

43rd Session of the United Nations Human Rights Council (HRC43)

Freedom of religion or belief and the situation for human rights defenders 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. CSW remains concerned by the rapid deterioration of the level of FoRB in the People's Republic of China and wishes to bring this to the Human Rights Council's attention.
2. Abuses of the right to FoRB reflect a broader pattern of increasing human rights violations 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 which curtails civil and political rights in the name of national security, including the introduction of the revised regulations of religious affairs in 2018.

Violations of the Right to Freedom of Religion or Belief

3. CSW continues to receive reports of violations against almost every major religious community in China, including Muslims, Tibetan Buddhists, Catholics, Protestants, and Falun Gong practitioners.
4. December 2019 saw further human rights violations against religious communities, activists and lawyers, including arbitrary detention, harassment and restrictions on religious activities.
5. On 26 December, Pastor Wang Yi, who leads the Early Rain Church in Chengdu, Sichuan province, China, was sentenced to nine years in prison on charges of 'inciting to subvert state power' and 'illegal business operations'. In addition to his nine-year prison sentence, the pastor is also deprived of his political rights for three years and personal assets of RMB 50,000 have been confiscated by the authorities. In August the UN Working Group on Arbitrary Detention adopted the opinion that the detention of Pastor Wang and his wife Jiang Rong, who has since been released on bail, was arbitrary.¹
6. The European Union², State Department³ and the Embassy of the Kingdom of the Netherlands in China⁴ all expressed concern about the sentence, as did Lord Ahmad of Wimbledon, the UK Foreign Office Minister of State with responsibility for Human Rights⁵, and the Deputy Prime Minister⁶ and Minister of Foreign Affairs of the Republic of Kosovo.
7. We welcome the international interventions made on behalf of Pastor Wang Yi and urge the international community to continue to raise this and other cases of religious adherents and human rights defenders.
8. CSW also calls on the international community to continue raising concerns about the repression of Uyghurs and other ethnic and religious groups, and other human rights violations, in bilateral and multilateral dialogues with China.

¹ United Nations Human Rights Council, Working Group on Arbitrary Detention, 'Opinions adopted by the Working Group on Arbitrary Detention at its eighty-fifth session, 12–16 August 2019'

https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session85/A_HRC_WGAD_2019_36_AdvanceEditedVersion.pdf

² Peter Stano, Lead Spokesperson for the External Affairs of the European Union, 1 January 2020

<https://twitter.com/ExtSpoxEU/status/1212372496353284096>

³ US Department of State, Press Statement: "Conviction of Chinese Christian Pastor Wang", 31 December 2019

<https://www.state.gov/conviction-of-chinese-christian-pastor-wang-yi/>

⁴ The Kingdom of the Netherlands Embassy in Beijing, 31 December 2019, <https://twitter.com/NLinChina/status/1211950122076168192>

⁵ Lord Ahmad of Wimbledon, UK Foreign Office Minister with responsibility for Human Rights, 2 January 2020

<https://twitter.com/tariqahmadbt/status/1212682000903086081>

⁶ Behgjet Pacolli, Deputy Prime Minister of the Republic of Kosovo, 2 January 2020

<https://twitter.com/pacollibehgjet/status/1212692121515446272>

9. CSW welcomes a European Parliament resolution adopted on 19 December 2019⁷ in which Members of the European Parliament expressed serious concern about China's repression of Uyghurs and other ethnic minorities in Xinjiang Uyghur Autonomous Region and called on the Chinese government to close the so-called "re-education camps" immediately. The resolution was adopted the day after Jewher Ilham, daughter of imprisoned scholar Ilham Tohti, accepted the 2019 Sakharov Prize for Freedom of Thought on her father's behalf. Ilham Tohti is currently serving a life sentence. Before his arrest, he worked tirelessly to promote peaceful dialogue between Uyghurs and Han Chinese.
10. Elsewhere in China, churches reported that local authorities had warned Christians not to hold public gatherings to celebrate Christmas. On 25 December (Christmas Day) authorities in Xining City, Qinghai Province, closed down a church of 300 members, cutting off the electricity supply and forcing worshippers to evacuate in the dark. Witnesses say the authorities in Qinghai have shut down religious venues on a large scale in recent years, including over 20 Christian groups in one year alone.
11. RFA also reported⁸ that authorities in Tibet tightened restrictions on celebrations on 20 and 21 December for the important festival of Ganden Ngachoe, marking the 600th anniversary of the death of a key religious leader, banning participation by students and government employees.

The situation for human rights defenders (HRDs)

12. In the final days of 2019, at least twelve activists were detained, interrogated or disappeared in various provinces, apparently in connection with a small private gathering in Fujian earlier in the month. Reports suggest that some of those in attendance were forced into hiding, while others were placed under "residential surveillance at a designated location", putting them at high risk of torture.
13. Human rights organisations have also raised the alarm about the current health status of Hu Shigen, an activist and church leader detained since July 2015. Hu was sentenced to 7.5 years in prison on 3 August 2016. In December 2019, police reportedly began the process for releasing Hu on medical parole, sparking fears that his health has deteriorated significantly while in prison. Authorities repeatedly refused previous requests for medical parole from his family, despite multiple health issues.
14. CSW is also deeply concerned about the enforced disappearance of human rights defender Gao Zhisheng. Gao disappeared in summer 2017 after spending years in arbitrary detention, imprisonment and house arrest. He is believed to be held in some form of detention. The Chinese government has an obligation to tell his family and the world about Gao's whereabouts.
15. Chinese authorities have also continued to target the family of another human rights lawyer, Wang Quanzhang. On 6 September Quanzhang's wife Li Wenzu reported in a published testimony that their six year-old son had been forced to leave his new primary school in Beijing after police visited the school on multiple occasions.⁹
16. Wang Quanzhang was arrested in August 2015 as part of the of the '709 crackdown,' in which over 300 lawyers, human rights defenders, and their colleagues and family members were detained, interrogated or imprisoned. On 28 January 2019 he was sentenced to four and a half years in prison after over three years in incommunicado detention.
17. CSW remains concerned by reports that human rights defenders such as Gao Zhisheng, Hu Shigen and Wang Quanzhang continue to suffer grave violations at the hands of the authorities. CSW urges China to immediately and unconditionally release Wang Quanzhang, Gao Zhisheng and Hu Shigen, and end all

⁷ European Parliament News, "China must close its re-education camps for Uyghurs in Xinjiang, MEPs say", 19 December 2019, <https://www.europarl.europa.eu/news/en/press-room/20191212IPR68927/china-must-close-its-re-education-camps-for-uyghurs-in-xinjiang-meps-say>

⁸ Radio Free Asia, "China sets new restrictions on Tibetan religious festival in Lhasa", 20 December 2019 https://www.rfa.org/english/news/tibet/festival-12202019150232.html?utm_source=HRIC+Updates&utm_campaign=1ebc07203c-EMAIL_CAMPAIGN_2018_12_04_11_54_COPY_01&utm_medium=email&utm_term=0_b537d30fde-1ebc07203c-250136585

⁹ China Change, "Imprisoned lawyer Wang Quanzhang's six year old son once again forced out of school", 6 September 2019 <https://chinachange.org/2019/09/06/imprisoned-lawyer-wang-quanzhangs-six-year-old-son-once-again-forced-out-of-school/>

harassment and arbitrary detention of human rights lawyers, activists, and those peacefully exercising their rights to freedom of expression and association.

Recommendations

To the People's Republic 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 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. 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.

To the International Community

22. Continue to raise the cases of Wang Yi, Wang Quanzhang, Gao Zhisheng and Hu Shigen, and other cases of religious adherents and human rights defenders, as well as the repression of Uyghurs and other ethnic and religious groups, in bilateral and multilateral dialogues with China;
23. Call for the immediate and unconditional release of all those detained in connection with their religion or belief, or their defence of universal human rights.