

Ultimate control

Lessons from China on the impact of technology on freedom of religion or belief

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free to believe



If not properly managed, [new and emerging technologies] can pose new challenges for the full realization of all human rights and fundamental freedoms and respect for human dignity...It is time to take a holistic approach to the broad spectrum of human rights implications posed by new and emerging technologies.

- Joint Statement on New and Emerging Technologies and Human Rights, delivered by the Republic of Korea on behalf of 60 states at the 40th Session of the UN Human Rights Council, 8 March 2019¹

Introduction

As new technologies continue to emerge at a pace unrivalled in human history, it is essential that the international community maintains intense scrutiny on the full extent of the impact of such technology. While new technologies can bring about a wide range of benefits, including to global civil society, it is important also to be aware that these technologies can have profound and significant effects on the full enjoyment of fundamental human rights, including the right to freedom of religion or belief (FoRB).

This report focuses on how technology is used to facilitate FoRB violations. It focuses specifically on China, where the use of technology to suppress and restrict the rights of religious groups is perhaps most acute and most advanced. A focus on China is further justified by growing concerns that the technologies being employed in the country are increasingly being sold to other countries seeking to implement similarly repressive surveillance apparatus.

Recommendations

To the government of the People's Republic of China

- Protect the right of all to freedom of thought, conscience and religion, in accordance with Article 18 of the Universal Declaration on Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR), and implement the recommendations contained in CSW's 2020 report.²

- Ensure that new technologies adopted to combat the spread of COVID-19 are not used to facilitate violations of human rights.
- End the use of surveillance cameras to profile racial and ethnic minorities in the Xinjiang Uyghur Autonomous Region (XUAR) and across the country.
- As per the recommendation of the UN High Commissioner for Human Rights in her June 2020 report: 'Systematically conduct human rights due diligence before deploying facial recognition technology devices and throughout the entire life cycle of the tools deployed.'³

To the international community

- At every possible opportunity, in public and in private, urge the Chinese government to respect, protect and promote the right to freedom of religion or belief for all people, and to implement the recommendations articulated above.
- Co-ordinate efforts to create a standardised mechanism for the regulation of the importation, exportation and use of technologies, that ensures full respect for all human rights.
- Make human rights due diligence mandatory for all companies, including technology-based companies.
- Conduct detailed investigations into companies alleged to be complicit in the provision of technologies which facilitate the violation of human rights.
- Cease the purchase of all technology from companies found to be complicit in the provision of technologies which facilitate the violation of human rights.
- Ensure that export licences are not granted to companies where there are indications their products could be used to violate or abuse human rights in the destination country.
- Consider export controls on businesses and corporations found to be complicit in the provision of technologies which facilitate the violation of human rights.
- Consider imposing sanctions against businesses found to violate the UN Guiding Principles on Business and Human Rights, including technology-based companies.⁴

1 Singapore Ministry of Foreign Affairs, '40th HRC - Joint Statement on New and Emerging Technologies and Human Rights,' 8 March 2019 www.mfa.gov.sg/Overseas-Mission/Geneva/Speeches-and-Statements--Permanent-Mission-to-the-UN/2019/03/press_20190308-1

2 CSW, 'Repressed, Removed, Re-Educated: The stranglehold on religious life in China', 30 March 2020 www.csw.org.uk/2020-china-report

3 United Nations Human Rights Council, 'Impact of new technologies on the promotion and protection of human rights in the context of assemblies, including peaceful protests - Report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General', June 2020, p.15 paragraph 53(i)

4 United Nations Human Rights Office of the High Commissioner, 'Guiding Principles on Business and Human Rights', 2011 www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

To technology companies

- Commit to full adherence to the UN Guiding Principles on Business and Human Rights.⁵
- Conduct robust human rights due diligence to assess the impact of transactions on religious and ethnic minorities, meeting with civil society stakeholders, and technology and human rights experts and activists, engaged in these issues.
- Conduct detailed analyses of supply chains to ensure that human rights violations are not being facilitated at any level, ending relationships with suppliers found to be complicit in human rights violations.
- End the sale or provision of technology to countries where there is evidence it is being used to facilitate the violation of human rights.

China

China has a long history of controlling the flow of information into the country via the internet, often referred to as the Great Firewall of China.⁶ This control has intensified under the leadership of Xi Jinping and has been accompanied by concerning developments which appear to indicate a move towards controlling increasing aspects of Chinese society.

In 2018, multiple media outlets reported on China's 'Skynet Project,' a massive national surveillance system which utilises millions of surveillance cameras fitted with artificial intelligence and facial recognition technologies to gather extensive data and information.⁷ In 2019, the BBC estimated that China would have over 570 million CCTV cameras installed across the country 'by the end of the year',⁸ and in July 2020 British technology company Comparitech found that China is home to 18 of the 20 most monitored cities in the world in terms of surveillance cameras.⁹

Much of the research into China's use of technology as a means of control and repression focuses on the Xinjiang Uyghur Autonomous Region (XUAR; also referred to by many Uyghurs as East Turkestan), where between one and three million Uyghurs, Kazakhs, and members of other predominantly Muslim ethnic groups, are

estimated to have been detained without trial in what are termed 'political re-education camps.'

In April 2019 The Guardian published an article detailing China's use of facial recognition software and surveillance cameras to restrict the movement of Uyghurs in the region, and of programmes to transcribe and translate Uyghur language voice messages.¹⁰ It also detailed the use by the Chinese authorities of the internet as a further means of control, including by blocking access to Facebook and Twitter, and using individuals' WeChat history as a justification for detaining them in the camps.

In May 2019 Human Rights Watch published a report which revealed that authorities in the region were using a mobile app to gather information about people's activities, and subsequently to detain them.¹¹ According to Human Rights Watch, the app collects data on a range of factors, including an individual's biological details and their 'religious atmosphere', and uses this information to determine the level of threat the person poses to the authorities, which is then used by officials to restrict his or her movements accordingly. The app also alerts police to individuals deemed to have conducted 'unusual' activities, such as using large amounts of electricity or taking long trips abroad.

The use of technology in this manner clearly intrudes on individual privacy and has significant implications for the rights and freedoms of the people it targets. Throughout the region this technology is being used to monitor and detain Uyghurs and members of other ethnic groups, facilitating human rights violations that include arbitrary detention, torture and extra-judicial killing. Although this is occurring in a specific context, there are fears that similar technology could be used in other locations. As outlined below, there is already some evidence that similar technology is being used to monitor and restrict religious communities. This has particularly concerning implications for the right to FoRB in the context of China's severe repression of every major religious community. In March 2020, CSW published a report entitled 'Repressed, Removed, Re-Educated: The stranglehold on religious life in China,' which highlighted a rapid and significant deterioration in the right to FoRB in China, taking place

5 Ibid.

6 The Guardian, 'The great firewall of China: Xi Jinping's internet shutdown', 29 June 2018 www.theguardian.com/news/2018/jun/29/the-great-firewall-of-china-xi-jinpings-internet-shutdown

7 The New York Times, 'Inside China's Dystopian Dreams: A.I., Shame and Lots of Cameras', 8 July 2018 www.nytimes.com/2018/07/08/business/china-surveillance-technology.html

8 BBC, 'China facial recognition: Law professor sues wildlife park', 8 November 2019 www.bbc.co.uk/news/world-asia-china-50324342

9 South China Morning Post, 'Surveillance state: 18 of the world's 20 most monitored cities are in China', 26 July 2020 www.scmp.com/news/china/society/article/3094666/surveillance-state-18-worlds-20-most-monitored-cities-are-china

10 The Guardian, 'China's hi-tech war on its Muslim minority', 11 April 2019 www.theguardian.com/news/2019/apr/11/china-hi-tech-war-on-muslim-minority-xinjiang-uyghurs-surveillance-face-recognition

11 Human Rights Watch, 'How Mass Surveillance Works in Xinjiang, China', 2 May 2019 www.hrw.org/video-photos/interactive/2019/05/02/china-how-mass-surveillance-works-xinjiang

in the context of increasing human rights abuses under Xi Jinping.¹²

Case study: Zion Church, Beijing

Zion Church is one of Beijing's largest unregistered Protestant 'house' churches. For many years the church served over 1,500 congregants on a weekly basis, with a number of satellite meeting locations across the city. The church came under intense pressure following the passage of Revised Regulations on Religious Affairs on 1 February 2018, with the authorities frequently making use of technology as a means of pressuring the church.

On 16 April 2018 the authorities instructed the church to install 24 closed-circuit cameras in the building for 'security'. After church leaders stated that it would not be appropriate, hundreds of churchgoers were visited and pressured by police. It was also reported that authorities showed up at their workplaces to question and harass them. According to an article by the non-governmental organisation (NGO) St. Charles Institute, following a campaign of pressure against landlords, six satellite campuses of Zion Church were shut down.¹³



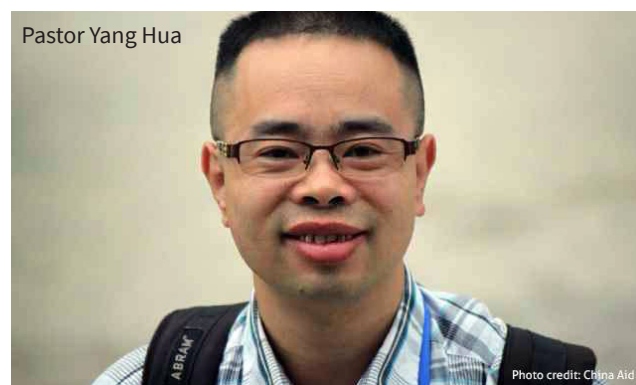
Zion Church, Beijing. Photo: St. Charles Institute

In June 2018 authorities forcibly shut down the church's website and deleted a sermon on the Gospel. In response to the church's continued refusal to install CCTV cameras, the authorities forcibly closed the church on 9 September 2018, declaring that it was 'legally banned'.¹⁴

Zion Church's experience is by no means an isolated one. Across the country, authorities are shutting down unregistered churches by force, and unregistered churches have reported being forced by authorities to install CCTV monitoring inside rooms where services take place, facing harassment and even forced closure if

they refuse to comply. For example, in 2019 Bitter Winter Magazine reported that 55 of 170 government-approved Protestant churches in the Huaiyin district of Huai'an city had surveillance cameras installed.¹⁵

In May 2020 the leaders of Living Stone Church, another unregistered church which has experienced intense harassment at the hands of the Chinese authorities, Pastors Su Tianfu and Yang Hua, were taken away from their homes for three weeks during the gathering of the National People's Congress and the 31st anniversary of the Tiananmen Square Massacre. Upon their return, Pastor Su reported that two security cameras had been installed outside his apartment. Both Pastor Su and Pastor Yang had previously been imprisoned and placed under house arrest on account of their positions as church leaders.¹⁶



Pastor Yang Hua

Photo credit: China Aid

The installation of surveillance cameras in places of worship, as well as outside the homes of prominent religious leaders, is a deeply concerning illustration of the authorities' intention to monitor those who attend religious services, and raises fears that those identified will face further harassment, intimidation and potential arrest or detention. Surveillance technology may also be used to prevent 'banned persons,' such as under-18s, from attending religious services.

Case study: Xinjiang Uyghur Autonomous Region

The starkest example of China's use of technology to violate human rights is illustrated by policies in the Uyghur region, referred to by the Chinese government as the XUAR. The mass arbitrary detentions underway in the region, as well as the treatment of minorities outside of the camps, amount to severe violations of multiple rights enshrined in the Universal Declaration of Human Rights (UDHR), including of the right to FoRB.

12 CSW, 'Repressed, Removed, Re-Educated', *ibid*.

13 The St. Charles Institute, 'Who Wants to Evict Zion Church Beijing?', 1 September 2018 www.stcharlesinstitute.org/voices/2018/9/1/who-wants-to-evict-zion-church-beijing

14 CSW, 'China: Draft Regulations Limit Sharing Religious Information Online', 13 September 2018 www.csw.org.uk/2018/09/13/press/4069

15 Bitter Winter Magazine, 'Surveillance Cameras Besiege Three-Self Churches', 9 June 2019 <https://bitterwinter.org/surveillance-cameras-besiege-three-self-churches/>

16 CSW, 'China: Independent church pastors under pressure', 14 May 2018 www.csw.org.uk/2018/05/14/press/3970/article.htm



The religious aspect of the mass incarcerations is clearly highlighted by many of the reasons given for detention, which include:

- Accessing religious materials online
- Communal religious activities
- Behaviour indicating ‘wrong thinking’ or ‘religious extremism’

In addition, witnesses have reported that detainees inside the camps are required to renounce Islam and promise not to follow religion. Detainees have also been forced to eat pork or drink alcohol, against their religious beliefs.

Outside the camps, authorities have demolished thousands of mosques in what the Uyghur Human Rights Project’s Zubayra Shamseden describes as ‘a wholesale attack on Uyghur religion, culture and ethnic identity.’¹⁷

Even small-scale, peaceful everyday religious activities and expressions of religious identity are viewed as suspicious by the authorities. The well-documented and extreme levels of surveillance imposed on residents, and

in particular Uyghur, Kazakh and other non-Han ethnic groups, mean that communal gatherings of any nature are tightly controlled, and religious meetings outside of registered venues, for any community, are prohibited. Uyghurs are also prevented from playing traditional instruments or using their language freely.

It is also important to emphasise that many of the government’s high-tech strategies currently employed in the Uyghur region were previously used in Tibet, where the authorities are responsible for historic and widespread violations against the Buddhist community in particular. One example is the use of a grid-style surveillance system in which people are required to report on one another; another is the extensive surveillance of Buddhist places of worship, including through the installation of CCTV cameras outside monasteries, and the construction of police stations nearby.¹⁸

The similarities between China’s policies in the two regions were explored extensively in a 2018 report published by the International Campaign for Tibet entitled ‘The origin of the “Xinjiang model” in Tibet under Chen Quanguo: Securitizing ethnicity and accelerating

17 Uyghur Human Rights Project Blog, ‘Zubayra Shamseden Speaks at the Second Annual China Human Rights Lawyers Day’, 11 July 2018 <https://weblog.uhrp.org/zubayra-shamseden-speaks-at-the-second-annual-chinese-human-rights-lawyers-day/>

18 Free Tibet, ‘Tibet’s Monasteries’ <https://freetibet.org/tibets-monasteries>

assimilation.¹⁹ The report concludes: ‘The Chinese state’s model of repression in Xinjiang was devised under the leadership of Xinjiang Uyghur Autonomous Region Party Secretary Chen Quanguo. His strategy and policy for managing China’s ethnic issues has its roots in the Tibetan Autonomous Region—his previous post and the base where he tested and perfected a policy of securitizing ethnic identity.’

The use of extensive surveillance and monitoring technology by the XUAR authorities facilitates the egregious violation of a wide range of human rights. Furthermore, it is clear that technology used in this manner specifically enables violations of the right to FoRB. In summary, surveillance technology is being used to round up and arbitrarily detain people based on their ethnic and religious identity.

There are also increasing reports that the technologies used in XUAR and Tibet are now in use across other regions. For example, in May 2019, The New York Times reported that delegations of police officers had been visiting the region to consider adopting the measures, and that Zhejiang and Guangdong provinces had already begun testing the same surveillance technology that is in use in XUAR.²⁰

The impact of COVID-19

The government’s use of extensive surveillance technologies to monitor and control the spread of the COVID-19 pandemic has given rise to further concerns regarding their human rights implications.

An April 2020 video report by the BBC highlighted a number of high-tech methods used by the government to control the coronavirus, including facial recognition cameras, remote controlled drones, phone tracking, and a form of traffic light system app which controls the extent to which an individual is free to travel.²¹

Human rights groups and activists both inside China and internationally have expressed fears that the government’s expanded surveillance capacity will be used to further violate human rights and FoRB, particularly given previous evidence of the government making use of such technologies to do so. For example,

much of the facial recognition technology used in the fight against the coronavirus is already being used to monitor church and mosque attendance, and new apps have collected even more data on the everyday lives of China’s citizens.

There is particular concern that the ‘traffic light system’ which assigns individuals a colour corresponding to their perceived risk of spreading COVID-19, and in turn indicates whether they are allowed to travel freely, could be used to restrict the free movement of individuals deemed ‘sensitive’ by the government, such as religious adherents or human rights defenders (HRDs).

The app continues to be widely used across the country, with reports of individuals being unable to change erroneous ‘red’ designations,²² or being prevented from travelling if they refuse to install the app. Additionally, in May 2020 The New York Times reported that authorities in Tiantai County had created a separate app called the ‘honesty health code,’ inspired by the COVID-19 tracking app, which assigned honesty codes based on a CCP members ‘degree of uprightness and diligence in carrying out party work’.²³ If similar apps are rolled out across the country there are legitimate concerns they could be used to restrict the rights of individuals who do not adhere to the government’s repressive and restrictive policies.

In April 2020, over 100 civil society organisations issued a joint statement urging countries around the world to ensure that digital surveillance technologies used to combat the COVID-19 pandemic are deployed in a manner that fully respects human rights.²⁴ The organisations argued that ‘States’ efforts to contain the virus must not be used as a cover to usher in a new era of greatly expanded systems of invasive digital surveillance.’

19 International Campaign for Tibet, ‘The origin of the “Xinjiang model” in Tibet under Chen Quanguo: Securitizing ethnicity and accelerating assimilation’, 19 December 2018 <https://savetibet.org/the-origin-of-the-xinjiang-model-in-tibet-under-chen-quanguo-securitizing-ethnicity-and-accelerating-assimilation/>

20 The New York Times, ‘How China Uses High-Tech Surveillance to Subdue Minorities’, 22 May 2019 www.nytimes.com/2019/05/22/world/asia/china-surveillance-xinjiang.html

21 BBC, ‘Coronavirus: How China’s using surveillance to tackle outbreak’, 1 April 2020 www.bbc.co.uk/news/av/world-asia-52104798/coronavirus-how-china-s-using-surveillance-to-tackle-outbreak

22 The Guardian, ‘China’s coronavirus health code apps raise concerns over privacy’, 1 April 2020 www.theguardian.com/world/2020/apr/01/chinas-coronavirus-health-code-apps-raise-concerns-over-privacy

23 The New York Times, ‘China’s Virus Apps May Outlast the Outbreak, Stirring Privacy Fears’, 26 May 2020 www.nytimes.com/2020/05/26/technology/china-coronavirus-surveillance.html

24 International Commission of Jurists, ‘Joint civil society statement: States use of digital surveillance technologies to fight pandemic must respect human rights’, 2 April 2020 www.icj.org/wp-content/uploads/2020/04/COVID-19-Surveillance-Joint-Statement-2020-ENG.pdf

Conclusion

‘The authorities’ ultimate goal is not only to control information but to control all aspects of a person’s life. This is no longer speculation, it’s a reality.’

Chinese Christian and human rights activist

In June 2020, several activists accused video communications company Zoom of disrupting online events they were hosting to mark the 31st anniversary of the Tiananmen Square Massacre and to discuss China’s increasing efforts to exert control over Hong Kong.²⁵ Despite being hosted outside of mainland China, and in one case in the United States, the activists claimed that the company had acted following pressure from the Chinese authorities. The episode highlighted an important issue: China’s high-tech repression of human rights is not solely a domestic issue.

Several countries have reportedly indicated a desire to adopt similar mechanisms to the Chinese authorities. In September 2019 the Carnegie Endowment for International Peace reported that ‘Chinese companies—particularly Huawei, Hikvision, Dahua, and ZTE—supply AI surveillance technology in sixty-three countries.’ Among these countries are several which are already notorious for violations of human rights and the targeting of religious and ethnic minorities and political opposition, including Burma, Iran, Saudi Arabia and Venezuela.

Parallels have been made of the use of technology surveillance in China’s Uyghur community and India’s Muslims in Jammu and Kashmir. Chinese state-controlled company Hikvision, which is one of the world’s largest Artificial Intelligence surveillance companies, has a local factory in India. The company is one of 28 other entities which have been added to the US ‘entity list’ for human rights violations.

The purchase of technology by countries which have committed well-documented human rights violations against religious minorities has concerning implications for human rights and FoRB in those nations. In India, where the government is pursuing a Hindu nationalist agenda, violations include attacks on private prayer meetings, communal violence, mob lynchings of individuals involved in the cattle trade, and harassment of and violence against writers and human rights defenders.

The fact that countries with proven records of repression and rights abuses are looking to purchase technology which could facilitate further violations, particularly with China having already demonstrated how this can be achieved, should be of utmost concern to the international community. Without swift action to address this, fundamental human rights across the world will come under severe threat.

Furthermore, as China and others use new technologies to combat the coronavirus pandemic, it is essential to maintain close scrutiny of how such technologies are used both now and once the crisis has passed, ensuring that they are not harnessed to further consolidate the power of the state and to restrict the rights of human rights defenders and citizens. Technology can have a wide range of positive effects; however, its ability to facilitate violations of FoRB and other fundamental rights and freedoms is evident, and must not be disregarded by those who laud China’s technological achievements.

25 The Guardian, ‘Zoom shuts accounts of activists holding Tiananmen Square and Hong Kong events’, 11 June 2020 www.theguardian.com/technology/2020/jun/11/zoom-shuts-account-of-us-based-rights-group-after-tiananmen-anniversary-meeting

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CSW is a human rights organisation advocating for freedom of religion or belief, and as Christians we stand with everyone facing injustice because of their religion or belief.

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