actors continued to enforce religious and social norms in ways that discriminated against women and restricted their right to freedom of religion or belief. For example, leaders updated the nation's Penal Code in February 2018 but excluded a section criminalizing violence against women. Honor killings based on allegations of extramarital or premarital sex continued to impact Afghan women due to strict interpretations of Shari'ah.

> *[D]uring 2018, governmental and societal actors continued to enforce religious and social norms in ways that discriminated against women and restricted their right to freedom of religion or belief.*

Further, while the government in 2017 created a National Action Plan to Eliminate Early and Child Marriages to stem the practice of arranged marriages of female children under the age of 18, there has been little progress in enforcing the plan. This lack of progress could partly be attributed to some political leaders who often argue that the modernization of women's rights is anti-Islamic. Nevertheless, women in Afghanistan continued to advocate for their rights and have increasingly sought justice by submitting family disputes to specialized units created by the Ministry of Women's Affairs in local shura or jirga councils and the Huquq (Rights) Department in the Ministry of Justice.

Elections

Elections remain a point of conflict in Afghanistan. During the leadup to the October 2018 parliamentary elections, the ISKP carried out several attacks on religious minorities—such as Shi'a Muslims—at voter registration or polling centers. For example, an April 22 attack in Kabul left 57 people dead and 117 wounded.

Both the Taliban and the ISKP have carried out similar attacks in connection to the upcoming 2019 presidential election. Not only have the attacks been violent, but their collateral damage of delaying the electoral process also has been criticized by ascendant religious minority groups like the Hazara Shi'a community.

U.S. POLICY

Mired in a seemingly intractable civil war with international implications, Afghanistan continues to challenge U.S. policymakers. The year 2018 was one of the most lethal periods in the conflict since 2014, and evidence suggests the number and capability of terrorist groups like the Taliban and the ISKP is rising. Attempts to resolve the conflict through peace talks with the Taliban have largely failed, and the ISKP and other extremist groups are likely to try to stymie future attempts. There are two military missions operating within Afghanistan: the North Atlantic Treaty Organization (NATO) Resolute Support mission and the joint U.S.-Afghan mission. In 2017, both President Donald J. Trump and the NATO Resolute Support mission committed to provide additional troops in Afghanistan. Yet, in December 2018, President Trump ordered the U.S. military to withdraw 7,000 U.S. troops from Afghanistan during the first few months of 2019. This will put even greater pressure on the U.S. government and its Afghan civilian allies to settle a peace deal with the Taliban in order to resolve the conflict.

During several high-level visits in 2018, U.S. government officials emphasized the president's policy for peace talks. Highlighting the importance of these talks, Secretary of State Michael R. Pompeo visited Kabul in July 2018 and met with President Ghani to discuss the status of negotiations with the Taliban. On September 7, 2018, then Secretary of Defense James Mattis visited Kabul, echoing those sentiments. While each of these U.S. government officials have discussed the importance of an Afghan-led peace process, few have publicly raised the protection of religious minorities as a substantial issue in negotiations with the Taliban. In January 2019, after the reporting period, U.S. and Taliban interlocutors discussed a tentative plan that would ensure international terrorists—both individuals and groups—do not use key Afghan territories for their extremist activities and could lead to a withdrawal of U.S. troops.

In November 2018, the State Department redesignated the Taliban in Afghanistan as an EPC.