

Introduction

There has been a marked deterioration in the overall protection of human rights in China from 2013 to the present. The realisation of the right to FoRB for religion and belief communities in China remains a mixed picture, and conditions vary according to religion, location, ethnicity, attitudes of local officials as well as other factors. However, a tightening of government policy has ensured that conditions have worsened significantly for many religious groups not registered with the state-sanctioned system, while certain registered religious groups have also had their activities and practices restricted.

Adherents of Islam and Christianity have been particularly affected. State-sanctioned 'Three Self' churches must demonstrate their commitment to the 'sinicisation' of religion by removing religious symbols, singing patriotic, pro-Communist songs in church services and flying the national flag. Unregistered 'house' churches have come under increasing pressure to close and are subject to intrusive surveillance, intimidation, detention and fines.

At the same time, in Xinjiang Province up to one million Uyghurs, Kazakhs and members of other ethnic groups are believed to have been detained in 're-education camps' since 2017, for varying periods of time, without charge. Most of the detainees are Muslim and there is a strong religious element to the detentions.

State-sanctioned religion

Under Article 36 of the constitution, the state protects all 'normal' religious activities. The five officially-recognised religious traditions – Buddhism, Taoism, Islam, Protestantism and Catholicism – are overseen by seven state-sanctioned associations. In reality, 'normal' religious activities refers to those carried out by religious communities registered with these associations.

On 7 September 2017 China's State Council released a set of revisions to the 2005 Regulations on Religious Affairs, which came into effect on 1 February 2018 and include special provisions on national security and foreign connections. These measures strengthen state control over religious activities in China. Although the 2005 regulations already placed religion under the supervision of the state, in practice, some religious communities, including a large number of unregistered churches, have existed in a grey area where they have been tolerated by the local authorities. Under Xi Jinping and the new regulations this grey area is being shut down, and unregistered 'house' churches are under increasing pressure to either register or disband.

In addition, in March 2018 Chinese state media announced that the United Front Work Department, an agency of the Communist Party of China, will now oversee ethnic and religious affairs in the country. Previously, religious affairs were managed by the State Administration of Religious Affairs

(SARA), and registered religious organisations were overseen by state-sanctioned associations. These changes are part of a restructuring of party agencies which places the government more directly under Party control.

Protestant and Catholic churches

Both registered and unregistered Protestant churches and pastors who have overstepped the boundaries of what the authorities allow have been personally and collectively penalised. Living Stone Church, an unregistered Protestant church founded in 2009 in Guiyang City, Guizhou Province has experienced increasingly repressive measures by the authorities. The church's rapid growth – at one time the church had over 700 members – drew the attention of the authorities, who have monitored and interfered in church activities.

A 'Rectification Order' received by the church on 18 November 2015 from the Nanming District City Urban Administrative and Law Enforcement Bureau stated that the church's use of a commercial building was illegal. Several church members were then detained or fined in connection with the case, and on 6 January 2017 Pastor Yang Hua was sentenced to two and a half years in prison. Another pastor in the church, Su Tianfu, was sentenced to one year in prison, suspended for two years with a further six months' residential surveillance, in May 2018.

In 2018 CSW learned of extremely concerning violations against Catholic and Protestant churches in Henan Province, where authorities have demolished crosses and churches, destroyed religious materials, and forbidden children from attending services in Protestant and Catholic churches. From March to June, dozens of independent 'house' churches also reported cases of harassment, fines, confiscation of property and forced closure of churches in Beijing, Shanghai, Guangdong, Sichuan, Henan, Guizhou and other places.

Among Catholics, some attend churches under the state-sanctioned Chinese Catholic Patriotic Association, while others belong to the Roman Catholic Church recognised by the Vatican. Behind this distinction is the question of ultimate leadership. The government insists that all religious groups must be 'independent and autonomous', without foreign oversight; until now, the Vatican has maintained that a Church independent of the Holy See is incompatible with Catholic doctrine.

The government and the Vatican have reportedly come to an agreement concerning the ordination of bishops; however, the details have not been made public. It is unclear what the implications will be for 'underground' or independent

communities where the bishop is not recognised by Beijing, and what freedom there would be for those who choose for reasons of conscience to worship outside the state's approved structure.

A number of clergy have been arrested or disappeared, including Father Yang Jianwei of Hebei Province, missing since April 2016, and Bishop James Su Zhimin, detained on 8 October 1997 in Hebei. Bishop Peter Shao Zhumin of Wenzhou, Zhejiang, was taken away by police on 18 May 2017. Bishop Shao is an 'underground' bishop who is recognised by the Vatican but not by the government. He was released in January 2018.

Xinjiang Uyghur Autonomous Region

In 2017 and 2018 there were reports of the widespread detention of Uyghurs, Kazakhs and members of other ethnic groups in political re-education camps in Xinjiang Uyghur Autonomous Region. Up to one million individuals, the majority Muslim, are believed to have been detained for varying periods of time without charge, sometimes in connection with their peaceful religious activities, including praying or wearing 'Islamic' clothing. In some cases whole families, including children, have reportedly been held in the re-education camps. Witnesses report that in some areas, almost every man under 70 years of age has been sent to a camp for such reasons as having a relative living overseas or reading the Qu'ran. Not only have some individuals been detained allegedly in connection with their peaceful religious activities, but witnesses also report that inside the camps detainees are required to renounce Islam and promise not to follow a religion.

The disappearance into these camps of hundreds of thousands of people has further heightened the already critical level of fear which pervades the region. Disappearances can happen at any time, to any person, without warning. In such a climate of fear, many Uyghur Muslims have stopped public and communal religious observance and have broken off contact with relatives overseas.

Tibet

Tibetan Buddhists' religious practice is tightly controlled by the authorities. There are ongoing reports of religious services being disrupted, religious institutions intrusively monitored, religious sites closed, property confiscated, as well as cases of arbitrary administrative detention and restrictions on religious teaching and training.

A 'renovation' campaign by the authorities launched in July 2016 resulted in the demolition of hundreds of homes at Larung Gar Buddhist institute in Sertar, Sichuan Province. Larung Gar is believed to be one of the largest Buddhist teaching centres in the world, with a population of over 10,000; a demolition order detailed plans to reduce the number of residents to 5,000.

Falun Gong

The largest group classified as a cult in China, Falun Gong, has been banned since 1999. It is widely reported by lawyers and Falun Gong organisations that a task force, the 610 Office, was established specifically to eradicate Falun Gong; adherents outside China continue to report the torture in custody of Falun Gong practitioners across the country.

A series of reports by human rights lawyer David Matas, former Canadian cabinet minister David Kilgour, and China analyst Ethan Gutmann, provide evidence to suggest that Falun Gong practitioners and other prisoners of conscience, including other ethnic and religious minorities, have been victims of forced organ harvesting. CSW is not able to independently verify these reports but is in the process of engaging in research on this issue. Organ harvesting clearly constitutes an extremely egregious violation of human rights.

Detention of human rights defenders

Individuals on the frontlines of defending human rights have long encountered oppression from the government in the form of harassment, intimidation and imprisonment. Under President Xi Jinping this oppression has expanded to include a wide range of civil society and business sector actors, including journalists, academics, religious communities, internet personalities, labour activists and factory workers, environmental activists, and non-governmental organisations and associations.

Beginning in July 2015, over 300 human rights lawyers and activists and their colleagues and family members, were interrogated, detained and in some cases imprisoned or disappeared, in what has been dubbed the 709 crackdown – a reference to the day of the first detention, 9 July. Many of those detained had defended religious minorities including Christians and Falun Gong practitioners.

At the time of writing, most of the detainees from the 709 crackdown have been released or placed under house arrest. However, with news of their release have come numerous testimonies of physical and psychological torture in detention, including frequent beatings, sleep deprivation, forced medication, violent threats and prolonged isolation.

A letter to world leaders by family members of the 709 crackdown victims states: 'Prisoners were also put in cages submerged mostly in water, and left inside for seven days, the entire body underwater with a space to breath [sic] at the top. As they stood in the water and tried to sleep, rats would scurry about outside the cage, biting their nose and ears.' Wang Qiaoling described the torture of her husband, lawyer Li Heping, saying: "He was forced to take medicine. They stuffed the pills into his mouth...After taking the pills he felt pain in his muscles and his vision was blurred...He was beaten. He endured gruelling questioning while being denied sleep for days on end."

The use of secret prisons, essentially extra-legal detention facilities, and residential surveillance at a designated location (RSDL) means torture is extremely unlikely to be investigated and more likely to occur in the first place.

At the time of writing a number of human rights defenders remain missing or in detention, including human rights lawyers Gao Zhisheng and Wang Quanzhang.

Recommendations

- Strongly urge China to set out a clear timetable for ratification of the International Covenant on Civil and Political Rights (ICCPR); this should be set out as a benchmark for progress at all human rights dialogues and other bilateral meetings.
- Strongly encourage China to extend protection of the right to freedom of religion or belief (FoRB) beyond the five recognised religions, and to revise registration requirements and legislation pertaining to religion to comply with Article 18 of the ICCPR, in consultation with religious communities and legal experts.
- Demand the immediate release of all prisoners of conscience detained in connection with their religion or belief and the investigation of cases of wrongful imprisonment.
- Condemn in the strongest terms the use of torture in any circumstances, and urge China to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (CED) and the Convention against Torture (CAT), and revise national laws and policies to comply with these conventions.
- Abolish and end the use of residential surveillance at a designated location, re-education camps, and all forms of extra-legal detention, and de facto enforced disappearance and arbitrary detention.
- Strongly encourage the participation of Chinese civil society in preparations for human rights-related reporting, including the UN Universal Periodic Review process.
- Explore new ways of supporting lawyers defending victims of FoRB violations, including exchanges and training, and the provision of 'safe spaces' for discussion online or in person.
- When high level visits take place, ensure that China's human rights record and specific incidents are raised both in public and in private, naming perpetrators where appropriate.
- Strongly encourage the participation of Chinese civil society in preparations for human rights-related reporting, including the UN Universal Periodic Review process.
- Encourage and support training for local officials and police on FoRB in international law, and urge China to hold to account officials whose actions are found to be in violation of the law.
- Encourage delegations to China, including religious groups, trade delegations and other non-government visitors, to meet and engage with both registered and unregistered religious communities, in order to give legitimacy to independent religious practice, and to raise human rights and freedom of religion or belief in public and in private.

As Christians, we stand with everyone facing injustice because of their religion or belief.