

Introduction

1. CSW (Christian Solidarity Worldwide) and Impulso¹ are a human rights organisations specialising in the right to freedom of religion or belief (FoRB) for all.
2. This submission seeks to draw attention to concerns regarding the right to FoRB in the People's Republic of China ahead of the state's fourth Universal Periodic Review (UPR).
3. During the reporting period, reports of FoRB violations increased. This trend fits into a broader pattern of increasing human rights abuses under Xi Jinping's leadership, 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.
4. There have been continued reports of sentences against Christian leaders; the demolition or 'rectification' of more religious buildings including churches and mosques; mass arrests of Tibetan Buddhists and the demolition of Tibetan Buddhist statues; and the arbitrary detention and disappearance of countless Falun Gong practitioners, members of the Church of Almighty God and other banned groups, as well as Uyghurs, Kazakhs and other ethnic groups in the Uyghur region, and lawyers and activists who defend the right to FoRB.

Previous UPR commitments relating to FoRB

5. During the third cycle of the UPR in 2018, China received 28 recommendations pertaining to FoRB, of which 18 were supported and 10 noted.¹
6. Supported recommendations included calls to prevent and combat all forms of discrimination and violence against ethnic and religious minorities; to respect, protect and fulfil the right to FoRB in accordance with general comment 22 of the Human Rights Committee; to respect the rights to FoRB, opinion and expression, peaceful assembly and culture, including for Tibetans, Uyghurs and other minorities; and to respond positively to the invitation addressed to it by the Special Rapporteur on freedom of religion or belief. Such recommendations echoed ones made to China during the first and second reviews.
7. Despite accepting these recommendations, China simultaneously noted very similar ones which called for the protection and promotion of all human rights and the discontinuing of all of the government's policies and activities, such as ethnic profiling, that are not in compliance with China's international human rights obligations, and to allow the Special Rapporteur on freedom of religion or belief to visit the Xinjiang

Uyghur Autonomous Region (XUAR). Other noted recommendations included calls to end prosecution and persecution on the basis of religion or belief, including for Christians, Falun Gong practitioners, Muslims and Tibetan Buddhists as well as multiple recommendations pertaining to the rights of the Uyghurs in the XUAR; to end the practices of unlawful detention and residential surveillance at a designated location (RSDL); as well as calls to 'halt the practice of detaining ethno-religious minorities who have not been lawfully convicted for a criminal offence in re-education camps and release those currently detained under such circumstances'.²

8. In addition, some recommendations supported by China included calls to continue promoting FoRB 'in accordance with national laws'.³ Such recommendations remain problematic, as many of China's national laws, policies and practices are used to discriminate against and target religion or belief communities in China.

Restrictive government regulations and administrative rules pertaining to FoRB

9. China's constitution guarantees the 'right to freedom of religious belief' and protects 'normal religious activities' (Article 36). In practice this refers to activities under the five officially recognised religious traditions (Buddhism, Catholicism, Islam, Protestantism and Taoism), which are overseen by seven state-sanctioned associations. 'Normal' religious activities refer to those carried out by religious communities registered with these associations. However, registered religious communities are also subject to increasingly severe restrictions, and are forced to demonstrate loyalty to the Chinese Communist Party (CCP).
10. In the past, although regulations placed religion under the supervision of the state, some religious communities, including a large number of unregistered churches existed in a grey area tolerated by the local authorities. Under Xi Jinping, religious groups have faced increasing pressure to disband.
11. The 2018 revised Regulations on Religious Affairs ushered in an era of strict CCP control over all aspects of religious affairs 'in accordance with the law'. Various government departments have been given power to ban, prohibit or punish collective religious activities, including religious training and education. The revisions focus on the 'management and supervision' of religious affairs for all religion or belief communities in China, maintaining and strengthening state control over religious activities. This includes special provisions on national security and foreign connections.
12. The focus on national security in the revisions is consistent with official comments on religion and other

¹ United Nations, Report of the Working Group on the Universal Periodic Review, China, Addendum A/HRC/40/6/Add.1, 15 February 2019, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/041/01/PDF/G1904101.pdf?OpenElement>

² Ibid

³ Ibid

recently introduced regulations which treat religion as a potential tool of 'foreign infiltration' harmful to national security. In recent years 'state security' charges have been used to imprison religious leaders, including Pastor Wang Yi, sentenced to nine years for 'inciting subversion of state power' and other crimes in December 2019, and elder Zhang Chunlei, detained in March 2021, accused of 'inciting subversion of state power' and other crimes.

13. The 2020 Administrative Measures for Religious Groups set out requirements for the structure and function of religious organisations, as well as supervision and administration by the authorities. Article 5 states that 'religious organisations must support the leadership of the Communist Party of China' and 'adhere to the direction of Sinicization of religions.' Religious organisations must be approved by the authorities in order to carry out religious activities and are required to report for review and approval by the authorities on a wide range of activities and affairs (including personnel changes within the organisation, important meetings, activities, trainings and international communications, overseas donations over 100,000 yuan, large financial expenditures, and major construction projects). Organisations are also required to ensure their staff learn about 'the major decisions of the Communist Party of China, national policies and regulations, the glorious traditional Chinese culture, and knowledge about religion' (Article 32).
14. In relation to the 2020 administrative measures, the CCP's Five-Year Plan for Promoting the Sinicization of Christianity (2018-2022) aims to remove the influence of three '-izations' in China within five years: 'Arabization', 'Saudization' and the 'generalization of halal'. This is a trumped-up accusation intended to suppress Muslims in general. The scope of Sinicization of Islam includes the forced removal or alteration of all mosque domes and new minarets, and even arched windows, doors and ornaments; the forced defacement or destruction of Arabic scriptures hung or posted in all Muslim restaurants and Muslim households; the banning of the original Arabic Halal symbol on all halal food, and the closure of Arabic schools attached to mosques and the expulsion of students, as well as the closure of private Islamic websites, the banning of social media accounts dealing with such issues, and the admonition of those who publish information and spread the truth.
15. CSW has also received reports of Christian clergy being forced to attend training events focused on adhering to the CCP's leadership of Christian communities, being forced to study Xi's speeches, and being forcibly disappeared in order to join the state-sanctioned Chinese Catholic Patriotic Association (CCPA).
16. Evidence has also been documented of the demolition of Buddhist schools, Buddha statues and 45 prayer wheels in Tibet Autonomous Region near Drago monastery, as well as of requirements imposed on Tibetan monasteries to display pictures and quotes from Xi.⁴
17. In his report to the Party congress, General Secretary Xi reiterated the principle of Sinicization of religion (or making religion 'Chinese in orientation' as it appears in the official translation of transcript), pledging the CCP's 'active guidance to religions so that they can adapt to socialist society'.⁵
18. Administrative Measures for Religious Clergy, effective from May 2021, require clergy to 'support the leadership of the Communist Party' (Article 3), and mandate that senior leaders must submit their personal information to the authorities every three to five years in order to remain in their position (Article 27). The regulations include specific reference to Tibetan Buddhism and Catholicism: Tibetan Buddhism's succession of living Buddhas should be regulated in accordance with the Regulations on Religious Affairs and the Tibetan Buddhism Reincarnation Management Measures, which require government approval (Article 15). Article 16 states that Catholic bishops must be approved and ordained by the state-sanctioned Chinese Catholic Bishops' Conference.
19. On 22 October 2022, the Vatican announced that it had extended an agreement on nomination of Bishops with China for another two years.⁶ Details of the agreement, which was first made in 2018, have not been made public.
20. The deal has not shielded underground Chinese Catholics from oppression. Instead, the underground Catholic church is under greater pressure. Bishops and priests who do not join the state-controlled 'patriotic church' are banned by the government from carrying out church duties, and their church buildings face being forcibly demolished. This is 'the result of the Vatican-China deal', commented a priest in Shijiazhuang, Hebei province.⁷
21. Cardinal Zen, who called the deal a 'sell-out' of China's underground Catholics, has been convicted for failing to register a fund that provided legal, humanitarian and financial support to Hong Kong pro-democracy

4 Tibet Watch, Destruction of Buddha statues, prayer wheels and prayer flags in Drago County, 24 December 2021, <https://www.tibetwatch.org/news/2021/12/24/99ft-buddha-statue-and-45-prayer-wheels-forcibly-demolished-with-prayer-flags-taken-off-and-burned>

5 Ministry of Foreign Affairs of the People's Republic of China, 'Full text of the report to the 20th National Congress of the Communist Party of China', 25 October 2022, https://www.fmprc.gov.cn/eng/zxxx_662805/202210/t20221025_10791908.html

6 Vatican News, 'Holy See China: Provisional Agreement on nomination of Bishops renewed for second time', 22 October 2022 <https://www.vaticannews.va/en/vatican-city/news/2022-10/holy-see-china-provisional-agreement-on-nomination-of-bishops.html>

7 Radio Free Asia, An underground Catholic church in Luancheng, Hebei, was threatened with demolition, priests and believers were asked to join the Patriotic Association, 21 June 2022. <https://www.rfa.org/mandarin/yataibaodao/shehui/sc-06212022100108.html>

protesters.⁸

22. Administrative Measures for Religious Institutions, effective from September 2021, are also concerning. These regulations focus on religious educational institutions and contain detailed requirements on their establishment and operation. Approval from the State Administration for Religious Affairs is required (Article 6). Persons in charge of religious schools should 'support the leadership of the Communist Party of China' (Article 17); religious colleges and universities should include education on Xi Jinping's new era of socialism with Chinese characteristics (Article 22, 39). As highlighted by the UN and civil society organisations alike, of particular concern are founded reports of over one million Tibetan children being separated from their families and mandatorily sent to residential schools where they are forcibly assimilated into Han majority culture.⁹
23. Administrative Measures for Internet Religious Information, effective from March 2022, prohibit the sharing of religious content online without a permit, including through text messages, images, audio and video. The measures also prohibit religious content that 'induce[s] minors to believe in religion'. Some religious community members in China have already begun to shut down online discussion groups or withdraw from social media chats through self-censorship; others report being warned by employers not to post religious content online at all. For example, research undertaken by CSW found that WeChat groups have been forced to disband, or required strict self-censorship before sending messages, that any unofficial live streaming of a religious nature is banned, and that religious videos uploaded to the internet have been removed.

Targeted violations of freedom of religion or belief

Christians

24. Pastors who have spoken out against violations of human rights in China have been detained and some have received lengthy prison sentences. The authorities have also forcibly closed Christian schools and implemented a widespread crackdown on Christian publishing, with sentences of up to seven years for publishers. In addition, several Bible apps and other Christian materials have been taken offline.
25. Catholic clergy, including bishops, have also been detained and forced to undergo 'patriotic education'; some Catholic leaders not recognised by the government remain missing after being repeatedly arrested and detained for decades, including Bishop James Su Zhimin (arrested and detained in 1997).¹⁰
26. CSW is particularly concerned by the recent rise in fraud accusations as a new tactic to tarnish the reputation of religious leaders. Since March 2021, the Chinese authorities have detained at least 24 unregistered Protestant church leaders and workers on suspicion of fraud, including 17 from two churches in the single city of Linfen in Shanxi Province. As of January 2023, 17 remain in pre-trial detention.
27. Most recently, CSW is concerned for the welfare of three detained leaders of the Xi'an Church of Abundance ('Fengsheng') who have been subject to torture in custody, following fraud allegations. Senior Pastor Lian Changnian, 69, his son, Pastor Lian Xuliang, 41, and preacher Fu Juan, 38, were held under RSDL, a type of incommunicado detention that has been recognised by the UN as a form of forced disappearance, by Xi'an police since August 2022. Interrogators used a range of coercive means to obtain false statements. Food deprivation, threats, beatings and regular physical attacks were among measures. On 15 February 2023 they were transferred to a detention centre, where they were allowed to meet with their respective lawyers for the first time on 22 February.
28. Under China's current religious regulations, only government-approved faith leaders can carry out government-approved religious activities in government-approved sites. As a result, there are many situations in which a religious leader can find themselves on the wrong side of the law in China, even facing charges that have no apparent connection to religion but can carry lengthy sentences.
29. The widely-reported cases of Pastor Wang Yi and Pastor Yang Hua highlight how the Chinese authorities prosecute leaders of unregistered Protestant churches with flagrantly baseless criminal charges: 'inciting to subvert state power' and 'illegal business operations' for Wang and 'divulging state secrets' for Yang. Alarming, fraud charges seem to have become one of the most damaging tools that the authorities use against pastors, for persecution as well as defamation.
30. For example, on 1 May 2021, the day the new administrative measures on religious clergy came into effect, Love Reformed Church received a notice saying their leader Zhang Chunlei had been officially arrested 'on suspicion of fraud'.
31. In another example, Linfen Covenant House Church ('Shengyue Jiayuan'), Shaanxi Province was raided by more than 100 police officers during an outdoor family event in August 2022. The authorities placed both church leaders, Li Jie and Han Xiaodong, under RSDL detention on suspicion of fraud. They detained Mr Li's wife Li

⁸ Catholic News Agency, 'Cardinal Zen appeals conviction in Hong Kong court', 14 December 2022, <https://www.catholicnewsagency.com/news/253073/cardinal-zen-appeals-conviction-in-hong-kong-court>

⁹ UN, OHCHR, China experts alarmed by separation of 1 million Tibetan children from families and forced assimilation at residential schools, 6 February 2023, <https://www.ohchr.org/en/press-releases/2023/02/china-un-experts-alarmed-separation-1-million-tibetan-children-families-and>

¹⁰ United States Commission on International Religious Freedom (USCIRF), ForB Victims Database, 'James Su Zhimin', <https://www.uscifr.gov/religious-prisoners-conscience/forb-victims-database/james-su-zhimin>

Shanshan at the same time, leaving their two young children without parental care. Mrs Li was released on bail in September 2022, but both Mr Li and Mr Han have since been formally arrested. Police have continued to harass other church members and pressured them to write reports on their leaders. In October, church co-worker Ms Wu Tingting was taken into RSDL detention for alleged fraud. In early November, Wang Qiang became the fifth member of the church to be taken into RSDL detention over the same allegations. While Ms Wu was later released on bail, Mr Wang was formally arrested in December. His heavily pregnant wife was forced to look after their young child alone.

32. Xi'an Church of Abundance was officially banned by the authorities two days after its leaders were detained incommunicado by police. In November, Linfen officials announced that they had shut down Linfen Covenant House Church and its church school.
33. The effect of the Religious Affairs Bureau policy – including in Yunnan and Guizhou provinces since 2021 – is worth noting. Due to the area's rich Christian history, in particular among Yunnan's minority ethnic groups including the Miao and Yi, there has been little distinction between the Three-Self Church and the unregistered 'house churches.' According to one local source, the registered churches preached and led their congregation in the same way as independent, unregistered churches. However, both old and new churches are now facing restrictions from the authorities, impacting their right to FoRB.
34. Observers say that in the current religious environment, the authorities will not approve any new churches. As a result, many Christians have to walk two or three hours up into the mountains to the church on Sundays to attend services.
35. The prohibition on minors entering religious sites has prevented children from attending church with their families. In some cases, if government-installed surveillance cameras detect minors in the congregation during Sunday services, a loudspeaker erected at the entrance of the church will remind the church leader to take the minors out of the congregation.
36. The local Religious Affairs Bureau has frozen some churches' bank accounts so that they are unable to pay their staff. As a result, some church staff, who were already receiving only very limited financial support, are now facing severe financial hardship, and are surviving on potatoes and corn donated by neighbours. Pastors in the area have also been pressured by the Religious Affairs Bureau to only allow 'as few people as possible' to enter the mountains to visit them. The Religious Affairs Bureau also maintains very strict control over visits from outsiders. If the Bureau finds people from outside the area participating in church worship or visits

to churches, they notify the police and investigate the matter. Furthermore, all religious communities in the area have informants who will report any irregularities in the church, and those who make reports receive rewards from the local authorities. In keeping with the situation in other parts of the country, schools also reportedly teach children to be on the lookout for 'spies' and teach them to report 'suspicious people'.

37. Also in Yunnan, the majority of crosses on the churches have been removed and many have been forced to hoist the national flag outside their buildings instead, as in other parts of the country.

Hui Muslims

38. Hui Muslims have experienced some similar violations including the demolition or modification of mosques, censorship or removal of online religious materials including blogs and websites, and the sentencing of imams and publishers of Muslim texts. Schools teaching Muslim religion or the Arabic language have been forced to close. Hui have also been subject to increased restrictions aimed at eliminating 'signs of extremism' and continue to be subject to intrusive surveillance.
39. On 11 June 2022, government officials in Zhaotong city, Yunnan province, demolished the domes and minarets of Baoshan Mosque, one of the largest mosques in the township of Buga, where more than 20,000 Hui Muslims live. According to a source familiar with the situation, parts of the Baoshan mosque were demolished despite protests from the local Hui Muslim community. Videos provided to CSW by the source show people surrounded by estimates of around 80 riot police officers and men wearing high-visibility vests. Dozens of Muslims were also reportedly beaten by the latter group whilst attempting to guard the mosque.
40. 'Poverty alleviation' is a Chinese government policy which impacts on the social, cultural, and economic rights of Hui Muslims through programmes that require relocation on the basis of 'ecological migration' and 'labour transfers'.¹¹ It is widely acknowledged that the policies include assimilation of minority groups through migratory labour and forcing ethnic minority communities into Han Chinese-dominant cities. Reports indicate that Hui Muslims have limited access to the workplace and face marginalisation, discrimination and stigmatisation in the workplace as well as in educational settings.

Tibetan Buddhists

41. The Chinese authorities also sharply restrict and monitor the religious activities of Tibetan Buddhists. Violations include disruptions to religious services, intrusive monitoring and surveillance, arbitrary detention, the demolition of religious buildings and statues, forced 'patriotic re-education', and the closure

¹¹ Chinese Human Rights Defenders, 'Will the Hui be silently erased?', 22 March 2023, <https://www.nchrd.org/2023/03/will-the-hui-be-silently-erased-a-groundbreaking-report-on-the-chinese-governments-campaign-to-eliminate-hui-muslim-identity-and-the-crisis-of-survival-for-the-hui-and-islam/>

of religious sites.¹² Tibetan Buddhist monks who have peacefully called for greater freedoms for Tibetans, including language rights, have been detained and tortured, sometimes leading to death in custody or soon after release. For example, in August 2021, Tibet Watch reported the mass arrest of approximately 50 people, including 19 monks, by military personnel in Sershul (Shiqu) County, Kardze (Chinese: Ganzi).¹³ According to the report, the individuals were arrested and detained on suspicion of keeping photos of the Dalai Lama on their mobile phones, posting them online, and placing them on altars in their homes and in the local monastery. The crackdown followed a short visit to the Tibet Autonomous Region by Xi Jinping from 21 July 2021. It was his first such visit to the area as leader. In a speech at the conference on ethnic affairs in August 2021, Xi stressed the need to eliminate ‘ethnic separatism and religious extremism’ and ‘prevent any ‘danger’ that may arise among the ethnic minorities’.¹⁴

Uyghur Muslims, XUAR

42. In August 2022, the long-awaited report¹⁵ by the outgoing UN High Commissioner for Human Rights Michelle Bachelet alleged that widespread arbitrary detentions of Uyghurs, Kazakhs and members of other predominantly Muslim ethnic groups in China’s XUAR may amount to crimes against humanity.
43. The report drew on interviews conducted with 26 former inmates by the Office of the High Commissioner for Human Rights (OHCHR) and concluded that ‘the extent of arbitrary and discriminatory detention of members of Uyghur and other predominantly Muslim groups, pursuant to law and policy, in context of restrictions and deprivation more generally of fundamental rights enjoyed individually and collectively, may constitute international crimes, in particular crimes against humanity’.¹⁶
44. Those interviewed for the report outlined a host of egregious violations in detention centres, including sexual violence, inadequate provision of food, restrictions on FoRB, and the regular administration of ‘either injections, pills or both’ among other forced medical procedures. The report also extensively highlights the use of intrusive surveillance on and offline, including the collection and retention of personal biometric data, vast networks of surveillance cameras and checkpoints, and

the vague nature of China’s ‘anti-terrorism law system’, describing the legal consequences for those accused of terrorism as ‘unpredictable and insufficiently regulated.’

45. The report further states that ‘in the context in which this system is implemented and by associating ‘extremism’ with certain religious and cultural practices, it also carries inherent risk of unnecessary, disproportionate, and discriminatory application to the ethnic and religious communities concerned.’
46. The OHCHR’s findings are consistent with those of hundreds of Chinese and international human rights organisations, including CSW. The findings are also consistent with a wealth of corroborating evidence, including testimonies from witnesses and victim family members, academic research, satellite images, and leaked government documents.¹⁷

Groups labelled as ‘xie jiao’, heterodox teachings

47. Individuals affiliated with groups labelled as ‘xie jiao’, usually translated into English as ‘heterodox teachings’ or ‘evil cults’, have been charged under Article 300 of the Criminal Law, which prohibits ‘organising/using a cult to undermine implementation of the law.’ Penalties include harassment, fines and lengthy imprisonment.¹⁸
48. The largest group classified as a ‘xie jiao’ in China, Falun Gong, has been banned since 1999. Practitioners and supporters outside China continue to report the arrest, imprisonment, torture and death in custody of Falun Gong practitioners across the country. A series of expert reports suggest that Falun Gong practitioners and other ethnic and religious minorities have been victims of forced organ harvesting. However, Falun Gong are not the only banned group to be persecuted: members of the Church of Almighty God (CAG, banned since 1995), as well as others, report ongoing cases of arbitrary detention, imprisonment, and brutal torture. According to CAG’s 2018 annual report, in that year alone, 11,111 church members were arrested for engaging in church activities, and as many as 20 individuals died as a result of persecution. The report cites government documents from various provinces which outline campaigns against CAG.
49. The report also details ongoing violations against CAG members, including torture in detention, intrusive surveillance, and intense pressure to recant. Church

12 International Campaign for Tibet, ‘As the Chinese Communist Party turns 100, ICT deplors destruction of Tibetan Culture’, 30 June 2021, <https://savetibet.org/as-the-chinese-communist-party-turns-100-ict-deplors-destruction-of-tibetan-culture/>

13 Free Tibet, ‘Around 50 Tibetans arrested on suspicion of keeping photos of the Dalai Lama’, 27 August 2021, <https://freetibet.org/news-media/na/around-50-tibetans-arrested-suspicion-keeping-photos-dalai-lama>

14 The State Council, ‘Xi Jinping attends Central Ethnic Work Conference and delivers important speech’, 28 August 2021, http://www.gov.cn/xinwen/2021-08/28/content_5633940.htm

15 UN OHCHR, ‘OHCHR Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China’, 31 August 2022, https://www.documentcloud.org/documents/22273382-22-08-31-final-assessment_unhr

16 Ibid

17 The New York Times, ‘The Xinjiang Papers’, 16 November 2019, <https://www.nytimes.com/interactive/2019/11/16/world/asia/china-xinjiang-documents.html>

18 Christian Solidarity Worldwide, ‘Repressed, Removed, Re-educated: The stranglehold on religious life in China’, 2020 annual report, <https://www.csw.org.uk/2020-china-report>

members who have returned to China from abroad have disappeared.¹⁹ According to research by Dui Hua, CAG members made up the second largest grouping of individuals convicted under Article 300 after Falun Gong.²⁰

FoRB in Hong Kong

50. Religious communities and observers have also expressed fears about the direction of FoRB in Hong Kong. In February 2022, a pro-Beijing media outlet in Hong Kong published a series of articles criticising 'Western' religions and Falun Gong, and attacking religious leaders and teachers for inciting people to participate in demonstrations in the city.²¹ On 11 May 2022, authorities arrested former bishop of Hong Kong, Cardinal Joseph Zen, an outspoken advocate for democracy and freedom of religion or belief in China, for 'collusion with foreign forces', together with four other people who had helped to run the now-disbanded '612 Humanitarian Relief Fund'.²²

Digital surveillance

51. During the reporting period, a group of independent researchers from civil society published research focused on impact of digital surveillance by the CCP on Chinese religious communities, activists and political dissidents. The report found that technologies, including the use of high-tech biometrics identification systems, facial recognition and gait recognition software, first trialled in XUAR and Tibet Autonomous Region have been implemented across mainland China, in Hong Kong since the National Security Law (NSL), and to monitor Chinese citizens overseas. The use of digital surveillance during the reporting period was heightened during the zero-COVID policy period.

52. CSW remains concerned by behavioural data collection by Tencent and Alibaba, as well as by facial recognition cameras in private spaces like hotel lounges and taxis. Facial recognition technologies also facilitate the tight control of communal gatherings of any nature, including peaceful religious activities, in the XUAR, and there are serious concerns that similar technologies are now being used across China. Self-censorship and the limiting of free expression across China continues and increases as surveillance becomes ever more intrusive.

53. Among the most widely recorded uses of such technology is in XUAR, where such technology is widely used by the Chinese authorities to identify and restrict the movements of Uyghurs and other ethnic groups as part of the authorities' extensive crackdown on these groups, in which between one and three million

individuals are believed to have been detained in so-called 'political re-education camps.' The use of these technologies to restrict fundamental freedoms is further compounded by China's overbroad and vague Cyber Security Law (2017), and specifically enables both profiling and monitoring the movements of Uyghur Muslims.

54. Most security checkpoints stationed along XUAR's major roads now employ facial recognition cameras of varying sophistication. Cameras are to be installed at the entrances of 967 mosques in southern XUAR, as part of an extensive surveillance system to monitor public and private activity.

55. In Tibet, likewise, in the context of Sinicization, numerous 'convenience police stations' located 300-500 metres apart, a neighbourhood grid surveillance system, cadres stationed in local communities and monasteries, facial recognition and integration with comprehensive data analysis have led to a deepening climate of fear, particularly for monks and nuns.

56. CSW is also concerned by installation of cameras at Christian churches across the country to monitor services, attendee numbers and their activities. In 2018, six satellite campuses of Zion Church, one of Beijing's largest churches, were shut down and hundreds of churchgoers visited by police after church leaders refused to install 24 closed-circuit cameras in the building at the instruction of the authorities.

The situation for FoRB defenders

57. Regrettably, despite accepting several recommendations to guarantee the protection of lawyers against any form of harassment, violence or attempts to interfere with the defence of their clients, as well as guaranteeing the right to a fair trial and allowing all defendants to have unhindered access to their chosen lawyer and transparent legal procedures, lawyers who take on FoRB-related cases can face harassment and intimidation from the authorities.

58. Those who continuously take on such cases become targets, and can be detained and tortured, jailed or disappeared. Dozens of lawyers have also lost their licenses after taking on human rights cases. Increasingly, human rights defenders' family members are also severely harassed by the police and can be fired from their jobs and evicted from their homes for no reason other than pressure from the authorities. Many human rights defenders remain missing or in detention, including Gao Zhisheng, a human rights lawyer who acted as a legal representative in cases of religious

19 The Church of Almighty God, 2018 Annual Report on the Chinese Communist Government's Persecution of The Church of Almighty God <https://www.holyspiritspeaks.org/news/annual-report-2018/>

20 The Dui Hua Foundation, NGO Submission for the Universal Periodic Review of the People's Republic of China For the 31st Session of the UPR convened by the UN Human Rights Council, March 2018, para.14 https://duihua.org/wp-content/uploads/2018/10/201803_UN_UPR-2.pdf

21 Christian Solidarity Worldwide, 'Pro Beijing Hong Kong media criticises religious leaders and Falun Gong', 4 February 2022, <https://www.csw.org.uk/2022/02/04/press/5573/article.htm>

22 Christian Solidarity Worldwide, '90-year-old Hong Kong cardinal Joseph Zen arrested', 13 May 2022, <https://www.csw.org.uk/2022/05/13/press/5700/article.htm>

minorities. There has been no information on Mr Gao's status or whereabouts since August 2017. He was previously subjected to repeated torture in detention as a result of his work, raising fears that he is again at high risk of torture and other ill-treatment or even death.

59. FoRB defenders face similar challenges. Notable cases include that of Ilham Tohti and Pastor Wang Yi. Ilham Tohti, a Uyghur intellectual who peacefully advocated for inter-ethnic dialogue and drew attention to the discrimination facing Uyghurs, was jailed for life on separatism charges in 2014. His family has not heard from him since 2017; he remains incommunicado and his current condition is unknown. Pastor Wang Yi, the leader of an independent church and vocal critic of China's religious policy was jailed for 'inciting to subvert state power' and 'illegal business operations' for nine years in 2019. In November 2021, news emerged that Pastor Wang's wife was able to visit him in prison for the first time in nearly three years.

Recommendations to the People's Republic of China

60. *Protect the rights of all people in China to freedom of thought, conscience and religion, in accordance with Article 18 of the International Covenant on Civil and Political Rights (ICCPR) and the Universal Declaration of Human Rights (UDHR).*
61. *Ratify the ICCPR, the International Convention for the Protection of All Persons from Enforced Disappearance (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 these international conventions.*
62. *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 UDHR, in consultation with religious communities and legal experts.*
63. *Repeal laws and regulations pertaining to xie jiao, including Article 300 of the Criminal Law.*
64. *Review Article 73 of China's Criminal Procedure Law and repeal RSDL.*
65. *Ensure that any form of registration system for religion or belief groups is optional, not mandatory, and is not used as a tool to control religious activities.*
66. *End the demolition of religious buildings as a means of limiting religious practice, and establish a complaints mechanism for religious groups affected.*
67. *Immediately release all prisoners of conscience detained in connection with their religion or belief, and impartially investigate cases of wrongful imprisonment.*
68. *Immediately and completely end all forms of forced organ harvesting.*
69. *Provide a safe and enabling environment for human rights lawyers, civil society actors and other human rights defenders and immediately release human rights defenders and lawyers detained or imprisoned in connection with the peaceful defence of the rights of others.*
70. *Ensure that no citizen is detained incommunicado, that detainees can freely access legal counsel of their own choosing, and that family members of detainees are informed of their whereabouts and the charges against them in good time, in accordance with international standards.*
71. *Abolish and end the use of re-education camps, and all forms of extra-legal detention, enforced disappearance and arbitrary detention.*
72. *Review Article 73 of China's Criminal Procedure Law and repeal RSDL.*
73. *Protect the rights of detainees and prisoners and immediately cease all forms of torture and ill-treatment, and impartially investigate allegations and reports of torture and deaths in detention.*
74. *Remove security measures which place restrictions on cultural and religious rights in contradiction of Article 18 of the ICCPR, including in the Tibet Autonomous Region and XUAR, and ensure the rights of all ethnic groups are fully protected.*
75. *Protect the rights of children in Tibet by ceasing the practice of forcibly removing children from their homes and families, and ensuring minors are not detained in adult facilities.*
76. *Allow minors to enter religious buildings, venues and participate in religious practices in accordance with Article 18 of the ICCPR with 'respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.'²³*
77. *Grant access to all parts of China, including XUAR and the Tibet Autonomous Region, to United Nations Special Procedures and other international human rights bodies and experts.*
78. *Cease the ongoing intensive Sinicization drive in the occupied Tibet Autonomous Region and other areas of the country.*
79. *Allow the UN High Commissioner for Human Rights and UN Special Procedures unhindered access to visit the Tibet Autonomous Region, to assess the human rights situation, including boarding schools currently operating in all three provinces.*
80. *Immediately allow the resumption of traditional*

23 United Nations, International Covenant on Civil and Political Rights, 16 December 1966 <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

Tibetan monastic roles and practices without interference from the CCP.

- 81. Adopt the UN General Assembly Resolution 75/176 on the right to privacy in the digital age and ensure respect for the privacy of Chinese people. In line with the resolution, China should establish 'oversight mechanisms capable of ensuring transparency, as appropriate, and accountability for State surveillance of communications, their interception and the collection of personal data'.**
- 82. End the practice of using surveillance and other technologies to facilitate the violation of human rights and systematically conduct human rights due diligence before deploying facial recognition technology devices and throughout the entire life cycle of the tools deployed.**

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