



The doors of a church closed by the government in China. Photo: CSW

CHINA

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LIVING STONE CHURCH CASE

1. SUMMARY

The Living Stone Church (Huoshi Church/活石教会) is an unregistered Protestant church founded in 2009 in Guiyang city, Guizhou Province. At the start there were approximately 20 members, mostly people who had migrated to the city from rural areas. They gathered in a single apartment to worship. By 2013, the church had grown to become the largest unregistered church – or 'house church' – in the area, with around 400 members. To accommodate its expanding membership, in 2013 the church bought a 648m² space in the downtown Guiyang Huaguoyuan International Center (贵阳花果园国际中心) for its activities and worship services. The church's rapid growth – it now has over 700 members – has drawn the attention of the authorities, and in recent years the authorities have monitored and interfered in church activities. Since mid 2015 the church has experienced increasingly repressive measures by the authorities, including the Religious Affairs Bureau, Civil Affairs Bureau and police. In December 2015 a number of church leaders and parishioners were detained, and on 22 January 2016 Pastor Yang Hua (Li Guozi) was arrested on suspicion of 'divulging state secrets'.

In September 2016 three members of the church were fined a considerable amount of money, and it emerged that Yang Hua had suffered torture in prison. In early 2017, the other two prisoners held incommunicado, Pastor Yang Hua and Zhang Xiuhong, were each handed lengthy prison sentences.

In March 2017, Pastor Yang Hua's health deteriorated to a desperate state in prison as it emerged that he had been denied necessary medication. His situation is slowly improving but he remains critically ill. The Chinese authorities fined Pastors Yang Hua and Su Tianfu an additional 7 million yuan in May 2017, despite having already confiscated the church's funds. An appeal put forward in June 2017 has been ignored.

2. DETAILED BACKGROUND OF RELIGIOUS FREEDOM VIOLATIONS

From around 2013 onwards, the local authorities have taken various steps to pressure the church into registering with the Three Self Patriotic Movement (TSPM), the state-sanctioned association which oversees Protestant Christian activities and churches. The church members view the TSPM as being run by the Communist Party of China (CPC), not a genuine religious body, and therefore wish to remain independent of it. However, they have endeavored to cooperate with the State Administration for Religious Affairs by notifying them of planned large-scale events.

Living Stone Church has also drawn attention because some lawyers in the congregation have been known to use their expertise to help other churches facing pressure from the authorities, in the cities of Bijie (毕节), Zunyi (遵义) and Liupanshui (六盘水). The church has also brought together Christian lawyers from other parts of the country to help local churches – including rights lawyer Zhang Kai, who is currently in detention accused of spying and illegally providing state secrets and intelligence to entities outside of China, among other things. The lawyers' involvement led to the church becoming something of an umbrella organisation of other smaller unregistered churches in the area, and the church membership also includes well-known local activists, intellectuals, government officials, NGO workers and businesspeople. Some members believe that the diversity of the church's membership may have been another factor in drawing the attention of the authorities.

Between 2013 and 2015 the authorities began to pay close attention to the church's activities. Shortly before Christmas 2014 government officials shut off the power and water supply during a Christmas evening service. In 2013 and again in 2015, the authorities mobilised several hundred police, security agents and religious affairs officials to monitor baptism ceremonies held in a river on the southern outskirts of Guiyang.

Following Living Stone Church's 2013 purchase of a larger meeting space in the Guiyang Huaguoyuan International Center, part of a massive urban redevelopment programme, the church experienced increased pressure from the authorities. Internal security officers and officials from the State Administration for Religious Affairs regularly visited the church for 'talks' with leaders and members, and the authorities issued several warnings to the church: in November 2014, while the new meeting space was being prepared, religious affairs officials posted a notice stating that the Living Stone church was an unregistered, non-religious organisation. Furthermore, the new meeting space was labelled 'an unapproved non-religious center set up without permission'. The notice went on to say that the individuals responsible for the meeting space were not registered religious instructors. This included church leaders Pastor Yang Hua (also known as Li Guozhi), a third generation Christian whose father had previously spent time in prison in connection with his faith, and Pastor Su Tianfu, the director-pastor of Living Stone Church and a former teacher. The notice urged members of the public not to participate in the church's 'illegal religious activities'.

The church leaders have been involved in long-term negotiations with the local Religious Affairs Bureau and other departments regarding the new space and the church's activities. When the church made plans for the consecration of the new chapel, the authorities told the church that the event had to be a secular 'get together', instead of an openly religious ceremony, and told them to reduce the number of attendees. Negotiations surrounding this issue came to a head on 7 November 2014, when officials threatened to use force if the church refused to change or cancel the ceremony. Despite the church making a number of concessions, on 8 November the authorities mobilised several hundred police officers and vehicles to surround the entire area and monitor the ceremony.

The authorities have also pressured individual members to leave the church. Pastor Su Tianfu has stated that 99% of the members have received telephone calls from local government officials or been called in for face-to-face meetings, or been visited at their homes. Church members working for state-run companies and departments have been pressured through their workplaces.

In May 2015 the Bureau of Civil Affairs declared the

church an 'illegal organisation'. Although churches not registered with the TSPM cannot register as religious organisations, they can sometimes legalise their venue. The church has repeatedly submitted applications to the Bureau for legal recognition of its new meeting space, but has received no response.¹

In late July the presiding deacon, Zhang Xiuhong, was stopped and hauled from her car as she was driving near the church building. One of the assailants climbed into her car and drove off. Zhang's house was later raided, her computers, USB drives and hard drives confiscated, and her husband taken into custody, leaving his 80-year-old mother and three-year-old adopted daughter alone in the house. The next day her husband was released, and Zhang was subsequently charged with 'illegal business operations'. The charge was related to a beauty salon she had previously been involved with, and it is understood that the accusation, withdrawing cash from a credit card, is not illegal. Furthermore, Zhang told her lawyer that when the authorities were questioning her, they started with questions concerning her business in the salon, but then focused on the church, its pastors and other core members. Although Zhang was detained in late July, the arrest was not officially approved until 1 September.

Zhang manages the church's accounts, and after her arrest the authorities confiscated her accounting books and froze the account she managed, which contained 640,000 RMB (approximately £68,200). The money is needed to pay the mortgage of the new meeting space, around 30,000 RMB (approximately £3,200) per month. The church encountered additional penalties from the government on 18 November, when they received a 'Rectification Order' from the Nanming District City Urban Administrative and Law Enforcement Bureau. The order informed the church that their use of the commercial building as a place of church assembly was illegal, citing the Code for Classification of Urban Land Use and Planning Standards of Development Land, as well as the Guizhou Province Urban Planning Ordinance. The order stated that the church had three days to respond, or they would incur fines of 20 RMB per m² per day, totaling 13,000 RMB (approximately £1,400) per day.

Church members and visitors have also come under pressure in the form of interrogations and travel restrictions. In early November a young Hong Kong resident who was studying in Taiwan visited the church. Two days later he was detained for 72 hours, deprived of sleep, and interrogated about the purpose of his trip. Later that month, Pastor Su was denied a Hong Kong-Macau entry-exit permit, and was told explicitly that his right to leave China had been rescinded. On 18 November, in connection with the 'Rectification Order', Pastor Su's home was visited by at least eight agents and officials from Urban Administrative and Law Enforcement and the local police station. The agents demanded to see the identification cards of the people present in Pastor Su's home and asked Su's wife to present her marriage

1 Most recently, in January 2016, the church submitted a legal complaint to the Nanming District City Urban Administrative and Law Enforcement Bureau.

certificate. Pastor Su was not present at the time of the visit.

In response, the church published an open letter rebutting the accusations by the Nanming District City Urban Administrative and Law Enforcement Bureau, stating, "First, they threaten our parishioners not to attend services; second, they freeze our financial assets, preventing us from operating; third, they freeze our space, preventing us from congregating."

In early December a secret directive for 'dealing with the Living Stone Church' produced by the Guiyang municipal government was leaked. Sources familiar with the document say that it is the same kind that is applied to the treatment of Falun Gong practitioners, Tibetans and Uyghurs. The document stated that 'Dealing with the Living Stone Church according to the law is a political task. A high level of attention must be placed on it, and the top leading cadres in various work units must personally take charge, following the comprehensive municipal plan, earnestly organizing and completing every work task.' This document had the official stamp of the Office of the Guiyang Municipal Leading Group for Stability Maintenance Work. The document contained the names of all the church attendees and it was made explicit that each attendee or employee of the church should be inspected and put under 'stability control' (稳控), a euphemistic term for surveillance. Additionally, Pastor Yang Hua was told by the Religious Affairs Administration that the church should voluntarily close its doors or else the government would outlaw the church.

On Sunday 9 December 2015, 300 police and law enforcement personnel were mobilised by the Guiyang Bureau of Civil Affairs as well as Nanming District Administration for Religious Affairs, to seal off all three Living Stone church locations. Over 200 church members were placed under house arrest and Pastor Yang Hua was administratively detained. A female church member called Chen Lu, whose husband is a journalist, was detained because of her 'extreme' language used on the messaging app WeChat, against the government's actions. A member of the church's Bible study group, Yu Lei, was detained in connection with the leaking of the secret directive.

On 14 December Pastor Su Tianfu was taken from his home by police on the charge of 'disrupting public peace'. On 15 December a female church member with the internet name 'Yangdamei' ('洋大妹') was temporarily detained for posting an article about the crackdown of the church by the government. The church member is employed in a local government department, and is concerned that she may lose her job as a result of her article and detention; her husband, a manager in a state-owned company, has already been demoted in connection with the article.

On 16 December Pastor Su was briefly released, but was explicitly told that he would soon be arrested and prosecuted for the crime of leaking state secrets. On 21 December Pastor Yang Hua was placed under criminal detention on charges of illegally possessing state secrets. He had previously been under administration detention

for ten days, prior to the official detention notice on 21 December. Yang's home was searched by ten police officers, and his computer, tablet, USB devices and other items were confiscated. Yang's wife witnessed him being driven away in a van that had no number plate. Yang's lawyer, Chen Jiangang, was denied a meeting with his client.

In total there have been at least seven detentions in connection with the Living Stone Church case, including Pastor Yang Hua and Pastor Su Tianfu, accountant Zhang Xiuhong, three other church members, and one individual from another church, Ms Wang Yao, 29, in connection with the leaking of secret documents. On 22 January, Pastor Yang Hua (Li Guozi) was arrested on suspicion of 'divulging state secrets'. In total, four have been formally arrested: Pastor Yang, Yu Lei, Wang Yao and Zhang Xiuhong.

Wang Yao stood trial on 17 October, and Yu Lei on 19 October. They were both charged with 'deliberately revealing state secrets' and are currently awaiting sentencing.

On 5 January 2017, Pastor Yang Hua was sentenced to two and a half years in prison. His sentencing was followed by a 5 year sentence handed to Zhang Xiuhong on 15 February 2017.

While imprisoned, Pastor Yang Hua's health has severely worsened. Lawyers who visited him on 20 and 24 March 2017 reported that he was 'on the verge of paralysis' as a result of severe inflammation in his legs. He was initially denied proper medical care, but was transferred to a military hospital shortly after the lawyer's visit as concerns rose that his infection may even require amputation. Fortunately after being transferred to a new prison, his condition improved gradually. On May 3 2017, his wife remarked: "I visited Yang Hua in prison yesterday [May 2]. Although he had to ask another prisoner to carry him to the conference room, his condition is getting better. We talked for 20 minutes. I asked him to show me his feet, and I was glad to see that the measles on his shin bones disappeared, the festers became scabs, and the old scabs healed ... Yang Hua told me that one of his legs was functioning, while another was still too weak to support him."

On the evening of 19 May 2017, officials from the Nanming District Religious Affairs Bureau issued an administrative penalty to Su Tianfu, one of the pastors of Living Stone Church, claiming that he and another of Living Stone Church's pastors, the currently imprisoned Yang Hua, owed a fine of over 7 million yuan. The fine was levied despite the authorities having previously confiscated the church's income. The church appealed the decision, but after an inconclusive hearing on 9 June 2017, officials in the province restated that the pastors must pay the fine.

3. TIMELINE

2009 Living Stone Church (Huoshi Church/活石教会) founded

2013 Purchase of new space in Guiyang Huaguoyuan International Center (贵阳花果园国际中心)

NOVEMBER 2014 Notice by Religious Affairs officials stating that Living Stone church is an unregistered, non-religious organisation

8 NOVEMBER 2014 Authorities mobilise hundreds of government personnel to surround the building

MAY 2015 Bureau of Civil Affairs declares the church an 'illegal organisation'

JULY, AUGUST 2015 Zhang Xiuhong is detained for 'illegal business operations'; accountancy books confiscated and account frozen

EARLY NOVEMBER 2015 A Hong Kong student is interrogated after visiting the church; Pastor Su is denied a Hong Kong-Macau entry-exit permit

18 NOVEMBER 2015 'Rectification Order' from the Nanming District City Urban Administrative and Law Enforcement Bureau. The order informs the church that their use of the commercial building as a place of church assembly is illegal. Pastor Su's home is visited by agents.

NOVEMBER 2015 The church issues an open letter to the Urban Enforcement Bureau, stating that they are being subjected to unlawful coercion and persecution.

EARLY DECEMBER 2015 'Directorate for dealing with the Living Stone Church according to the law' is leaked.

9 DECEMBER 2015 300 police and law enforcement personnel seal off all three Living Stone church locations; Pastor Yang Hua is placed under administrative detention; two others are also detained

13 DECEMBER 2015 Yu Lei and Wang Yao are officially arrested on charges of intentionally leaking state secrets.

14 DECEMBER 2015 Pastor Su Tianfu is taken into custody for 'disrupting public peace'.

15 DECEMBER 2015 A female church member is detained for posting an article about the government's treatment of the church.

16 DECEMBER 2015 Pastor Su is briefly released, but told that he will soon be arrested and prosecuted for the crime of leaking state secrets.

21 DECEMBER 2015 Pastor Yang Hua is placed under criminal detention on the charge of illegally possessing state secrets.

JANUARY 2016 The church submits a legal complaint to the Nanming District City Urban Administrative and Law Enforcement Bureau with the assistance of lawyer Li Boguang.

22 JANUARY 2016 Pastor Yang Hua (Li Guozi) is arrested on suspicion of 'divulging state secrets'.

OCTOBER 2016 Wang Yao and Yu Lei stand trial and are charged with 'deliberately revealing state secrets'.

5 JANUARY 2017 Pastor Yang Hua was sentenced to two and a half years in prison.

15 FEBRUARY 2017 Zhang Xiuhong sentenced to five years in prison

25 MARCH 2017 It emerges that Pastor Yang Hua is critically ill in prison as a result of the denial of treatment. After he is transferred to a new prison, his health begins to improve.

19 MAY 2017 officials from the Nanming District Religious Affairs Bureau issued an administrative penalty to Su Tianfu, one of the pastors of Living Stone Church, claiming that he and another of Living Stone Church's pastors, the currently imprisoned Yang Hua, owed a fine of over 7 million yuan.

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