



Gao Zhisheng. Photo: AFP/Getty Images

CHINA

OCTOBER 2017 - FOR PUBLIC USE

GAO ZHISHENG'S UNIQUE COMMENTARY ON HUMAN RIGHTS IN CHINA

Chinese human rights lawyer Gao Zhisheng (高智晟) has authored a 40-page document detailing human rights abuses and related social issues in China during 2016. This is the first comprehensive human rights commentary written by a human rights lawyer still living in China.

Gao Zhisheng is a prominent human rights lawyer who is best known for his work defending Christians, Falun Gong adherents, and other vulnerable groups. As a result of his work on sensitive cases and his open letters to Chinese political leaders, the authorities closed down his law firm and revoked his lawyer's licence. On 22 December 2006 he was sentenced to three years in prison and one year's deprivation of political rights, with a probation period of five years on the charge of incitement to subvert state power.

During his probation he was forcibly disappeared at least six times. On one occasion he was held incommunicado and tortured for six weeks. In April 2010 he disappeared while visiting his in-laws in Xinjiang. On 16 December 2011 the Chinese news agency Xinhua reported that Gao had violated the terms of his probation and had been returned to prison for three years. He was released on 7 August 2014 with serious health problems. He was disappeared in August 2017 and at the time of writing he is believed to be in custody in Beijing.

According to the author's foreword, the report is based on information disclosed to him by 'a petitioner in dark nights'; the author had only limited access to the outside world. Gao also emphasises the risk he and others are taking: 'The cruel reality of extreme hostility to human rights has made documenting human rights in China the most dangerous cause in the world.' The interrogation, detention, disappearance and torture of hundreds of lawyers as part of the so-called 709 crackdown show only too clearly how dangerous it is to document and defend human rights in China.

Gao's commentary contains 14 sections covering a wide range of human rights abuses. This briefing will look at select sections and key messages to be taken from this unique document.

FREEDOM OF RELIGION OR BELIEF

Part Two of the report focuses on 'intensified religious persecution' in China. According to Gao:

In comparison to 2015, in 2016 the CPC [the Communist Party of China] conspicuously intensified its control and suppression of religious faith, especially targeting Christianity and Falun Gong. The external environment for religious faith hit a new low in 2016 after 30 years of suppression. [...] Since Xi Jinping came to power, the CPC's general suppression of Christianity, with a particular focus on individual cases, has become a new and distinctive trend, which has been even more obvious in the past year.'

The author particularly mentions the arrest of Christians and human rights lawyers who had engaged in non-violent forms of protest against forced cross demolitions, and the release of the Revised Draft of Regulations on Religious Affairs, 'which took the regime's control, suppression and persecution of Christianity to a new level.'

He lists a number of well-documented cases relating to violations of freedom of religion or belief, including the detention of Gu Yue-se, the leader of a large state-sanctioned Three-Self Patriotic Movement (TSPM) church. It is believed Gu was detained because of his opposition to the cross removals and church demolitions in Zhejiang

Province.¹ Gu was criminally detained on embezzlement charges on 6 February 2016; he was released on 31 March 2016 but remains under residential surveillance.² Gao's list also includes the case of husband and wife Bao Guohua and Xing Wenxiang,³ who were sentenced to 14 and 12 years in prison respectively after speaking out against the cross removals; as well as other cases involving Christians who opposed the cross removal campaign.

On the persecution of Falun Gong practitioners across China, Gao refers to the list maintained by Minghui.org, a website dedicated to reporting on the Falun Gong community worldwide: 'In the first half of 2016 alone, a total of 7178 Falungong practitioners...suffered various forms of severe persecutions from the CPC.'

Specifically, Gao recounts the case of a Falun Gong practitioner from Hubei named Lei Min, as told by a human rights activist called Huang Yan who met Lei in a detention centre in January 2016. According to Huang, Lei was abducted and severely tortured by prison guards in an attempt to force her to give up her faith. As a result of the torture, she became disabled. (In the same detention centre Huang also met a Christian woman called Lei Na, who was sentenced to two and a half years in prison on cult charges.) Gao lists several other cases of violations against Falun Gong practitioners.

Also in this section, Gao writes about the self-immolation of a monk in protest against the authorities' illegal demolition of his temple. Gao notes that this is 'only one of the many incidents that occurred in 2016 as a result of the CPC authorities' forcible demolition and damage of Buddhist temples, dispersion of monks and appropriation of temples.'

The author adds, *'Any guidance or command from a secular government about religion is foolish and improper. Government's power is confined in the secular domain and government has no right and the ability to dictate issues regarding "afterlife" or "eternity".'*

He concludes:

Many people in China today have drifted far away from the root of life and from faith, which is a stark reality in China today. The CPC has accomplished this by terrorizing and eradicating people's beliefs and faith over a long period of time, but CPC hasn't achieved its final victory yet!

1 Christian Solidarity Worldwide, Zhejiang Church Demolitions: Timeline of events www.csw.org.uk/zhejiangtimeline

2 Christian Solidarity Worldwide, 'Chinese pastor under residential surveillance', 4 April 2016 www.csw.org.uk/2016/04/04/press/3047/article.htm

3 Christian Solidarity Worldwide, 'Chinese Christian couple sentenced', 1 March 2016 www.csw.org.uk/2016/03/01/press/3000/article.htm

TIBET AND XINJIANG

In Part 4, Gao looks at the human rights situation in Tibet, which he believes 'has deteriorated to the worst in Tibet's history' under Xi Jinping: 'brutal and violent suppression has become CPC's sole last "ruling" approach.' A total of 151 people in and outside Tibet have self-immolated since 2009 in protest against the Chinese government's policy and actions on Tibet. Gao notes the ongoing suppression of Tibetan writers and dissidents, the detention of herdsmen protesting the forced appropriation of their land without compensation, and the demolition of Tibetans' homes.

Gao also describes the government's intrusive surveillance of Tibetans:

For many years, the CPC authorities have maintained an illegal high-pressure monitoring and control in the villages across the vast land of Tibet, which does not seem to have a time limit on it. [...] In 2011, the CPC government started to implement the "village-based work group" project in Tibet to prevent the recurrence of the Tibet-wide protests of 2008. This plan mobilized 21,000 CPC members from cities all over China, formed teams of four, and sent them to more than 5,000 villages in Tibet. Since then, these work teams of CPC members have imposed intrusive monitoring on Tibetan villages, inquiring about the Tibetan's political and religious views, indoctrinating political views on the Tibetans, setting up CPC members' security groups, monitoring the Tibetans' activities, collecting information, and pressuring the Tibetans to openly support CPC and oppose the Dalai Lama.

Likewise in Xinjiang:

The "village-based work group" project secretly implemented across this vast rural area has turned everyone into a target of stalking and control. Over 100,000 CPC members have carried out intrusive monitoring, controlling and harassment of Uyghur people living in villages over the years. They are assigned with specific individuals to monitor, held responsible for these individuals, and the outcomes of monitoring are linked with officials' job performance review. Individuals being monitored are required to "communicate" on a regular basis, and report their thoughts and information they have about others, which is creating great distress for people to the point that a brave lawyer published an open letter to the CPC leaders in Xinjiang a while ago, stating that, "You have accomplished what terrorists have not been able to accomplish".

Gao's family has first-hand experience of the stifling environment in Xinjiang. In 2016, he states, the authorities revoked the ID cards of his parents-in-law. In Xinjiang, ID cards are required for travel, lodging, refuelling vehicles, and even dining out at restaurants. Gao notes, 'The brutal persecution of my in-laws is just a snapshot of the CPC government's severe abuse of human dignity and eradication of basic human rights.' Gao believes Xi Jinping's government has given up involving the law in cases involving Uyghur protesters, instead using violent methods to quickly eradicate dissent.

The report also includes several cases involving Christians in Xinjiang, including that of five Christians detained on 5 March 2016 and charged with 'gathering together to disrupt social order', for studying the Bible together. Another Christian couple was taken into custody for hanging a cross on the wall of their home, while Christians in Hotan, Huocheng and Changji were interrogated and detained for gathering for Christian meetings.

THE SITUATION OF LAWYERS AND HUMAN RIGHTS DEFENDERS

Parts 10 and 13 focus on violations against human rights lawyers and other human rights activists and dissidents. Gao begins by describing the mass crackdown on lawyer and activists which began in July 2015, often called the 709 crackdown:

In 2015, the Xi Administration blatantly launched a nationwide campaign against the already vulnerable community of lawyers in China. Several hundred prominent lawyers were targeted, which set a new record in the CPC's assault on the rule of law in China [...] As a structural component of the judicial system, the legal profession is vulnerable in CPC-controlled China, but there are many heroic lawyers. The profession itself allows lawyers to witness first hand the enormous injustice and oppression induced by the system. The majority of lawyers dare not stare at the darkness and choose to become invisible in order to survive, while other lawyers partner with the perpetrators of injustice and oppression to gain profits. Yet some lawyers step out in the face of danger to take on the heavy yoke of redeeming the nation at this particular stage of history, for example the lawyers involved in the '709' incident. In 2016, the repression of lawyers continued.

Gao notes that in January 2016, many of the lawyers detained in July came to the end of their six-month 'residential surveillance at a designated location'; the majority of them were arrested for subverting or inciting the subversion of state power. "The CPC authorities then forcibly fired the lawyers who were hired by their family members and rights defenders in custody, and illegally assigned new lawyers to them". Gao notes the incredible bravery of the family members of those detained in the 709 crackdown:

These peaceful, rational, tenacious, optimistic, wise and persistent women pushed forward on a journey of rescuing their persecuted family members despite brutal persecution by the authorities, which subjected them to relentless forcible relocation, interference with their children's access to school and kindergarten, as well as long-term and blatant mafia-style stalking and harassment.

Gao notes further arrests and trials in 2016, including the sentencing of Hu Shigen, Zhou Shifeng, Gou Hongguo and Zhai Yanmin to prison terms ranging from three

years to seven and a half years for "subversion",⁴ and the disappearance of lawyer Jiang Tianyong,⁵ which sparked widespread concern from the international community. He lists the many violations of due process in these cases, as well as the severe psychological and physical torture of those detained in the 709 crackdown.

Gao concludes that this crackdown is 'yet another example of the CPC regime's crime of institutionalized abuse of human rights, following the "June 4th Tian'anmen Incident" and the brutal crackdown on Falungong'. In Part 13 he goes on to list other cases of violations against dissidents, including the death in prison of political prisoner Peng Ming in November 2016. Peng's organs were removed without permission from the family and their requests for an independent autopsy were denied.⁶

The report includes dozens of other cases of human rights activists and family members who have been arbitrarily detained, given lengthy prison sentences, or have simply disappeared. Gao notes, 'This list is just cases of 'people of conscience', and does not include the numerous petitioners illegally detained in "concentration camps" across the country, and people exercising their freedom of religion or belief who are subjected to more bloody and brutal persecution in Tibet and Xinjiang.'

THE ROLE OF THE INTERNATIONAL COMMUNITY

Throughout the commentary, Gao emphasises the potential impact – and the disappointing silence – of the international community. Gao praises the courage of the Vice Chancellor of Germany in speaking out for Chinese human rights lawyers who have been forcibly disappeared. However, Gao believes that in general, 'the whole world has learned to be deaf and mute to CPC's ruthless suppression of the Chinese people's basic human rights in exchange for the blood-stained economic interests rewarded by CPC.' He continues:

Undoubtedly, CPC is the primary perpetrator of the human rights disaster in China. However, we cannot ignore in this report the essential role western politicians have played in contributing to this disaster... they allow economic interests to dictate their choices and the butchers get what they desire, i.e. cordial validations, spectacular support and enthusiastic acclaims.

At several points in the commentary, however, Gao makes references to reports and actions by international human

4 Christian Solidarity Worldwide, 'China: First sentences given to rights lawyers', 5 August 2016 www.csw.org.uk/2016/08/05/press/3206/article.htm

5 Christian Solidarity Worldwide, 'Prisoner of conscience Peng Ming dies in prison', 1 December 2016 www.csw.org.uk/2016/12/01/press/3362/article.htm

6 Christian Solidarity Worldwide, 'Organs removed from prisoner of conscience', 13 December 2016 www.csw.org.uk/2016/12/13/news/3384/article.htm

rights organisations and the media. In reference to the 709 crackdown, he notes that 'the international community, lawyers, families of the victims and people of conscience have been standing with the victims of '709' incident and monitoring their rights and wellbeing.' In addition, he believes that the release of Pastor Gu in Zhejiang was a result of advocacy inside and outside China.

Gao's criticism of the international community's silence on human rights in China is counterbalanced by his recognition of the positive role the outside world can play in protecting rights and freedoms. The message is clear: if the international community refuses to acknowledge and speak out about human rights abuses, the lives of human rights defenders like Gao will only become even more lonely and dangerous. Gao's commentary is a call to governments, and indeed the whole world, to examine the reality of human rights violations in China today: to understand, to speak and to act.

© Copyright Christian Solidarity Worldwide 2017. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, transmitted, in any form or by any means, electronic, photocopying, mechanical, recording and/or otherwise without the prior written permission of Christian Solidarity Worldwide.

CSW is a Christian organisation working for religious freedom through advocacy and human rights, in the pursuit of justice.

Registered Charity No. 281836

PO Box 99, New Malden, Surrey, KT3 3YF, United Kingdom
T: +44 (0)20 8329 0010 F: +44 (0)20 8942 8821
E: admin@csw.org.uk www.csw.org.uk