

Christian Solidarity Worldwide: Violations of the right to freedom of religion or belief against
Christians in China

Introduction

There has been a marked deterioration in the overall protection of freedom of religion or belief in China from 2013 to the present. The realisation of the right to FoRB for religion or 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 many registered religious groups have also had their activities and practices severely 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 Uyghur Autonomous Region (XUAR) over 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. Numerous reports of torture and ill-treatment have emerged from the camps.

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.

Christians in China

Under Xi Jinping, the Chinese government has intensified pressure on Christians across China. Both registered and unregistered Protestant churches and pastors who have overstepped the boundaries of what the authorities allow have been individually 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.

Since the revised regulations on religious affairs came into effect on 1 February 2018, authorities have increased harassment of worshippers and restrictions on religious observance at state-approved churches by removing religious symbols from buildings, banning under-18s from religious activities, and forcing churches to install cameras and sing pro-Communist songs. At the same time, there is increasing pressure on unregistered 'house churches' in China to register or disband.

Members of Early Rain Church in China continue to be detained, disappeared and harassed following a crackdown on the church in December 2018. A social media post by the church dated 20 March reports that 11 members are still in criminal detention, including Pastor Wang Yi and his wife Jiang Rong, who are both accused of inciting subversion. Over 100 church members were arrested in December. In addition, church members' landlords are increasingly pressuring them to move out of their homes.

Other reports of harassment, fines, confiscation of property and forced closure of churches have emerged from Beijing, Guangdong, Henan, Guizhou, Anhui, Inner Mongolia and Sichuan.

Among Catholics, some attend churches under the state-sanctioned Chinese Catholic Patriotic Association, while others belong to congregations under bishops recognised by the Vatican but not by the government. Behind this distinction is the question of ultimate leadership. The government insists that all religious groups must be 'independent and autonomous', without foreign oversight.

The government and the Vatican have come to a provisional 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.

A number of clergy have been arrested or disappeared, including Bishop James Su Zhimin, detained on 8 October 1997 in Hebei. Bishop Peter Shao Zhumin of Wenzhou, Zhejiang, an 'underground' bishop who is recognised by the Vatican but not by the government, has been detained numerous times, including in November 2018. Several priests also remain disappeared or detained at the time of writing.

Detention of those defending religious freedom

Individuals on the frontlines of defending human rights, including the right freedom of religion or belief, have long encountered oppression from the government in the form of harassment, intimidation and imprisonment. 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.

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.

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.’¹ 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.”²

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.
- Pursue a UN-led independent international fact-finding mission into allegations of arbitrary detention and other grave human rights violations in XUAR.
- 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 Optional Protocol to the Convention against Torture (CAT), and revise national laws and policies to comply with these conventions.

¹ <https://chinachange.org/2017/03/01/letter-to-world-leaders-by-709-family-members-includes-emerging-details-of-horrific-torture/>

² <https://www.bbc.co.uk/news/blogs-china-blog-39893359>

- 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.
- Embassies and consulates should endeavour to meet with Christian communities regularly and build up good relations with them. If there are negative developments, the embassy should make a statement of support. Other suggestions include helping with victim relocation, finding ways to support lawyers, and trial observation.