



Testimony of Robert G. Berschinski

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HOUSE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
SUBCOMMITTEE ON NATIONAL SECURITY

HEARING ON

THE U.S. GOVERNMENT'S ROLE IN PROTECTING INTERNATIONAL
RELIGIOUS FREEDOM

October 11, 2017

Chairman DeSantis, Ranking Member Lynch, and members of the subcommittee, thank you for giving me the opportunity to testify today regarding the U.S. government's important role in protecting international religious freedom.

The right of each of us to believe and worship as our conscience dictates is enshrined in both the U.S. Constitution and the Universal Declaration of Human Rights. Freedom of religion—to believe or not believe, to change one's beliefs, and to practice one's faith in private or in observance with others—is the essence of what makes us human.

During my time in the Obama administration, I was privileged to work closely with then Ambassador-at-Large David Saperstein, as well as the many dedicated staff of the State Department's Office of International Religious Freedom. These men and women embody the professionalism and nonpartisanship so integral to the successful advancement of U.S. foreign policy.

Today, I work at an organization, Human Rights First, whose mission is to foster American global leadership on human rights not just as a moral obligation, but also as a vital national interest. Our belief is that the United States is strongest, most secure, and most prosperous when our policies and actions match our ideals.

I bring this perspective to today's hearing, and hope that it will inform discussion this morning in at least three ways.

First, it's important to recognize that the U.S. government's work to ensure that foreign governments do not encroach on an individual's rights to freedom of religion and conscience will be less effective if they are divorced from efforts to uphold other fundamental freedoms.

As the U.S. Commission on International Religious Freedom (USCIRF) rightly stated in its most recent annual report, freedom of religion is impossible without the freedom to assemble, to express one's views, and to live under the equal protection of law.

A review of the U.S. government's list of Countries of Particular Concern (CPC) bears out this fact. The ten countries currently listed as CPCs by the U.S. State Department include a veritable who's who of the world's most repressive and abusive governments. In no state is religious intolerance an outlier to a more widespread pattern of abuses. Rather, from North Korea to Saudi Arabia to Uzbekistan, attacks on freedom of conscience constitute only one aspect of a broader approach to limiting civil and political rights.

Simply put, repressive governments tend to seek control over any organized body of individuals, and to view those outside the government's direct control as a threat to their power. Thus, attacks on religion and belief often relate to, and sometimes stand in for, attacks on political opposition, human rights lawyers and activists, women, LGBT people, and ethnic minorities.

This fact is worth bearing in mind as this committee considers the U.S. government's ability to confront attacks on religious communities. As illustrated by the establishment and implementation of the International Religious Freedom Act of 1998 and the Frank R. Wolf

International Religious Freedom Act of 2016, the Congress and executive branch each deserve credit for promoting religious freedom as a key U.S. foreign policy interest. At the same time, current trends in the funding, staffing, and organization of the State Department leave room for concern that maximizing protections for freedom of conscience and other human rights are increasingly at risk.

As this committee is no doubt aware, the administration's budget request of \$37.6 billion to fund the State Department and U.S. Agency for International Development for fiscal year 2018 is roughly 30% lower than that which Congress appropriated for fiscal year 2017. The administration's request for human rights-related work, which includes funds dedicated to promoting international religious freedom, amounted to roughly 62% of requests made in recent years, or a reduction of roughly 38%. While both the House and Senate have to date largely rejected these draconian cuts, the fact that they were proposed in the first place should call into question the administration's commitment to advancing fundamental freedoms.

The administration deserves credit for nominating a distinguished public servant for the position of Ambassador-at-Large for International Religious Freedom. Yet the White House has yet to announce a nominee for the positions of Assistant Secretary of State for the bureaus of Democracy, Human Rights, and Labor; East Asian and Pacific Affairs; and Near Eastern Affairs, among others. Given the inseparability of ensuring religious freedom from other pressing human rights matters, as well as ongoing abuses against religious minorities in countries ranging from Burma to Syria, the lack of well-qualified diplomats in these vital positions does little to advance American interests, including the protection of religious minorities and other vulnerable populations.

Continuing with the theme of personnel being policy, I would recommend that Congress reflect on the implications of Secretary of State Tillerson's recent letter to Senator Corker with respect to envoys working to advance religious freedom and conduct outreach to religious communities. While I commend the Secretary for his stated intention to retain the positions of Ambassador-at-Large for International Religious Freedom, Special Advisor for Religious Minorities in the Near East and South/Central Asia, and U.S. Special Envoy to Monitor and Combat Anti-Semitism, I would note that his desire to place the Ambassador-at-Large under the Under Secretary for Civilian Security, Democracy, and Human Rights appears not to conform with the Frank R. Wolf International Religious Freedom Act, which states that the Ambassador-at-Large "shall report directly to the Secretary."

I also suggest that Congress question the utility of the State Department eliminating other positions working to advance religious tolerance and freedom of conscience. In particular, the U.S. Special Envoy to the Organization of Islamic Cooperation (OIC), which was created during the George W. Bush administration, has performed a valuable function in working with governments around the world to reject so-called blasphemy laws. Notably, in 2011, the Special Envoy to the OIC played a significant role, in coordination with other offices in the State Department, USCIRF, and Members of Congress, in working with members of that organization to successfully defeat the "defamation of religions" resolution previously sponsored at the UN, and substituting for it a resolution that addresses the roots of religious intolerance while

protecting freedoms of belief and expression in a manner consistent with First Amendment principles.

Finally, on this topic, I would urge that the administration not view the policies that it has implemented with respect to its various travel bans, and its recent decision to cap the number of refugee admissions at an all-time low of 45,000, as existing in isolation from America's leadership role in promoting religious freedom and protecting believers abroad.

An in-depth study concluded by my organization in July on the first six months of the administration's travel and refugee admissions bans demonstrated a significant drop in resettlement of Syrian and Muslim refugees. Among other things, we found that since the President's January 27 Executive Order, the United States has cut its resettlement of Syrian refugees by 80 percent, despite this population representing about 40 percent of global refugee resettlement needs. The United States' sharp reduction in the resettlement of these vulnerable individuals, the majority of whom are women and children, sends the wrong message to the world about America's commitment to religious liberty.

To its credit, USCIRF has spoken out consistently in favor of resettling and otherwise protecting those fleeing war and persecution, including religious persecution. Doing so is completely in keeping with America's highest ideals. As dozens of our nation's senior-most security experts have stated, before being resettled, refugees are subjected to among the most rigorous screening of any population entering the United States. Terrorists, meanwhile, are eager to tout these policies to buttress their false narrative that the United States is at war with Islam.

This brings me to my second point, which is that the greatest threat to religious freedom today is increasingly governments acting in the name of countering terrorism to repress their citizens and curtail human rights.

As we have seen from countries as diverse as Azerbaijan, Bahrain, China, Iran, Russia, Saudi Arabia, and Tajikistan, to name but a few, governments are increasingly conflating peaceful religious expression with terrorist activity in order to justify repression. The effect of this trend is two-fold. Not only do such laws and policies regularly threaten religious communities and other peaceful civic organizations directly, they often have the effect of advancing the very radicalization that they are ostensibly meant to confront.

To touch briefly on instances of this trend:

In Bahrain, following the orchestrated crackdown of 2016, the government has increasingly turned its attention toward clerics from its majority Shi'a population in what UN experts have described as systematic harassment on the basis of religious affiliation. In so doing, it has often charged religious leaders with unsubstantiated claims of supporting terrorism and extremism.

Saudi Arabia continues to classify as terrorism most forms of peaceful dissent, including contesting the government's interpretation of Islam. Iran continues to discriminate against, imprison, and in some cases execute members of its Sunni minority community (among other populations), on national security grounds.

These actions contribute to the heightened sectarian nature of the wars advanced by governments and their affiliated proxies on both sides of conflict in Syria, Iraq, and Yemen. Intensification of sectarian divisions is driving both Shi'a and Sunnis toward a zero-sum contest for survival, with negative impacts on these groups and other religious minorities, such as Christians and Yazidis in Iraq.

Countries including Azerbaijan, China, and Tajikistan have moved aggressively against members of peaceful political opposition groups and religious communities, often justifying their actions on dubious counterterrorism grounds. These actions in turn risk promoting the views of the most radical actors within these communities.

In Russia, recently amended anti-extremism laws have established a legal framework that allows the state to curtail essentially all forms of peaceful dissent, as well as disfavored religious practice. The Russian government's definition of "extremism" goes well beyond the threat, much less the use, of violence, so as to encompass essentially all peaceful religious rites and speech not sanctioned by the state.

The third point that I'd like to touch on deals with rising antisemitism in Europe, a trend that the U.S. government must do more to address head on.

Human Rights First is proud of its standing as one of the few globally-oriented human rights organizations outside of the Jewish advocacy community to consistently prioritize antisemitism as a human rights concern. For more than a dozen years, we have placed a special emphasis on documenting and combating this form of bigotry, which threatens individual communities as well as the stability of European democracies and institutions such as the European Union, the Organization for Security and Co-operation in Europe, and NATO.

Today, we are witnessing an unprecedented and alarming resurgence of antisemitism in a number of western, central, and eastern European countries. The factors underpinning these trends are complex. They include the growing power of populist and ethno-nationalist political parties and governments, at times backed for cynical reasons by Russia; the migrant and refugee crisis, and xenophobia stoked by several national governments; and actors that inappropriately conflate discrimination and violence against Jews with opposition to Israeli state policies.

Examples of anti-Jewish violence from members of Muslim immigrant communities in France and elsewhere, as well as recurring credible allegations of antisemitic statements by members of the UK's Labour party, demonstrate that this trend is not confined to a certain sector of European society or its political spectrum. That said, in countries ranging from France to Germany to Hungary to Poland, right-wing populist political parties and governments are increasingly trafficking in, or turning a blind eye to antisemitic rhetoric. They are thus engendering climates increasingly conducive to violence.

Antisemitic crimes, some 93% of which are linked to far-right extremists, have risen in Germany in the first eight months of 2017, compared with last year. The country's recent election ensured that a radical-right party will enter the Bundestag for the first time since World War II.

The Hungarian government has in recent years engaged openly in historical revisionism and attempted rehabilitation of antisemitic figures from its interwar and World War II-era governments. More recently, the President of Hungary's Federation of Jewish Communities confronted its Prime Minister over a government-led propaganda campaign that the former described as returning Hungary's Jews to living in a state of fear.

The European Jewish Congress has in recent months publicly expressed what it described as "grave concerns" over the rise of antisemitism in Poland, and a deterioration of relations between the country's Jewish community and government. Researchers at the University of Warsaw have documented that acceptance of antisemitic hate speech is rising across the country, particularly amongst younger Poles.

At least two factors bind together these disparate national-level trends, each of which should be a cause of concern for the U.S. government. First, far-right populist parties in Europe appear to be cloaking latent antisemitism in more active forms of anti-Muslim bigotry. Second, in instances in which these parties have come to power, as in Hungary and Poland, they have embarked on a multifaceted effort to undermine the rule of law, weaken governmental checks and balances, and impair civil society. As described elsewhere, intolerance for religious plurality has tended to coincide with actions that threaten other aspects of democracy and human rights. As these values underpin transatlantic security and prosperity, this should alarm us all.

Recommendations

Based on the above, Members of the Committee should consider the following recommendations, which are meant to improve the U.S. government's role in protecting international religious freedom:

1. In coordination with committees of jurisdiction considering the administration's State and Foreign Operations appropriations requests for fiscal year 2018 and beyond, ensure a holistic approach to efforts to advance religious freedom, including by fully funding the needs of the State Department and USAID, recognizing that, in order to be effective, such efforts must by necessity cut across a multitude of bureaus and programs.
2. Urge the White House and Secretary of State Tillerson to nominate for confirmation appropriately qualified individuals to serve as Assistant Secretary of State for Democracy, Human Rights, and Labor, and to head vacant leadership roles in regional bureaus.
3. Engage Secretary of State Tillerson on his initial recommendations concerning the ongoing reorganization of State and USAID, noting that an individual with a record for building tolerance and respect across faiths should be nominated to serve as Special Envoy to Monitor and Combat Anti-Semitism; and that he should reconsider retention of the position of U.S. Special Envoy to the Organization of Islamic Cooperation.

4. Recognizing that repressive governments frequently justify human rights violations against religious communities and other peaceful dissenters on the basis of countering terrorism, which in turn can fuel alienation and violence, review U.S. government security-focused policies and assistance to foreign governments to ensure that they do not contribute to counterproductive actions.
5. Prioritize protecting the rights of displaced minority religious communities in Iraq to return to their homes in safety, which would serve as a powerful renunciation of ISIS' extremist ideology.
6. Challenge the administration to uphold the United States' bipartisan tradition of welcoming those fleeing conflict and persecution by reviewing and revising its decision to cap refugee admissions at an all-time low. Human Rights First recommends that the administration cap refugee resettlement at no less than 75,000 individuals at a time in which the number of people displaced stands at the highest level since World War II.
7. Consider increasing foreign assistance to fund civil society groups, including those promoting religious freedom and interfaith dialogue, and combatting antisemitism, in central and eastern Europe.
8. Increase diplomatic engagement with European allies backsliding on democracy and human rights, including with respect to religious freedom and tolerance.
9. Support efforts to pass the Combating European Anti-Semitism Act of 2017 (H.R. 672), which would amend the International Religious Freedom Act of 1998 to require enhanced reporting in the State Department's annual International Religious Freedom Report on, *inter alia*, the security challenges facing European Jewish communities; the efforts of the U.S. government to partner with European law enforcement and civil society on these issues; and European educational initiatives that aim to impart values of pluralism and tolerance.

Committee on Oversight and Government Reform
Witness Disclosure Requirement — “Truth in Testimony”

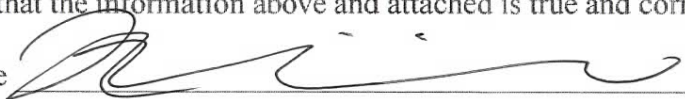
Pursuant to House Rule XI, clause 2(g)(5) and Committee Rule 16(a), non-governmental witnesses are required to provide the Committee with the information requested below in advance of testifying before the Committee. You may attach additional sheets if you need more space.

Name: Robert G. Berschinski

1. Please list any entity you are testifying on behalf of and briefly describe your relationship with these entities.					
Name of Entity	Your relationship with the entity				
Human Rights First	Employed as Senior Vice President for Policy				
2. Please list any federal grants or contracts (including subgrants or subcontracts) you or the entity or entities listed above have received since January 1, 2015, that are related to the subject of the hearing.					
Recipient of the grant or contact (you or entity above)	Grant or Contract Name	Agency	Program	Source	Amount
None					
2. Please list any payments or contracts (including subcontracts) you or the entity or entities listed above have received since January 1, 2015 from a foreign government, that are related to the subject of the hearing.					
Recipient of the grant or contact (you or entity above)	Grant or Contract Name	Agency	Program	Source	Amount
None					

I certify that the information above and attached is true and correct to the best of my knowledge.

Signature



Date: 10/10/17

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Senior Vice President for Policy

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Rob Berschinski oversees Human Rights First's work advancing a U.S. foreign policy rooted in a strong commitment to human rights, universal values, and American ideals.

Before joining Human Rights First, Rob served in the Obama Administration as Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor. In that role, he was responsible for establishing and implementing U.S. government policies with respect to fundamental freedoms and democratic governance in 65 countries across Europe, Russia, Central Asia, and South Asia.

He also served under Ambassador Samantha Power as Deputy Director of the U.S. Mission to the United Nations' office in Washington, D.C.; worked as special assistant to then-Deputy Secretary of Defense Ash Carter; and spent three years as Director for Security and Human Rights Policy at the White House National Security Council. From 2008-2010 he served on the staff of the Undersecretary of Defense for Policy as a Presidential Management Fellow, and worked as a defense fellow on the professional staff of the Senate Appropriations Defense Subcommittee. Rob began his career as an intelligence officer in the U.S. Air Force, and is an Iraq War veteran. He earned his B.A. in Political Science and M.A. in International Relations from Yale University.