

42nd Session of the United Nations Human Rights Council (HRC42)

Situation of Freedom of Religion or Belief in the People's Republic of China

Introduction

1. CSW (Christian Solidarity Worldwide) is a human rights organisation specialising in the right to freedom of religion or belief (FoRB) for all. This submission seeks to draw the Council's attention to the situation of FoRB and other human rights issues in the People's Republic of China.
2. CSW receives reports of violations against every major religious community in China, including Muslims, Catholics, Protestants, and Falun Gong practitioners; the right to FoRB in China is rapidly and significantly decreasing.
3. The increasing abuses of this fundamental right reflect a broader pattern of increasing human rights abuses under Xi Jinping, accompanied by and manifested through a shrinking space for civil society, a heightened sensitivity to perceived challenges to party rule, and the introduction of legislation that curtails civil and political rights in the name of national security.

State-sanctioned religion

4. The Chinese constitution protects 'normal' religious activities (Article 36). In practice this refers to activities under the five officially recognised religious traditions (Buddhism, Taoism, Islam, Protestantism and Catholicism) which are overseen by seven state-sanctioned associations.
5. On 1 February 2018 China's State Council revisions to the 2005 Regulations on Religious Affairs came into effect. These measures strengthen state control over religious activities in China. Previously, there was for some time a large number of unregistered churches which were tolerated by the local authorities, despite official restrictions. Under Xi Jinping these unregistered churches are under increasing pressure. In 2018 and 2019, numerous independent 'house' churches reported cases of harassment, fines, confiscation of property and forced closure of churches in Beijing, Guangdong, Sichuan, Henan, Guizhou and other places.
6. In March 2018 Chinese state media announced that the United Front Work Department will now oversee ethnic and religious affairs in the country. This change is part of a restructuring of party agencies which places the government more directly under Party control.

Protestant and Catholic churches

7. Both registered and unregistered Protestant churches and pastors have been personally and collectively penalised for peaceful religious activities. For example, the demolition of unregistered church buildings such as the 50,000-member Golden Lampstand (Jindengtai) Church in Shanxi Province; and the forced closure of unregistered churches such as 20-plus year old Home of Christ church in Shantou, Guangdong Province.
8. Registered and unregistered churches have been forced by authorities to install CCTV monitoring inside rooms where church services take place. In September 2018, authorities shut down Beijing's Zion Church after the church refused to install 24 closed-circuit cameras in the building.
9. A large-scale crackdown on Early Rain Church in Chengdu, Sichuan Province began in 2018 when the authorities arrested over 100 members. Pastor Wang Yi is in detention having been accused of 'inciting subversion' and 'illegal business activity'. His wife, Jiang Rong, was accused of 'inciting subversion' but has been released on bail.
10. Catholic churches, clergy and lay people are experiencing similar restrictions and violations to that of the Protestant community. In Henan Province, Catholic churches have been demolished. A number of clergy have been arrested or disappeared. According to Catholic media reports, Father Su Guipeng of Shadifang parish was placed under house arrest in October 2018, and was released in December 2018 but prohibited from managing parish affairs.¹ Father Zhao He of Xuanhua Diocese, Dongcheng Catholic Church, was detained in October 2018 and released in January 2019.² Father Zhang Guilin and Father Wang Zhong of the Diocese of Chongli-Xiwanzi were detained in winter 2018; their current status is unknown.³

Violations in Xinjiang Uyghur Autonomous Region

11. Since 2017 there have been reports of the widespread detention of one million - with recent reports estimating three million - Uyghurs, Kazakhs and members of other Muslim-majority ethnic groups in political re-education camps⁴ in the Xinjiang Uyghur Autonomous Region (XUAR). These individuals have been detained for acts as basic as having the WhatsApp application on their mobile phones, having relatives abroad, accessing religious material and engaging in peaceful religious activities.⁵
12. Inside the camps conditions are dangerously unsanitary and overcrowded; detainees are subject to beatings, sleep deprivation and solitary confinement. There is at least one report

¹ UCAnews, 'Chinese bishop and priest released for Lunar New Year', 8 February 2019

<https://www.ucanews.com/news/chinese-bishop-and-priests-released-for-lunar-new-year/84473>

² Ibid.

³ La Croix International, 'A sad tale of two detained Chinese priests', 16 November 2018,

<https://international.la-croix.com/news/a-sad-tale-of-two-detained-chinese-priests/8872>

⁴ Various known as 'counter-extremism training centres', 'education and transformation training centres' etc.

⁵ Congressional-Executive Commission on China, 'Chairs Raise Alarm About Deteriorating Human Rights Situation in Xinjiang', 8 January 2018, www.cecc.gov/media-center/press-releases/chairs-raise-alarm-about-deteriorating-human-rights-situation-in

of a minor dying in a camp: according to Radio Free Asia, in March 2018 a 17-year-old Uyghur boy, Naman, died of unknown causes, in detention at a political re-education camp in Kashgar.

13. There is a significant religious element to the detentions with witnesses reporting that inside the camps detainees are required to renounce Islam, eat pork and promise not to follow a religion. Christian Uyghurs have also been detained, with some reports stating that Christian detainees have been questioned about their religious belief.

Tibet

14. 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 detention and restrictions on religious teaching and training.
15. 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

16. 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.
17. Several recent reports have suggested that Falun Gong practitioners and other prisoners of conscience, including other ethnic and religious minorities, may have been victims of forced organ harvesting. CSW is not able to independently verify these reports but is deeply concerned by the conclusions of an independent people's tribunal into forced organ harvesting of prisoners of conscience in China, which concluded in June 2019 that "Forced organ harvesting has been committed for years throughout China".⁶

Recommendations to the government of China

18. **Ratify the International Covenant on Civil and Political Rights (ICCPR), the International Convention for the Protection of All Persons from Enforced Disappearances (CED) and the Optional Protocol of the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), and ensure national laws and relevant policies are in line with international standards.**
19. **Revise all regulations and legislation pertaining to religion to ensure they align with international standards on the right to FoRB as set out in Article 18 of the ICCPR and**

⁶ The China Tribunal, June 2019, www.chinatribunal.com

the Universal Declaration of Human Rights (UDHR), in consultation with religious communities and legal experts.

20. **Protect the right of all people in China to freedom of thought, conscience and religion, in accordance with Article 18 of the ICCPR and the UDHR.**
21. **Ensure that any form of registration system is optional, not mandatory, and is not used as a tool to control religious activities.**
22. **Immediately release all prisoners of conscience detained in connection with their religion or belief and impartially investigate cases of wrongful imprisonment.**
23. **Abolish and end the use of re-education camps, and all forms of extra-legal detention, enforced disappearance and arbitrary detention, and release detainees immediately and without condition.**

Recommendations to the international community

24. **At every possible opportunity, in public and in private, urge China to respect, protect and promote the right to freedom of religion or belief for all people in China, and to implement the recommendations provided above.**
25. **At every possible opportunity, in public and in private, condemn China's use of re-education camps, and all forms of extra-legal detention, enforced disappearance and arbitrary detention.**
26. **Investigate and monitor cases of human rights abuses including violations of the right to FoRB.**
27. **Support all available means of investigation into human rights abuses in XUAR, including inquiries into whether abuses perpetrated by the Chinese government constitute crimes against humanity and cultural genocide.**
28. **Consider sanctions against policymakers responsible for human rights abuses including those responsible for the abuses in XUAR.**
29. **Given the high risk of arbitrary detention and ill treatment for those returning to XUAR from overseas, individual national governments should also ensure that individuals from XUAR belonging to religion or belief minorities are not forcibly deported to China.**
30. **Companies operating in China or involved in the sale of surveillance technology to the Chinese government and companies should conduct robust human rights due diligence to assess the impact of their transactions on religious and ethnic minorities, meeting with civil society stakeholders and technology and human rights activists engaged on these issues.**