

UNITED STATES COMMISSION ON
INTERNATIONAL RELIGIOUS FREEDOM

HEARING

RELIGIOUS FREEDOM IN SOUTHEAST ASIA:
TECHNO-AUTHORITARIANISM AND
TRANSNATIONAL INFLUENCES

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Virtual Hearing

P A R T I C I P A N T S

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P R O C E E D I N G S

CHAIR COOPER: Good afternoon and welcome to the U.S. Commission on International Religious Freedom's hearing on Religious Freedom in Southeast Asia: Techno-Authoritarianism and Transnational Influences.

Thank you very much to our distinguished witnesses for taking the time to join us today to offer their invaluable insights on these important topics.

The U.S. Commission on International Religious Freedom, or USCIRF, is an independent, bipartisan U.S. government advisory body created by the 1998 International Religious Freedom Act, or IRFA.

The Commission uses international standards to monitor freedom of religion or belief abroad and makes policy recommendations to the U.S. government.

Today, USCIRF exercises its statutory authority under IRFA to convene this important

virtual hearing.

In today's hearing, we'll look at how emerging trends in technology and influences from outside the region are impacting religious freedom in member states of the Association of Southeastern Asian Nations, or ASEAN.

We will also consider how the U.S. government can more effectively combat repressive transnational influence that seeks to destroy religious freedom and other related human rights.

Despite growing civil society activism and economic development, religious freedom conditions throughout Southeast Asia continue to stagnate or, worse, in many places to decline.

The rise of technology and digital surveillance alongside other transnational influences from outside the region place religious freedom under increasing threat.

The Burmese military disseminates hate speech and calls for widespread violence through social media to perpetrate atrocities against the

predominantly Muslim Rohingya.

In Indonesia, blasphemy charges increasingly cite social media as a source of the offending incident.

Across Southeast Asia, transnational influences, particularly from China and Saudi Arabia, threaten to change the political and legal landscape with major consequences for religious freedom and other related core human rights.

In last year's Annual Report, USCIRF recommended that the United States Department of State designate Burma and Vietnam as Countries of Particular Concern, or CPCs, for engaging in systematic, ongoing, egregious violations of religious freedom.

We also recommended that Indonesia and Malaysia be placed on the State Department's Special Watch List for engaging in or tolerating severe violations of religious freedom.

The State Department has designated Burma as a CPC and placed Vietnam on the Special Watch

List but has not taken similar action on either Indonesia or Malaysia.

It's now my honor to hand over to my colleague, Vice Chair Fred Davie, for his opening remarks.

VICE CHAIR DAVIE: Thank you, Chair Cooper.

As our chair mentioned, religious freedom conditions throughout Asia continue to stagnate or decline. As USCIRF's reporting highlights, blasphemy charges remain widespread in Indonesia and Malaysia.

Restrictive legal codes such as Brunei's Shari'a Penal Code and the recently passed Indonesian Criminal Code further criminalize blasphemy and restrict religious freedom.

They do so, in part, through the laws and practices that permit digital surveillance. The bureaucratic regulation of religion by nations in ASEAN has brought matters of faith into the domain of official government policy.

Governments are increasingly using technology to interfere with individuals' lives to enforce laws that regulate religious practice.

In some places, such as Malaysia, it is no longer an individual's choice to determine their faith identity or to convert to a religion or belief, to dress according to their conscience, to marry across religious lines, and so on.

These are now administrative issues requiring approval from a government agency. To defend these practices from international scrutiny, ASEAN members increasingly manipulate human rights language in the name of preserving their cultural identity.

As it well documented, the most egregious atrocities in the region have been committed by the Burmese military against the predominantly Muslim Rohingya.

Burmese authorities' use of technology to target Rohingya led, in part, to the explosion of violence and genocide in 2017.

These actions sent millions of refugees throughout the wider region threatening economic and social stability of host countries who had nothing to do with the atrocities perpetrated in Burma.

Religious freedom violations in one country, if left unchanged, can threaten the stability and development of neighboring countries.

I look forward to hearing from our witnesses today, and I will now pass the floor over to Commissioner Stephen Schneck for his remarks.

Commissioner Schneck.

COMMISSIONER SCHNECK: Thank you, Vice Chair Davie.

I'd like to join in welcoming everyone to today's hearing.

As has been mentioned by my colleagues, ASEAN countries are increasingly using new technologies to bolster authoritarian practices and to consolidate power, often at the expense of religious minorities and religious expression.

Unfortunately, powerful countries have pioneered and perfected these kinds of authoritarian practices and are now using their weight and influence to see these practices replicated throughout Southeast Asia.

For example, the Chinese government is a leading player in implementing and promoting techno-authoritarianism at home and abroad.

Domestically, Chinese authorities have aggressively used so-called "smart city" technologies, including artificial intelligence, AI, big data, biometric collection, and facial, voice and gait recognition, all to carry out mass surveillance.

They target Christians, Falun Gong practitioners, and ethno-religious groups like Uyghurs and Tibetans.

The government exports its "smart city" technologies and underlying techno-authoritarian approach to Southeast Asia and around the world.

I very much look forward to hearing from

our witnesses today, and with that, I pass the floor back to Chair Cooper.

VICE CHAIR DAVIE: Chair, you are muted.

CHAIR COOPER: Thank you, Commissioner Schneck.

Before we move to our first panel, we will now have some opening remarks from United States Representative Mike Gallagher of Wisconsin, who is the chairman of the House Select Committee on the Chinese Communist Party.

MR. GALLAGHER: [Pre-recorded remarks.]

Hi. I'm Mike Gallagher, and I represent Wisconsin's great 8th District in Congress where I chair the Select Committee on the Chinese Communist Party.

Thank you to USCIRF for inviting me to speak and for holding such an important hearing on how strategies and tactics from the CCP's brutal war on religion are increasingly being used to restrict religious practice throughout Southeast Asia.

I'm sorry I couldn't be there to join you in person, but I wanted to share some insights from our work on the faithful who are in crisis inside China.

The Chinese Communist Party is rewriting the Bible. In the Gospel of John, Jesus famously defends a woman caught committing adultery against her accusers, saying "let he among you without sin cast the first stone."

The chastened accusers slink away, and Jesus says to the woman, "has no long condemned you? Then neither do I condemn you. Go forth and sin no more."

It's a beautiful story of forgiveness and mercy unless, of course, you're a CCP official. Then it's a story about a dissident challenging the authority of the state.

A possible sneak preview of what a Bible with socialist characteristics might look like appeared in a Chinese university textbook in 2020.

The rewritten excerpt from the Gospel of

John ends not with mercy but with Jesus himself stoning the adulterous woman to death.

Across Henan Province, local CCP officials forced Protestant churches to replace the Ten Commandments with Xi Jinping quotes. "Thou shalt have no other gods before" me became diktats like "resolutely guard against the infiltration of Western ideology."

At the 19th Party Congress, Chairman Xi declared we will insist on the Sinicization of Chinese religions and provide active guidance for religion and socialism to coexist.

Let me translate. Xi Jinping has no problem with the first commandment, just so long as he and the CCP are playing the role of God. This is how the Chinese Communist Party operates. Faced with a force too powerful to destroy, belief in God, they pivoted to a more insidious and more dangerous tactic: cooptation, or, as Chairman Xi calls it, the Sinicization of Chinese religions.

Instead of destroying it, the CCP has

decided to harness religion as a tool to control people's minds.

CCTV cameras have been placed in houses of worship, letting the faithful know their every word is being monitored.

The CCP has also seized control of the selection of religious leaders and throws anyone opposed in jail.

Through a secret 2018 deal with the Pope, the CCP even managed to control the nomination of Catholic bishops, and it seeks to coerce Tibetan Buddhists into accepting the CCP's choice of successor to the Dalai Lama.

The CCP does not believe in individual dignity. They reject the inherent worth and preciousness of each individual. They do not believe men and women are made in the image of God.

For the CCP, humans are material objects to be used for whatever purposes the Party deems appropriate.

The problem for the Party, as the pastor

of one Chinese church stated, is that in this war, in Xinjiang, in Shanghai, in Beijing, and Chengdu, the rulers have chosen an enemy that can never be imprisoned—the soul of man—and they are doomed to lose. That is an assessment that we must make come true.

CHAIR COOPER: Thank you, Chair Gallagher, for those stirring remarks.

I would like now to introduce U.S. Representative from California, Ted Lieu, who will provide additional remarks.

MR. LIEU: [Pre-recorded remarks.]

Hello. I'm Congressman Ted Lieu, and I represent the 36th Congressional District of California in the U.S. House of Representatives.

I want to thank the U.S. Commission on International Religious Freedom for inviting me to speak on such an important topic.

Religious freedom is one of the founding tenets of America and one of the primary reasons why so many immigrated to this great land.

Over the centuries, many governments have made significant strides towards allowing more religious freedoms for their people, but the fight for these freedoms is certainly not over.

Citizens in Southeast Asian countries and around the world are endeavoring to implement their own democratic values and, accordingly, we are seeing more and more people around the world speak out about the importance of religious freedom and the right to worship faiths of their choosing.

At the same time, we have seen authoritarianism and religious intolerance target religious minorities in countries like Myanmar and elsewhere.

Democracies like the United States have a responsibility to remain diligent in working to ensure that governments are not targeting religious minorities, particularly by using advances in technology to monitor their citizens.

Though the United States was founded on religious freedom, we're not immune from a rising

tide of intolerance. Now more than ever we must be vigilant and fight back against hate speech.

We have seen an unacceptable increase in hate speech on the Internet and correlating violence against religious and ethnic minorities.

We must continue to shine a light on the darkness that is religious intolerance both at home and abroad.

I want to thank the U.S. Commission on International Religious Freedom again for your invaluable work in this important field and the panelists for their participation in this discussion.

CHAIR COOPER: Thank you, Representative Lieu.

I will now introduce our first distinguished panel of witnesses. After the witnesses in the first panel speak, we will go directly into the statements from the witnesses on Panel II.

Following their testimony, our

commissioners will have the opportunity to ask questions and receive comments from all the witnesses.

For our first distinguished panel, we will focus on techno-authoritarianism, including the use of social media and technology, to perpetrate religious freedom violations.

To discuss this topic, our first witness is Dr. Kirril Shields, a Program Manger from the Australia-based Asia-Pacific Centre for the Responsibility to Protect; and Michelle Lee, a graduate researcher currently at Columbia University.

You should take the time to read their full witness bios by clicking on the link in the Chat.

Thank you, all of you, for testifying, and Dr. Shields, if you would begin.

DR. SHIELDS: Good morning, everyone. Thank you very much, Chair Cooper.

I wish to start by just paying my respects

to the traditional elders, past, present and emerging, of the land on which I sit.

And I'm going to be using the technology. Please let me know if it doesn't work, and let me just swap screens.

Again, good morning, Chairman Gallagher, Chair Cooper, Vice Chair Davie, Commissioner Schneck, and members of the Commission.

First, I wish to thank you and your organization for this timely hearing and for inviting me to speak today on the complexities and the difficulties associated with the rights to religious freedom in Southeast Asia, and trends on the digital sphere that might inhibit this freedom—a topic that we at the Centre here are deeply concerned about.

And I speak today as a staff member of the Asia-Pacific-Centre for the Responsibility to Protect, which is a bit of mouthful, otherwise known as the APR2P Centre, which was established 14 years ago, and we work to mitigate the risks of

atrocious crime and mass human rights violations in the Asia Pacific region.

In doing so, we work across three sectors: first, within the academic space, which is given over to research and to teaching here at the University of Queensland; second, with governments, as our centre is largely funded by the Department of Foreign Affairs and Trade; and, thirdly, we work with grassroots CSOs and NGOs across the region, including a cohort of 36 organizations, which we group under the banner of the Asia-Pacific Partnership for Atrocity Prevention, another long-winded title, otherwise known as APPAP, and we work towards atrocity prevention via initiatives within communities.

And this includes collecting evidence of sexual and gender-based violence against Rohingya women in the camps and surrounding communities in Cox's Bazar, using technology to help migrant communities in Malaysia to report hate crime, and working with the organizations to influence policy

amongst ASEAN and ASEAN member states.

I note each of these approaches as each speaks to the topic of today's commission, techno-authoritarianism in Southeast Asia and its sway over religious leaders and religious freedom.

Each of these sectors, from the academic through to the grassroots approaches, through to policy advice at the ASEAN level, have all had to consider this new and ever-escalating phenomenon.

Today, I wish to make two points, just two points, in relation to the topic of religious freedom and the digital sphere in our region.

First, I wish to highlight the region's habit of irresponsibility and the digital world, and the effect of irresponsibility on religious freedom.

And, second, I wish to state the opportunity of Congress and the current Administration to promote religious freedom via engagement in the region.

At the core of our Centre's work is the

promotion of responsibility. That is a responsibility to protect people from becoming victims of atrocity crimes—genocide, crimes against humanity, war crimes, and ethnic cleansing.

And while I'm not going to talk on the specifics of R2P as a norm and as a means of encouraging state responsibility, what I do wish to signal is the current malaise in the region around notions of responsibility in relation to the digital world. Namely, the question is who is responsible?

If, for example, Facebook has been cited as a platform that has been used to incite genocide, as was noted in the UN's 2018 Report of the Independent Fact-Finding Mission on Myanmar, who then is responsible for the content?

Is it the company, the user; is it ASEAN? Is it domestic legislation? Is it the UN and its various offices? Or is it regional and global governments who might have influence on either the country committing the crimes or on the platform

that allows this incitement to incur?

Unfortunately, given the lack of regulation across Southeast Asia, coupled with ASEAN's policy of non-interference in the politics of state—an example is the current crisis in Myanmar—this idea of responsibility is often overshadowed by a proliferation of irresponsibility that allows both legitimate and illegitimate governments, such as the junta in Myanmar, to use the digital sphere for political gain.

And this is often coupled with the religious agenda, especially when governments are backed by conservative and hard-line contingents of religious followers and their leaders.

Problems occur when religion becomes state-sponsored and has an accompanying political motivation, or leaders of a religion are seen to have gained politically by endorsing religious practices that influence a nation's politics.

And here I cite, as you as well have cited, the growing trend in Malaysia towards state

adherence to conservative Islam.

And the digital world from social media to the current employment and development of artificial intelligence is a core facilitator in promoting and propagating a politic that preferences one religion over other beliefs and practices.

Technology is being employed by religious leaders and their followers to promote religious intolerance, leading, as already noted in some cases, a delegitimization of belief systems by propaganda of hate-filled myth and disinformation.

And this leads me to my second point, hand-in hand is noted a rise in frustration across civil society, governments, academia, and intergovernmental organizations alike, that would like regulation and ruling akin to that being utilized in Europe by the EU or by the European Council over religious tolerance and its ties to hate speech and disinformation within the digital sphere.

This frustration is only expounded by social media's inertia to intervene, with decisions seemingly based not on responsible governance but due to economic benefit.

This frustration is also noted by peoples living in conflict-affected areas who see little to no response to religious restrictions and the subsequent political and social implications, from the international community alongside the ASEAN community.

This includes frustration at ASEAN's ineffective five-point consensus plan for Myanmar that fails to address core problems, including a means of mitigating the regional risks of promoting one religion over others via social media, and therefore heightening intolerance and risking inciting violence.

This frustration also stems from social media's small and seemingly tokenistic approach to mitigating problems associated with religious intolerance, especially when these are coupled with

a political agenda, only made worse by the recent takeover of Twitter where content appears less regulated than ever.

As a result of this, and I was asked to make some recommendations, I've divided the recommendations between the President and his administration and for Congress.

I have three recommendations for each. To the Biden Administration, the first recommendation is to question social media companies over their role in inciting religious hatred, both within countries and regions that are already conflict affected, such as Myanmar and West Papua, but also within the broader Southeast Asia region.

The second recommendation is to encourage a more proactive ASEAN that looks to models such as the European Union's legislation on social media and AI, to grow and foster religious tolerance via the development and adoption of regional laws and an ASEAN jurisdiction.

And three, to work with ASEAN and the

ASEAN Secretary General to develop educational programs that foster religious tolerance throughout the region.

And to U.S. Congress, just to finish, my three recommendations are to increase funding the Southeast Asian civil society organizations to provide education on how social media works.

The second recommendation is to bring the topic of Southeast Asia to Congress and to congressional hearings that question the role of social media.

And the third point is to expand the U.S. State Department's Atrocity Prevention Education Program to incorporate Southeast Asian government officials and to also include a module in the course on how the digital world spreads hate and disinformation that reduces religious freedom.

And this initiative can be seen to respond to your Elie Wiesel Genocide and Atrocities Prevention Act.

With this, I once again wish to thank the

Commission for the ability to talk today and look forward to the other speakers and the other expert witnesses.

VICE CHAIR DAVIE: Chair Cooper.

Thank you.

CHAIR COOPER: Thank you, Dr. Shields, for that informative and provocative presentation.

We now turn to Michelle Lee. Ms. Lee, we look forward to hear your report.

MS. LEE: Hello.

Chairman Cooper, Vice Chair Davie, and the members of the Commission, thank you for the opportunity to testify today about the pressing religious freedom conditions in Myanmar.

I am Michelle Lee and my research focuses largely on documenting state-sponsored attacks on the Rohingya community.

I will start with a brief overview on the Rohingya refugee crisis and its history.

The crisis involving the Rohingyas, a predominantly Muslim group in Myanmar, is an urgent

call to action for the global community.

In 2017, the brutal campaigns led by the Myanmar military against the Rohingya triggered a massive humanitarian crisis resulting in a vast exodus to Bangladesh's refugee camps, which have now become the largest in the world.

The United Nations has called this crisis a textbook example of ethnic cleansing. As of today, more than 960,000 Rohingya population is in need of urgent assistance.

They face severe shortages in basic needs. Over 70 percent lack safe water and sanitation, and only two percent of Rohingya women give birth in hospitals.

Despite their generational presence in Myanmar, the Rohingyas are denied a citizenship through systematic exclusion.

The government bans the term "Rohingya" and views them as illegal immigrants and as a national threat.

The presumed goal behind the military

group, also known as Tatmadaw, is to help the military preserve power and rally nationalistic support by inflaming ethno-religious strife.

The Tatmadaw has weaponized social media in their campaigns, transforming these platforms into battlefields.

In 2018, Facebook uncovered concrete evidence of such misuse, and the UN has also identified these online operations as systematic and orchestrated attacks against the Rohingyas.

The Tatmadaw's online operations are a calculated psychological warfare aimed at instilling pervasive fear among civilians while garnering support for military actions.

In 2017, Tatmadaw spread fake news on Facebook to both Rohingya and Buddhist groups that an attack from the other side was imminent. These fear-mongering tactics forced them to vigilantly observe and distrust each other, deepening the divide between them. The consequences were devastating.

In 2018, nearly 700,000 Rohingyas were forced to flee to Bangladesh in terror.

Rohingyas are required to register for a digitalized National Verification Card that identifies them as foreigners, a tactic similar to the digital surveillance method used against the Uyghur community in Xinjiang, China.

Additionally, the Tatmadaw also uses drones and phone-cracking devices to monitor the Rohingyas. These tools allowing for illicit real-time tracking and eavesdropping mirror Chinese techniques like biometric scanning, phone-tracking apps, surveillance cameras, all contributing to what many describe as an open air prison.

The Chinese Communist Party, also known as CCP's great economic interest in Myanmar, particularly as a gateway to the Indian Ocean and strategic trade routes, has emboldened the Myanmar military.

The atrocities in Xinjiang and Rakhine State reveals a disturbing pattern, a shared

strategy by the CCP to systematically target Muslim minorities employing trial and error surveillance tactics.

The plight of the Rohingya is not just Myanmar's issue. It's a vivid example of regional power dynamics with global implications.

The systematic repressions seen in both regions, fueled by advanced digital surveillance technology, is indicative of a broader shift towards techno-authoritarianism with significant transnational influences.

Despite heightened international aid and attention, the Myanmar military accelerated its state-sponsored ethnic cleansing operations against the Rohingyas, showing little response to international pressure.

In light of these developments, I propose the following recommendations to the U.S. government:

First, the U.S. should actively pursue open dialogue with CCP to join broader

international aid efforts addressing the Rohingya refugee crisis.

This approach could apply pressure on the Myanmar military to move towards peaceful resolution and reform.

Second, due to the challenge of assessing restricted regions like China and Myanmar, it is crucial to thoroughly document human rights violations using advanced technology and artificial intelligence, using satellite imagery, photographs, videos, and social media.

However, this strategy carries risk for reporters and informants and must be approached with caution.

Third, we must advocate for the fundamental rights for the Rohingya, including citizenship, freedom of movement, and access to livelihoods, alongside a wide plan for humanitarian aid in Rakhine State.

And, in closing, I want to thank the committee for your commitment to these vital

issues. Crimes against humanity cannot be treated merely as an area of disengagement or disagreement. Genocide by its very definition is an international crime and it demands active global engagement and resolution.

CHAIR COOPER: Thank you, Ms. Lee, for that sobering presentation.

Commissioners will have an opportunity at the end of the second panel to ask questions of all of our experts.

We now turn to our second panel which we'll hear about transnational influences from outside ASEAN that are adversely affecting religious freedom in member states.

Our first witness on this panel is Dr. Rana S. Inboden, a Senior Fellow with the Robert S. Strauss Center for International Security and Law at the University of Texas at Austin.

Dr. Inboden.

DR. INBODEN: Thank you.

Distinguished commissioners, it is an

honor to be part of today's hearing.

My statement focuses on the ways China is co-opting and weakening the UN human rights system to make it easier for countries to evade accountability for human rights abuses and religious freedom intolerance.

Over the last decade, China's religious persecution and efforts to control religious groups domestically has mushroomed.

The case of Pastor Wang Yi, who is serving a nine-year sentence for peaceful religious activity, and the Chinese government's persecution, monitoring and detention of ethnic Uyghurs, are emblematic of these abuses.

Some of the PRC's most damaging actions in the UN Human Rights Council include restricting any form of country-specific human rights scrutiny, including resolutions, special procedures, and special sessions.

The PRC takes this position not just for itself but for other countries as well. For

example, in 2017, when the Human Rights Council was considering a resolution on the Rohingya genocide, China called for a vote rather than allowing the Council to adopt it by consensus and then voted against the resolution.

The PRC delegation further framed the situation as one that merely required cooperation between Bangladesh and Myanmar to resolve, and then claimed that, quote:

"The draft resolution did not ease the situation. On the contrary, it complicated the implementation of the repatriation agreement." End quote.

The PRC's language attempted to whitewash the Rohingya crisis instead of acknowledging the Myanmar government's willful violence against the Rohingya.

The PRC has also sought to discredit the Special Procedures, the Mandate holders who employ vigorous scrutiny. The Special Procedures are independent experts assigned to particular human

rights issues or a country.

Since 2016, the Special Procedures have issued roughly 22 joint public statements expressing alarm about China's human rights violations.

In response to these justified concerns, China has attacked some of the Special Procedures verbally, including claiming that the Special Procedure on religious freedom was "wantonly spreading false information, lacking minimum professional ethics, and serving as a political tool for some Western countries and anti-China forces."

The PRC also works with other countries to thwart accountability in general. For example, China, as well as Indonesia, Vietnam, Myanmar, Malaysia, Singapore, the Philippines, and Thailand, belong to the Like-Minded Group, a coalition of countries that hold illiberal human rights views and seek to protect each other from scrutiny in the UN.

Finally, the PRC is one of the leading countries blunting the Universal Periodic Review process, including its own recently concluded review in Geneva this week.

For example, despite Vietnam's troubled record on religious freedom, during Vietnam's last UPR, Beijing's comments included encouraging the government to, quote, "continue efforts to eliminate inequalities in access to public services," and, quote, "to continue to invest in health-care services for women."

While these are laudable goals, they clearly fail to point out Vietnam's extensive human rights abuses.

There are steps that the U.S. government can take to strengthen the UN human rights bodies and procedures.

First, the U.S. government should invest in ensuring American diplomats have the resources they need.

The PRC mission in Geneva nearly doubles

the size of the U.S. mission in Geneva.

Second, the United States needs to focus on cross-regional collaboration, especially with Global South countries. This will help break the PRC's efforts to sow division between the Global South and the Global North.

Third, the U.S. should be committed to participating in the UN human rights system, despite its failings, and encourage other states with a commitment to religious freedom and human rights to stand for an election to the Human Rights Council and supporting the candidacy of individuals with strong records to serve as experts in the UN human rights treaty body system, as well as serving as Special Procedure Mandate Holders.

I thank you for your time and attention and especially the Commission's focus on this important topic.

CHAIR COOPER: Thank you, Dr. Inboden.

Our next witness, Dr. James Chin, professor of Asian Studies from the University of

Tasmania.

Dr. Chin.

DR. CHIN: Distinguished commissioners, thank you very much for the opportunity to appear before this Commission.

I understand I will only have about five minutes so please excuse me as I rush through this presentation.

I'll be happy to answer questions in detail after this presentation.

One area of concern for religious freedom in Malaysia and Indonesia is the role played by Saudi Arabia. Since the early 1980s, the Saudis have tried to export their version of Islam, widely called Wahhabism, into the world and in Southeast Asia, in particular.

I will not go into details about the belief system of Wahhabism other than to say that this is a form of Islam practiced in Saudi Arabia that developed in the 18th century, led by a cleric named Muhammad al-Wahhab.

In Southeast Asia and other parts of the world, sometimes the Wahhabis are also called the Salafis.

In very general terms, this refers to an interpretation of Islam that seeks to restore Islamic faith and practice to the way that it existed at a time of Prophet Muhammad, in other words, pure Islam.

They have a very intolerant view of Islam, especially towards non-Muslims and other Islamic sects.

They do not accept that there are other faiths in human societies or other interpretations of Quran.

Many of them believe that other faiths are simply idolatry. They support the death sentence for apostasy.

They view religious freedom and liberalism as a Western import that contradicts Islamic values.

In general, the Wahhabis/Salafis are part

of the Sunni Muslim world. Saudi Arabia began to export Salafis' beliefs starting in the 1980s, and one can make the strong argument that the Saudis with all the money were using the Salafi network as a means to create a network of influence around the world.

They saw themselves in competition with Iran, especially because Iran was challenging the Saudi dominance of geopolitical strategies in the Middle East.

They are credible reports that the Saudis spend more than 80 to \$100 billion on this project to assert their influence in the Muslim world.

Indonesia and Malaysia were targeted by Saudi Arabia because both are Muslim majority countries in Southeast Asia and, in fact, Indonesia with a population of more than 280 million is the world's largest Muslim country.

Approximately 88 percent of the population in Indonesia call themselves Muslims.

Malaysia with a population of 32 million

is widely seen as an influential and moderate country in the Islamic world. This was especially true in the 1990s when Mahathir Mohamad was the prime minister of Malaysia.

He was an important voice in the Organization of Islamic Cooperation. About 65 percent of the population in Malaysia identify themselves as Muslim.

The methods used to export Salafi beliefs to Indonesia and Malaysia are quite straightforward.

First, the Saudis provide funding for mosques, mosque building, religious activities, Islamic education, what we call madrasas, and also direct funding of many Islamic groups that promote their beliefs.

Many of this group hide behind charity networks.

Secondly, the Saudis provide a lot of scholarships, and here I'm talking about thousands of scholarships for young Indonesians and

Malaysians to study in Saudi institutions and other institutions in the Middle East.

What we do know is that the number of registered Saudi institutions in Southeast Asia easily exceeds more than 100,000.

And, thirdly, they try to penetrate political parties and other influentials in Malaysia, Indonesia, through visits by Saudi authorities, visits by Saudi theologians, and, of course, exchange of clerics.

Many of the activities I mentioned are done openly via the Saudi embassies in both countries. It is very important to note that the Saudis are playing a long game, and they do not expect immediate results.

Given that the Saudi influence started in the 1980s, we can assume that some of these people are holding senior positions today.

So what do the Saudis want in Southeast Asia?

I think what the Saudis are after can be

grouped into the following:

First, they want to reinforce the image that Salafi beliefs or Wahhabi beliefs and Saudi Arabia is at the center of Islam throughout the world.

Secondly, I think they want to be a major player in Indonesian and Malaysian politics and religious class.

Third, they want to block any potential Iranian influence and the spread of Shi'a beliefs.

And, fourthly, over the long-term, they want Malaysia and Indonesia to become Islamic states with a Salafi framework.

It is often very difficult to precisely measure the Salafi influence because many Indonesians and Malaysian Muslims do not identify openly as Salafi in public.

There is also confusion among the Muslim population in Indonesia and Malaysia. Many of them see the Salafi as simply very conservative or strict Muslims.

What we do know is that in the past decade, there has been a rise in conservative political Islam in both countries, and it is certain that some of this rise in conservative political Islam can be traced back to Salafi teachings.

So let me quickly deal with Indonesia first. In Indonesia, there's approximately 100,020 madrasas, and scholars have argued that perhaps ten to 20 percent of these are influenced heavily by the Salafi network.

Many of them use Salafi-influenced curriculum, and they're fully funded through Saudi money.

The two organizations in Indonesia that openly identify themselves with the Salafi network are the Indonesian Council for Islamic Propagation and the College for the Study of Islam and Arabic.

There is also the Imam Muhammad Ibn Saud University in Indonesia that also identify themselves closely with Salafi teaching.

In terms of political parties, what I do find is that the Salafi network in Indonesia is not as strong as those in Malaysia.

As far as I can tell, none of the top Salafi leaders in both Indonesia and Malaysia are in top political positions in the mainstream political parties in both countries.

Many scholars have also argued that the Salafi ideology play a major role in the radicalization of Indonesian and Malaysian Muslims.

This is a huge topic by itself. All I wish to say here is that in terms of terror activities, for example, there was a time when ISIS was a big problem in the Middle East. They actually had a brigade called Katibah Nusantara, comprised of Malay-speaking militants from Malaysia, Indonesia, and the Philippines.

They even created a special propaganda newspaper called al-Fatihin, or the English, the Conquerors, in order to specifically recruit fighters from Southeast Asia.

In the early 2000s, there was actually a militant movement called the Laskar Jihad, or the Warriors of Jihad, operating in Indonesia, and they were responsible for the killings of Christians in Ambon, Silawesi, and the Maluku Islands.

The good news is that such a group does not exist in Malaysia.

I want to spend a bit of time talking about Malaysia because I think Malaysia is a much more dangerous place when it comes to religious freedom when we compare it to Indonesia.

I mentioned earlier that political parties in Indonesia and the Salafi network have not been able to take leadership positions in major Indonesian political parties.

This is partly due to two major NGOs, Islamic NGOs, in Indonesia: the Nahdlatul Ulama, Ulama NU, and the Muhammadiyah.

They act as a shield to intolerance, intolerant Islamization in Indonesia.

Both organizations have a combined

membership of more than 100 million, and explicitly reject the Saudi version of Wahhabism and instead promote what it loosely called Islam Nusantara.

This actually means Islam in Indonesia must take into account the local social, cultural traditions, and they believe in religious tolerance, religious pluralism, and moderation.

Both organizations have said openly they do not believe that Indonesia should be an Islamic state. Unfortunately, such organizations do not exist in Malaysia.

In Malaysia, Islam as a whole is getting more intolerant and conservative. A large part of it has got to do with the Malaysia constitution and identity politics.

One unique feature of the Malaysian constitution is that it binds Islam with the Malay ethnic group. If you are classified as ethnic Malay in government records, you are a Muslim.

Thus, from the time of independence in 1957, the identity of the Malay ethnic group in

Malaysia has always been tied with Islam.

Under the present law, there is no legal avenue for you to leave the Islamic faith if you are born Malay.

Over the years, Islamization has been purposely inserted into the civil service in Malaysia, and some scholars have termed this process as the bureaucratization of Islam.

If I'm not mistaken, this Commission actually produced a report on this issue last year. In Malaysia, the bureaucratization is undertaken by this department called Jabatan Kemajuan Islam Malaysia or JAKIM.

There is widespread agreement amongst scholars that JAKIM has played a decisive role in making Malaysia a much more conservative Islamic state.

You can detect Salafi influence materials in the sermons they produce for all the mosques in the country.

Other scholars have pointed to a process

among the ethnic Malays as a sign that the Salafis are getting more influential.

Many of the policies pursued by JAKIM show that they do accept religious freedom and they do not support a religious plural society.

Unlike Indonesia, the Salafis have made inroads into Malaysian political parties. The Salafis are known to have a significant influence on Parti Islam Malaysia, or the Islamic Party of Malaysia.

As the name suggests, PAS wants to create an Islamic state in Malaysia, and PAS is now the largest bloc in the Malaysian parliament.

And there's a distinct possibility that this political party, PAS, will be elected into power in the next 20 years. This does not mean that PAS will immediately change Malaysian constitution to become an Islamist state, but it is more likely that there will be a period of rapid Islamization before the country officially becomes an Islamic state.

Coming back to the work of this committee, the clear danger posed by Saudi Arabia's Salafi beliefs is the creation of an intolerant religious environment. They simply do not subscribe to the idea that there are other faiths and freedom of religion.

The ultimate aim in a Salafi state is to create an Islamic country where non-Muslims do not enjoy any real political rights unless they convert to Islam, and, if they don't, they will be regarded as protected people with limited rights.

In Saudi Arabia, there are reports that Crown Prince Mohammed bin Salman is trying to reject the Wahhabi religious establishment. How this will impact the Salafis in Indonesia and Malaysia remains unclear.

Thus far, there is no evidence that the Saudi embassies in both countries have revamped or reduced their religious outreach activities.

I would argue here that even if the Saudi embassy does not promote Salafi beliefs, there is a

very limited impact as the outreach is done mostly by the Indonesians' and Malaysians' Salafi networks themselves.

It is very unlikely that a change in the beliefs in Saudi Arabia will have any impact on the Salafi situation in Southeast Asia.

So, in conclusion, the main points that I want to make are the following:

The export of the Salafi beliefs by Saudi Arabia started a long time ago, probably more than 50 years. They wanted to be a major player in Islamic affairs, and they want to be the center of Islamic affairs around the world.

Part of it has got to do with the competition with Iran and their beliefs is very strong in pro-Muslim countries.

The second point is Islam in Southeast Asia has traditionally been very tolerant, moderate, and accommodating to other faiths' tradition and culture.

The spread of Salafi and other radical

teachings has changed the nature of Islam in Indonesia and Malaysia, and the biggest change is the element of violence and intolerance towards other faiths and culture.

In Indonesia, the Salafis are diverse and decentralized. Politically they have not had a major impact of any of the major Indonesian political parties.

Threats to freedom of religion are much more serious in Malaysia when compared to Indonesia. The increasing intolerant brand of Islam that is promoted in Malaysia by the government, the bureaucracy, and the key Malay political parties can only lead to even more restrictions on non-Muslims and other Islamic groups that do not agree with the Salafi school of thought, which is the official ideology of the Malaysian Sunni Islam.

Dealing with the issue of religious freedom in Malaysia is complicated by the way the Malaysian constitution ties religious identity of

the majority Malay ethnic group with Islam.

In Indonesia, other religions are officially recognized by the state through the Ministry of Religious Affairs, while in Malaysia it is totally opposite.

The state only recognizes Islam and even holding interfaith dialogue is problematic.

Thank you for listening.

CHAIR COOPER: Thank you very much, Professor Chin, for your important insights on Indonesia and Malaysia.

Our last, but not least, witness is Andrew Khoo, co-chair of the Constitutional Law Committee, at the Bar Council of Malaysia.

The floor is yours.

MR. KHOO: Thank you very much, Chairman Cooper, distinguished commissioners, ladies and gentlemen.

My name is Andrew Khoo. As I was introduced, I'm a lawyer, practicing in Kuala Lumpur in Malaysia, and my practice focuses mainly

on human rights and constitutional law issues in Malaysia, and, in particular, on freedom of religion or belief.

Although I co-chair the Malaysian Bar Council's Constitutional Law Committee, I speak here today in my individual capacity.

On the 11th of January of this year, Turkish academic, Dr. Ahmet Kuru, who is a professor of political science and Director of the Center for Islamic and Arabic Studies at San Diego State University, claimed that he was approached by police officers, interviewed, and threatened with arrest as a terrorist as he waited to board a plane from Kuala Lumpur, Malaysia to Lahore in Pakistan.

Dr. Kuru had been in Malaysia at the invitation of a nongovernmental organization called the Islamic Renaissance Relations Front to launch a Malay language translation of his 2019 book entitled "Islam, Authoritarianism and Underdevelopment: A Global and Historical Comparison," which had been translated and

published by the IRF.

He spoke at several events and was scheduled to launch his book at an Islamic institute associated with a leading local public university.

This, however, was cancelled by the institute at the last minute.

A substitute launch had to be put together at a private university. Now, for the record, the Malaysian police have denied that Dr. Kuru was under any investigation and refutes the allegation that he was approached by police officers.

On 17 January this year, a Malaysian film producer, Tan Meng Kheng, and a Malaysian film director, Khairi Anwar Jailani, were charged in separate courts in Malaysia for hurting religious feelings in contravention of Section 298 of the Malaysian Penal Code.

Both men were released on bail and were made subject to a gag order not to make any comments about the case.

They were charged for having produced, written and directed a movie entitled "Mentega Terbang," which literally means "Butter Fly," which revolved around a Muslim female teenager seeking to understand what other religions believed about death and whether there was life thereafter as she faced the impending death of her mother from cancer.

The movie had actually been released in 2021, and had earned several awards at international film festivals without incident.

However, when, in February 2023, a local blogger drew attention to the existence of the movie, the director and several of the actors became the subject of investigations by either or both secular and Islamic religious authorities.

The director and one of the actors received death threats, and one of the actors had acid thrown at his car. The perpetrators have not been identified.

On 8th of January 2024, it was reported by

several local online news portals that a popular Muslim religious teacher in Malaysia by the name of Azhar Idrus had pronounced that it was prohibited by the teachings of the religion of Islam or, in other words, haram, for post-pubescent persons to go to bed with teddy bears or other such stuffed toys.

I mention these three incidents as they represent, in my opinion, the latest in a situation of the state of religious freedom in Malaysia. And they are also reflective of the infiltration of certain negative international authoritarian trends into the Malaysian religious freedom landscape.

The first is an institutionalized intolerance of views that run contrary to the accepted religious and/or ideological position of the state in countries where the state is neither secular nor agnostic.

The views may not necessarily be heretical nor need they be unorthodox. However, they directly or impliedly cast existing religious or

non-secular or ideological regimes in these countries as somehow compromised and corrupted by the desire of political elites to hold on to political power by the control of what can and cannot be accepted.

Malaysia has, in the past, for example, deported or refouled émigré Uyghurs back to China, liberal Muslims back to Saudi Arabia, and alleged Gulenists back to Turkey.

We have also had four domestic instances of the enforced disappearances of three Christian pastors and one Shi'a Muslim religious activist.

The second trend is the increasing resort to the criminalization of religious and free speech and expression in the guise of preventing anticipated or actual breaches of the peace, disruptions in public order, or direct threats to national security.

Freedom of religion or belief is not acceptable where the status quo is deemed to be threatened.

This is assisted in certain circumstances by a less than independent judiciary that has all too easily surrendered its role as a protector of the fundamental liberties under a constitution and legitimized such arbitrary detentions in the name of safeguarding and preserving the peace, often overlooking the loss of any due process rights in the course of detention, investigation, and prosecution.

Again, we do not have to look too far in our region for examples of where this kind of state action has been conducted.

The third trend that I have identified is the reluctance or failure by governments and others in authority to prevent and counter extremism before it becomes violent.

Extreme conservative interpretations of religious texts are seldom challenged in public. Wild and unfounded allegations against minority religions by those who claim to speak on behalf of the majority religion go unchallenged and

unstopped.

Whereas even mild comments touching on the majority religion result in accusations of "hurting religious feelings" or "stepping on religious sensitivities" and invite the heavy-handed invocation of the entire machinery of government to enforce the law which prohibits the same.

Such an asynchronistic application of the law breeds a sense of impunity and immunity amongst those who claim to speak on behalf of the majoritarian religion or ideology and creates a climate of fear and self-censorship amongst those who do not share the majoritarian view.

The net result of all the above is a rapidly narrowing safe space for honest conversations and public dialogues about religions and the closing of the minds of people towards inter-religious acceptance.

Diversity is not so much accepted as tolerated, but only for so long as the peace and harmony of the appearance of the majority religion

or ideology is not disturbed or overly fragile sensitivities not heard.

As a recommendation, perhaps state secular and religious authorities may benefit from greater exposure via people-to-people contact between the United States and Malaysia to multi-religious communities that can peacefully coexist and practice respect for and acceptance of religious diversity and interfaith activities that demonstrably exhibit shared values.

I thank the Commission for an opportunity to make this statement and welcome any questions. Thank you very much.

CHAIR COOPER: Thank you, Dr. Khoo, and thanks to all of our presenters, especially Dr. Khoo, for your unflinching insights on the current situation in Malaysia.

So we now, time permitting, we're going to shift for the Q&A session. What we will do is I have, as the chair, will ask one question. I will then ask our vice chair to also ask a question.

After that, if you'll just raise your virtual hand, we'll do our best, and you can either ask the question to one of our distinguished panelists or throw it open. That would be your call.

My question, which I'm going to ask Dr. Shields to address, only because we hear so much about AI and I understand so little about it, the question is can you elaborate on the hiring policies of social media companies, such as Facebook, Meta, to moderate content in local languages, and if this is being replaced by AI, if so, are current content moderation technologies able to navigate nuances in the vernacular for religiously-charged speech, including hate speech, on social media?

Dr. Shields.

DR. SHIELDS: Chair Cooper, the answer very simply is no, it's unable to moderate, both in the past and in the present. So we've done some work both with Facebook and been funded by Facebook

to look into their moderation policies.

And the conclusions we came to was that because of religious—sorry—because of language difficulty and barriers, but also inference, and all the rest of it associated with different languages, moderation is very difficult within this region of Southeast Asia, the Asia-Pacific region.

So there is some work being done by Facebook and other social media companies. I'm not so privy to others, but we've worked with Facebook, insomuch as they're trying to moderate, to better moderate, but there are still problems associated with that, and we have a partner, a think tank in Indonesia, called CSIS Indonesia, that you may have heard of, that tracks hate speech against minority groups within Indonesia.

And one of the things that they have concluded, it's on Twitter, not on Facebook, one of the things that they've concluded is that moderation is actually declining on Twitter across the Indonesian region.

And so, and one of the things that Twitter, its algorithm, and I'm not sure, so sure of the difference between the algorithm and the artificial intelligence at this particular point, how an algorithm works in comparison to artificial intelligence within these platforms. I'm not quite sure.

I mean I think there is some mimicry there between the two of them, but that's not picking up on those things that you mentioned, Chair Cooper, which is the nuanced terms that may not be derogatory within some communities but are within others.

Language that is bigoted or racist that is used in everyday sort of parlance that's not picked up.

So moderation is a really difficult thing for Facebook, and I know they're working towards a- Facebook has approached us and a number of folks to sort of ask us hypothetical, philosophical questions about what we should do.

And yet I don't think, I don't think moderation is as extensive as it could be nor as it should be.

When it comes to artificial intelligence, I'm not quite, well, I mean it's so new that I'm actually not quite sure what social media companies are doing.

I know an algorithm works in a particular way, but how that relates to artificial intelligence and the artificial, and the AI that Facebook and others are deploying, I'm not so privy to that sort of information, but maybe others have more insight.

I hope that answers your question.

CHAIR COOPER: Thank you. It does give a degree of solace to hear that maybe despite all the flaws of human beings, maybe we should stick in pushing for stronger moderation by humans, human intervention, with the companies as being involved at the other end of, in the United States on similar issues with Facebook and others.

It's certainly not, there's no strong model that we can point to that should be followed, but I think everyone here recognizes the power obviously of social media AI.

Thank you very much.

Vice Chair Davie.

VICE CHAIR DAVIE: Thank you, chair. And, again, thanks to all of our panelists for their really important and significant testimonies.

So this is a related question to the one just asked, and it has to do with, with international human rights norms and the use of technology.

So the question is what concrete action should the United States and human rights groups, and human rights supporting partners, take to build international human rights norms and laws around the use of technology?

And I guess I'd ask the related question, and might that have, if there are international norms and laws governing technology, could that

have an impact on moderation in the use of technologies, particularly in Southeast Asia, but perhaps even around the world?

And I open it up to any one of our guests who would like to answer.

CHAIR COOPER: Dr. Inboden spent a long time also on the inside of the U.S. government so we'd very much like to hear your insights.

DR. INBODEN: Thank you.

That's an excellent question, and I think part of the answer is ensuring that the U.S. and other freedom-loving countries are active in the multilateral system, not just what is technically my field of the human rights bodies, but other bodies that appear technological in nature that govern international technological standards in other areas.

So in addition to the Human Rights Council, there are other international organizations that are relevant where having the right experts in the key posts will make a big

difference as I think there will be more international norms that govern these kinds of technological issues.

CHAIR COOPER: Thank you.

Fellow commissioners. We'll start with our good friend and someone who has been impacted, whose family, by all of these issues, not just in theory, Nury Turkel.

COMMISSIONER TURKEL: Thank you very much, Mr. Chairman.

I have a quick comment and two questions to the panelists. One is the Southeast Asia countries, specifically Muslim countries, that we're discussing, including Malaysia that Dr. Chin highlighted some of the issues, the hypocrisy that the Muslim countries have shown on atrocity crimes committed against fellow Muslims around the world is off the chart.

We have seen their responses that they have shown to the Hamas atrocities, and the kind of collective outcry shown to the countries supporting

the state of Israel.

At the same time, the Malaysian-Indonesian-Saudi-Iranian governments are complementing, supporting the ongoing genocide committed by the CCP against the Muslim Uyghurs in China. So that's something that people need to be reminded around the world.

As for my questions, Dr. Inboden, I have been following your work, and I've read your reports and listened to your public remarks about the UN.

Do you think that the UN should be reformed? The United States also a big, carries a big burden, financial burden, of the UN operations, and yet China is using the UN, for example, as you noted in your remarks, the miserable failure by the Western democracies in September 2022 on the resolution.

It seems like the UN has been used as a vehicle for countries like China, Iran, to push their own political agenda, or silent, silence

critics.

If you have any suggestions that you can share with us on a reform of the UN system in general.

And then the two, more on the technical aspect, this is a question for all of you. We have now seen how social media platforms, like TikTok, traditionally Facebook played a big role in the Rohingya genocide. Today TikTok has been used for propagating Hamas propaganda and now Houthis propaganda. And it's not difficult to find the things that TikTok has been disseminating.

So is there any concern in the countries that you list, specifically in Southeast Asia, that this platform may be used against that very government, allowing this kind of platform for inciting hatred?

Dr. Inboden, if you could start, that would be great.

DR. INBODEN: Okay. Thank you so much for that question and your work on this Commission.

You and I have worked on trying to advance the cause of religious freedom and human rights for quite awhile now.

As much as it pains me to say this, I don't think it's the right time for UN reform. The Human Rights Council is still relatively new, within the span of the lifetime of most international organizations. It was created in 2006.

And so I think it's not the right time for reform, not only because it's so relatively new, but because China through the use of things like the Belt and Road Initiative and other, shall we say, incentives is able to coral enough support that any kind of reform at this point could actually go China's way, restricting things like country-specific scrutiny.

I would say rather I would like to see the United States and other countries being much more active in staying in the Human Rights Council.

I would like to see democracies running

for election as often as they can, including making sure that the Asia-Pacific region has a competitive slate for the Human Rights Council.

The region often tends to just put forward, as many of the other regions do, just put forward the exact number of candidates as there are seats in the Human Rights Council, which is a regionally allotted body.

I would also say that I would like to commend the U.S. government for using some of the tools at its disposal well. Although it did not succeed, it was absolutely the right thing to do to put forward the resolution on Xinjiang, but that the margin with that resolution was defeated was so close. I thought it was the right thing to do especially because China lobbied so heavily against it.

I would also like to say that the U.S. is using some of the tools well. For example, prior to the Universal Periodic Review, the U.S. government put forward 15 questions to the Chinese

government, including one question that asked about over 20 prisoners of conscience.

So I would say I would encourage the U.S. to continue investing in this way.

COMMISSIONER TURKEL: Thank you.

CHAIR COOPER: Thank you.

We have three commissioners who want to ask questions, but before we do that, Professor Chin, if you have a quick comment on this issue that you'd like to add?

DR. CHIN: Yes. Thank you very much, chair.

This is answering Commissioner Nury's query about the use of TikTok and social media.

So, back in 2022, TikTok and Facebook were the major reasons why Bongbong Marcos won the elections in the Philippines. TikTok was also the major factor that was used in the victory of Parti Islam Malaysia, the Islamic party, in the November 2022 general elections in Malaysia.

I think part of the problem we have with

the use of social media in Southeast Asia is that increasingly it is being weaponized. It is not only being used to spread religious hatred, but it is being used to spread racial hatred as well.

It is very, very effective. Studies have shown it is very effective with young people, but increasingly recent study shows that it's also very effective among older members of the population as well.

And the reason why it is so effective is because it is spread through private networks such as Telegram and WhatsApp.

So if you would ask me what's a recommendation I will make, it is that if the U.S. wants to pass any laws or any regulations with companies like TikTok or Telegram that operate in America, you have to make sure that these rules also apply internationally.

Thank you.

CHAIR COOPER: Thank you.

So we have three commissioners with hands

raised. We have Commissioner Schneck, Commissioner Curry, and Commissioner Gelman.

So if we can get your questions in, and Commissioner Wolf, so we have four as the clock ticks away to the top of the hour.

Commissioner Schneck.

COMMISSIONER SCHNECK: Thank you, Chair Cooper. I'll be quick.

I have two questions, two quick questions, that I'd like to pose to Ms. Lee.

I had the opportunity with USCIRF to visit the camps at Cox's Bazar so I'm very familiar with the situation of the Rohingya there, more than a million refugees living in just frankly horrible questions.

So I appreciate your work in this area, Ms. Lee.

My questions, though, are about the Tatmadaw's use of technologies, social media technologies and other technologies, to target the Rohingya. Is there anything that the United States

might be able to do to mitigate or to, or in some way make some progress against that use there?

And then if I could ask a similar question really quickly. Is the National Unity Government, NUG, is it aware of the Tatmadaw's use of these technologies?

MS. LEE: Thank you so much for the wonderful question .

To answer that question, I think because CCP has a great influence on Myanmar's tactics, maybe kind of having a dialogue with CCP is the best because my research, like I've done research where I was comparing the rate of hate crimes and the rate of Myanmar refugees leaving Myanmar, and the number of international aid and international publication, and it showed kind of no relationship, meaning that Tatmadaw because they're authoritarian, they don't really care about international pressure.

So even if like U.S. pressures Facebook or pressure Myanmar with these kind of online

activities, they don't really, they have little response, but they will listen to China.

So I think what's important for us, what's important for the U.S. can do, is kind of talk to CCP first about international support. Yeah. Does that answer your question?

COMMISSIONER SCHNECK: Yes. Also about the National Unity Government's awareness of these tactics?

MS. LEE: The National Unity Government is the--

COMMISSIONER SCHNECK: The opposition groups within--

MS. LEE: Yeah. Right. Now I think they are aware of the practice because it has been found evidence by the Facebook as well as the UN investigations.

So they're all aware, but I think they're also under digital surveillance as well, so they don't really have much power to combat the Tatmadaw.

COMMISSIONER SCHNECK: Okay. Thank you.

CHAIR COOPER: Thank you. Thank you,
Commissioner.

Commissioner Curry.

COMMISSIONER CURRY: Thank you, Chair
Cooper.

Another gratitude to the staff and to
those presenting. This is absolutely fascinating,
and, as usual, we probably could use some more time
because I have questions for everybody.

However, I'm going to nail it down to a
couple. Mr. Shields, to what degree, I know there
is positives on the one side for moderation of hate
speech, but to what degree is your sense, the
Institute and you yourself, that socials are
actually helping to suppress the freedom of
information in some of these countries?

To the degree that they're collaborating
with those who are restraining information, it
feels like we're at this weird space in time where
in many cases the people closest to a particular

problem know the least about it because the governments don't want the information to get there, and then the socials, in order to keep their shingle up in a particular country, collaborate with the government.

Could you have some insight on that?

My second question is for Mr. Chin. I have a dear friend, Mr. Raymond Koh, who is on our list, the USCIRF list of people who have either been imprisoned or disappeared. He's been gone almost eight years now.

The government itself of Malaysia on camera kidnapped Mr. Pastor Koh. It may be in connection with what have been called "reeducation camps." To what degree, do you see Malaysia and other countries in that region potentially using reeducation camps to try to reprogram people back to the faith of their choosing?

CHAIR COOPER: Thank you, commissioner.

Those are two powerful questions. Let's go to our distinguished panelists for the answers.

First, Dr. Shields.

DR. SHIELDS: Thank you, Chair Cooper.
Thank you, Commissioner Curry.

That's a really interesting question. I think the word you used was—sorry, I'm formulating my answer—you used the word, there was some sort of relation between the two of them.

But, in fact, I think the best word is an "apathy" on behalf of the social media companies when it comes to government use of social media to promote its own, promote its own agenda.

I think, and that's something that is not only, I mean it's, it's about not only apathy but also a benefit to social media company to remain apathetic.

That is to remain kind of to the sideline of all that can happen with social media platforms that they're on for economic benefits really because it's a hell of a region to try and regulate. It's a quest in and of itself.

So I don't think there's a wanton

collaboration. I'm not sure, but it's certainly not, I don't think they're in cahoots. I don't think there's any sort of dialogue—maybe there is—but going on between offices and with government.

And if there is, it's always educational. So, for example, I know Facebook in Indonesia, for example, offered educational programs to some, to civil society, ministries, and things like that, but there's definitely an apathy or it's too hard, put things in the too-hard basket and therefore sort of turn a blind eye to problems associated with social media companies and their platforms in relation then to misuse of these platforms for government and ministerial purposes.

Does that answer your question?

COMMISSIONER CURRY: Yes.

CHAIR COOPER: Thank you, Dr. Shields.

Professor Chin, could you enlighten us on Commissioner Curry's second question?

DR. CHIN: Thank you very much.

I also want to add in terms of the social

media, my personal opinion is that the social media companies are really not interested in restrictions. They make money through people using their social media app.

In other words, they want people to keep using it so in terms of trying to restrict them using it, they really have no interest.

Even though in public they claim to have an interest, I suspect from what I've seen in Southeast Asia, they really have no interest in reining in any of the social media misuse.

In terms of Pastor Koh, it is my understanding that the use of reeducation camp is not for the non-Muslims in Malaysia. It is for Muslims who do not agree with the official state-version of Sunni Islam in Malaysia.

In terms of Pastor Koh, if you were to ask me to guess, I would guess that Pastor Koh is no longer with us.

COMMISSIONER CURRY: Wow.

CHAIR COOPER: Thank you.

COMMISSIONER CURRY: Wow.

CHAIR COOPER: Wow.

Commissioner Gelman, that's a difficult statement to come off on, but if you can share your question, we'd appreciate it.

COMMISSIONER GELMAN: Thank you. And it is a difficult statement to come off on, and given the time, I'll be very quick.

My, my comment/question is really a follow-up from what my colleague Commissioner Turkel was raising about genocide.

I would note that tomorrow, the International Court of Justice in The Hague is expected to rule on South Africa's claims that Israel is committing genocide in Gaza.

At the same time—and by the way, Saturday is International Holocaust Remembrance Day—so the juxtaposition is one that is difficult. And yet we see clear cases of genocide against the Rohingya, against the Uyghurs, but we don't see the same sort of international outcry or attempt bringing them to

account in international fora, such as the Court of Justice.

I just was wondering if any of our panelists—and thank you so much for your presentations—if you have any thoughts about that or do you see any opportunity to bring, bring these countries that are actually committing genocide to account?

Thank you very much.

CHAIR COOPER: I'm going to, as chair, suggest that if Andrew Khoo has a comment on that question?

Time permitting, we'll take a few other reactions.

MR. KHOO: Thank you, Mr. Chairman.

I mean to address the specific question from Commissioner Gelman, I mean there is, I think one of the other questioners or other commissioners used the word "hypocrisy."

There is a hypocrisy in the sense that, firstly, certain things are recognized as genocide.

So, for example, you know, what allegedly is happening in the Middle East is seen as a genocide against the Palestinians. What the Tatmadaw is doing to the Rohingya was also seen to be genocide.

And if you remember, there was a challenge by The Gambia against the Myanmar government in the ICJ on this particular issue as well.

So it's not that there hasn't been pushback. Certainly, some of the alleged perpetrators are being called to account for some of the activities. However, countries like Malaysia, which on the one hand wants to support, you know, all these legal actions, but then it's not prepared to sign up to international treaties or join something like the International Criminal Court because of other reasons.

So Malaysia's position on the Rome Statute, for example, is full of hypocrisy.

On the one hand, they recognize genocide, but they say that for Malaysia to become a member of the Rome Statute and the International Criminal

Court is somehow a violation of Islamic law or respect for the royal families in Malaysia, which because they aren't the heads of religion is somehow also connected with insult to religion.

So it really doesn't make any sense at all, and really there's no consistency in approach.

And while I still have the mike or the floor, as it were, can I just answer Commissioner Curry's question about reeducation?

And Dr. Chin is absolutely correct. Reeducation camps are not used for non-Muslims. They're used for Muslims.

So, in Malaysia, there are several state laws that basically prescribe that if a Muslim was thinking about leaving his or her religion, they would be subject to reeducation, mandatory, compulsory detention into a reeducation center for a period of maybe six months, sometimes even up to with extensions a year for them to be, you know, advised, counseled, and reeducated that their ideas of wanting to leave the religion are misguided.

So there's actually the forced detention that takes place in order to correct attitudes by Muslims thinking of or wanting to convert out of Islam.

Thank you.

CHAIR COOPER: Thank you, Dr. Khoo.

And for our final question and comment, of course, we come back to our moral GPS, our leader, our Commissioner Wolf.

COMMISSIONER WOLF: Thank you, Mr. Chair, and I want to thank the staff for setting this up, and I want to thank the witnesses. I've learned so much, and I've written out.

So I'm going to have one major question. Do you believe with all the bad things that are taking place because of TikTok, which is a Chinese company, and we see what China is doing to the Uyghur Muslims, genocide, genocide.

I mean nobody seems to be talking-genocide where they're ready to literally wipe Tibet off the map. It's genocidal activity and Tibet culture,

genocide.

We see what's taking place with the Catholic Church, the protestant church, the Falun Gong, and I talked to some young kids about, oh, maybe three, four weeks ago, and they don't read newspapers. They don't read magazines. They don't watch CBS, ABC, NBC. They don't watch anything.

They look at TikTok. And I think what TikTok is doing with regard to support Hamas, the terrible activities, and you look at what they're doing. I believe personally that we should ban in America, we should ban TikTok.

Do you all believe that we should ban TikTok?

CHAIR COOPER: Well, we don't have time for everyone to comment so why don't we just use the old-fashioned thing. Those of you who believe it should be, TikTok should be removed, please raise your hand.

[Show of hands.]

CHAIR COOPER: Those of you who believe

there are other ways to deal with the issues that have just been raised if you'd raise your hand.

[Show of hands.]

CHAIR COOPER: Thank you very much.

We have at least 25 seconds left before. What's the old comment? Before we lose our satellite feed.

What an amazing group that have come to testify. I think we've all been humbled by the level of their knowledge and their input. We're grateful that they're on the front lines of these issues.

And we hope that the audiences will walk away with as many questions and challenges as the commissioners in USCIRF had.

Thank you very much. That's all the time we have today.

[Whereupon, at 5:00 p.m. ET, the hearing was adjourned.]