

KEY FINDINGS

During 2016, as China's President Xi Jinping further consolidated power, conditions for freedom of religion or belief and related human rights continued to decline. Authorities target anyone considered a threat to the state, including religious believers, human rights lawyers, and other members of civil society. In 2016, the Chinese government regularly emphasized the "sinicization" of religion and circulated revised regulations governing religion, including new penalties for activities considered "illegal" and additional crackdowns on Christian house churches. The government continued to suppress Uighur Muslims in Xinjiang, including through new regional government regulations that limit parents' rights to

include their children in religious activities. Authorities evicted thousands of monks and nuns from the Larung Gar Buddhist Institute in Tibet before demolishing their homes. The government continued to detain, imprison, and torture countless religious freedom advocates, human rights defenders, and religious believers, including highly persecuted Falun Gong practitioners. Based on China's longstanding and continuing record of severe religious freedom violations, USCIRF again finds that China merits designation in 2017 as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). The State Department has designated China as a CPC since 1999, most recently in October 2016.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Continue to designate China as a CPC under IRFA;
- Continue to raise consistently religious freedom concerns at the Strategic and Economic Dialogue and other high-level bilateral meetings with Chinese leaders, and at every appropriate opportunity encourage Chinese authorities to refrain from imposing restrictive and discriminatory policies on individuals conducting peaceful religious activity, including activities the Chinese government conflates with terrorism or perceives as threats to state security;
- Coordinate with other diplomatic missions and foreign delegations, including the United Nations (UN) and European Union, about human rights advocacy in meetings with Chinese officials and during visits to China, and encourage such visits to areas deeply impacted by the government's religious freedom abuses, such as Xinjiang, Tibet, and Zhejiang Province;
- Ensure that the U.S. Embassy and U.S. consulates, including at the ambassadorial and consuls general level, maintain active contacts with human rights activists and religious leaders;
- Press for at the highest levels and work to secure the unconditional release of prisoners of conscience and religious freedom advocates, and press the Chinese government to treat prisoners humanely and allow them access to family, human rights monitors, adequate medical care, and lawyers and the ability to practice their faith;
- Press the Chinese government to abide by its commitments under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and also independently investigate reports of torture among individuals detained or imprisoned, including reports of organ harvesting;
- Initiate a "whole-of-government" approach to human rights diplomacy with China in which the State Department and National Security Council staff develop a human rights action plan for implementation across all U.S. government agencies and entities, including providing support for all U.S. delegations visiting China;
- Increase staff attention to U.S. human rights diplomacy and the rule of law, including the promotion of religious freedom, at the U.S. Embassy in Beijing and U.S. consulates in China, including by gathering the names of specific officials and state agencies who perpetrate religious freedom abuses;
- Use targeted tools against specific officials and agencies identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the "specially designated nationals" list maintained by the Treasury Department's Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the Global Magnitsky Human Rights Accountability Act, and asset freezes under the Global Magnitsky Act; and
- Press China to uphold its international obligations to protect North Korean asylum seekers crossing its borders, including by allowing the UN High Commissioner for Refugees and international humanitarian organizations to assist them, and by ending repatriations, which are in violation of the 1951 Refugee Convention and Protocol and/or the Convention Against Torture.

BACKGROUND

The year 2016 marked 50 years since the Cultural Revolution, some of the darkest days for China's religious and faith believers. Five decades later, Chinese government repression under President Xi increasingly threatens human rights, including freedom of religion or belief. For example, in 2016 China revised and enhanced its Regulations on Religious Affairs that limit the right to religious practice. New restrictions include tighter government control over religious education and clergy, and heavy fines for any religious activities considered "illegal," as well as new language formally forbidding religion from harming "national security" concerns. Earlier in the year, President Xi convened a National Conference on Religious Work where he stressed the importance of making religions more Chinese, in part by disconnecting them from foreign "infiltration" and influence. These actions coincided with the release of China's National Human Rights Action Plan (2016–2020), which includes a section on "freedom of religious belief" with undertones of restrictive government management of religion.

January 1, 2017, marked the effective date of a new Chinese law regulating foreign nonprofit and nongovernmental organizations (NGOs). Under the law, NGOs must obtain sponsorship from state bodies that will act as "supervisors," register with the police, and report their activities to the government. Some religious NGOs

expressed concern about how the law will impact their charity and aid work in China.

During 2016, the Chinese government reinforced its crackdown on lawyers and other human rights defenders. At the time of this writing, human rights lawyer and advocate Jiang Tianyong remained in detention at an unknown location after Chinese authorities detained him in November 2016 on suspicion of alleged "state subversion." In December 2016, a group of UN experts called on the Chinese government to investigate Jiang's whereabouts and expressed concern that his human rights work—including representing Tibetans, Falun

Gong practitioners, and others—puts him at risk for beatings and torture by police. Longtime human rights activist, lawyer, and political prisoner Peng Meng died in prison in late 2016. His family requested an autopsy, but according to reports, Chinese author-

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ities removed some of his organs and cremated his body, ignoring the family's wishes. Nobel Peace Prize laureate and democracy advocate Liu Xiaobo remains in prison after being sentenced in December 2009 to 11 years in prison; his wife, Liu Xia, is under strict house arrest.

Through five state-sanctioned "patriotic religious associations," China recognizes five religions: Buddhism, Taoism, Islam, Catholicism, and Protestantism. The Chinese Communist Party officially is atheist, and more than half the country's nearly 1.4 billion population is unaffiliated with any religion or belief. Nearly 300 million people practice some form of folk religion, approximately

250 million are Buddhist, about 70 million Christian, at least 25 million Muslim, and smaller numbers practice Taoism, Hinduism, Judaism, or some other faith.

RELIGIOUS FREEDOM CONDITIONS 2016–2017

Uighur Muslims

In 2016, the Chinese government continued to suppress Uighur Muslims, often under the rubric of countering what it alleges to be religious and other violent extremism. An estimated 10 million Uighur Muslims reside in the Xinjiang Uighur Autonomous Region in northwest China where the government presumes their guilt if they are found practicing “illegal” religious activities, including praying or possessing religious materials in their own homes. Authorities even question school-children to coerce them into revealing that their parents pray at home. To constrain what it claims to be widespread radicalism that breeds violent tendencies among Uighur Muslims, the government imposes manifold regulations and restrictions on religious and other daily practices. For example, in a move critics described as targeting Uighur Muslims, in July 2016 the regional government adopted a new counterterrorism measure, which dovetails with a national law that went into effect January 1, 2016. (The national Counterterrorism Law contains vague definitions of “religious extremism” and “terrorism,” which the government has routinely used to target the freedom to practice religion and peaceful religious expression.) Also, in June 2016, Beijing issued a white paper, *Freedom of Religious Belief in Xinjiang*, that alleged the government protects “normal” religious activities and respects citizens’ religious needs and customs. Just days later, however, the government once again imposed its annual ban on the observance of Ramadan; authorities prevented government employees, students, and children from fasting, and in some cases praying, during Ramadan. As of November 1, 2016, Uighur Muslim parents are forbidden from including their children in any religious activity, and citizens are encouraged to inform authorities about

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their neighbors who may be involved in government-prohibited activities.

Authorities continue to restrict men from wearing beards and women from wearing headscarves and face-covering veils. According to reports, in 2016 the Chinese government destroyed thousands of mosques in Xinjiang, purportedly because the buildings were considered a threat to public safety. USCIRF received reports that Uighur Muslims must register to attend mosques—which often are surveilled by authorities—and must obtain permission to travel between villages.

Uighur Muslim prisoners commonly receive unfair trials and are harshly treated in prison. Well-known Uighur scholar Ilham Tohti is currently serving a life sentence after being found guilty in 2014 of “separatism” in a

two-day trial that human rights advocates called a sham. On October 11, 2016, Professor Tohti was awarded the 2016 Martin Ennals Award for Human Rights Defenders; China responded with anger when UN High Commissioner for Human Rights

Zeid Ra’ad Al Hussein attended the ceremony. Gulmira Imin, who was a local government employee at the time of her arrest, also continues to serve a life sentence for her alleged role organizing the July 2009 protests in Urumqi—an allegation she denies.

Tibetan Buddhists

The Chinese government claims the power to select the next Dalai Lama with the help of a law that grants the government authority over reincarnations. The Chinese government also vilifies the Dalai Lama, accusing him of “splittism” and “blasphemy,” including in at least 13 white papers on Tibet since the 1990s. Moreover, in December 2016, Tibet’s Communist Party Chief Wu Yingjie publicly said he expects the party’s control over religion in Tibet to increase. In 2016, Tibetan activist Nyima Lhamo, the niece of prominent Tibetan Buddhist leader Tenzin Delek Rinpoche, who died in prison in July 2015, fled China to seek justice for her uncle’s death and later traveled to Europe where she gave a presentation before the 9th Geneva Summit for Human Rights and Democracy. The

Chinese government has held Gedhun Choekyi Nyima, also known as the Panchen Lama, the second-highest position in Tibetan Buddhism, in secret for more than two decades. When the Chinese government abducted the Panchen Lama at age six and replaced him with its own hand-picked choice, the Dalai Lama had just designated him as the reincarnation of the 10th Panchen Lama. Although in 2016 the government released several Tibetan prisoners who completed their sentences, such as Tibetan religious teacher Khenpo Kartse, it detained and charged several others. For example, in March 2016 Chinese police arrested Tashi Wangchuk on “separatism” charges; he is an advocate known for promoting a deeper understanding of the Tibetan language as integral to the practice of Tibetan Buddhism. As of this writing, Tashi Wangchuk’s case is still pending; he could serve up to 15 years if convicted. In protest of repressive government policies, at least 147 Tibetans have self-immolated since February 2009, including Tibetan monk Kalsang Wangdu and Tibetan student Dorjee Tsering, both in 2016.

In July 2016, the Chinese government launched a sweeping operation to demolish significant portions of the Larung Gar Buddhist Institute located in Sichuan Province. Larung Gar is home to an estimated 10,000 to 20,000 monks, nuns, laypeople, and students of Buddhism from all over the world. Local officials instituting the demolition order referred to the project as “construction” or “renovation” to reduce the number of residents to no more than 5,000 by the end of September 2017.

As a result, officials have evicted thousands of monastics, laypeople, and students, some of whom reportedly were locked out of their homes before they could collect their belongings, or were forced to sign pledges promising never to return. Many others were forced to undergo so-called “patriotic reeducation programs.” The demolition order contains language governing ideology and future religious activities at Larung Gar and gives government officials—who are largely Han Chinese, not Tibetan—greater control and oversight of the institute, including direct control over laypeople. The order also mandates the separation of the monastery from the

institute, running counter to the tradition of one blended encampment with both religious and lay education. The destruction at Larung Gar exemplifies Beijing’s desire to eviscerate the teachings and study of Tibetan Buddhism that are integral to the faith.

Protestants and Catholics

In 2016, the Chinese government continued its campaign to remove crosses and demolish churches. Since 2014, authorities have removed crosses or demolished churches at more than 1,500 locations in Zhejiang Province alone. The government also has targeted individuals opposing the campaign. In February 2016, Protestant Pastor Bao Guohua and his wife Xing Wenxiang, from Zhejiang, were sentenced to 14 and 12 years’ imprisonment, respectively, for opposing cross removals. Additional removals and demolitions have occurred elsewhere in the country. In one particularly egregious example from April 2016, Ding Cuimei, wife of church leader Li Jiangong, suffocated to death while trying to protect their house church in Henan Province from a bulldozer during a government-ordered demolition; Li survived but barely escaped the rubble. In March 2016, authorities released human rights lawyer Zhang Kai on bail after detaining him in secret for six months and coercing him to give a televised confession.

On December 27, 2016, police summoned Zhang to the police station and detained him for two days before releasing him again. Zhang is well known for his work on behalf of individuals and churches affected by the government’s cross

removal and church demolition orders.

During 2016, Chinese authorities arrested Christians for displaying the cross in their homes and printing religious materials, threatened parents for bringing their children to church, and blocked them from holding certain religious activities. In August 2016, a Chinese court found underground church leader and religious freedom advocate Hu Shigen guilty of subversion and sentenced him to seven and a half years in prison and another five years’ deprivation of political rights. In January 2017, a Chinese court sentenced Pastor Yang Hua, also known as Li Guozhi, to two and a half

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years in prison. Originally detained in December 2015, Pastor Yang presided over the Living Stone Church, an unregistered house church in Guizhou Province.

China also continued to target individuals affiliated with state-sanctioned churches. On March 31, 2016, Gu “Joseph” Yuese, former pastor at Chongyi Church, a Protestant megachurch in Zhejiang Province, was released from more than two months’ detention after being arrested on embezzlement charges. Authorities detained him again in December 2016, and on January 7, 2017, Pastor Gu was formally charged with embezzlement. Pastor Gu publicly criticized the government’s cross removal campaign in Zhejiang. In addition to his arrests, he was removed from his post at Chongyi Church and his role with the local state-run China Christian Council. Also, Pastor Zhang Shaojie of the state-registered Nanle County Christian Church remains in prison after being sentenced in 2014 to 12 years in prison for “gathering a crowd to disrupt public order.”

In 2016, the Vatican and Beijing attempted to reach agreement on the appointment of Catholic bishops. Although there are several bishops both appointed by the Chinese government and recognized by the Vatican, Beijing refuses to respect papal authority, and bishops seeking Rome’s blessing do so at risk of imprisonment or other persecution. Proponents of an agreement see it as a means to repair the nearly 70-year dispute between the Vatican and Beijing and create uniformity across Catholic clergy in China. However, critics worry that by aligning with Beijing, the Vatican risks betraying the underground clergy and followers who have remained loyal to the Pope’s authority to appoint bishops. At a December meeting of China’s state-run Catholic Patriotic Association, Chinese officials stressed “sinicization,” socialism, and independence from foreign influence, a message seemingly incongruous with Beijing’s attempts to reach agreement with the Vatican. Prospects for an agreement also became strained when excommunicated Bishop Lei Shiyin participated in two ordinations approved by both the Vatican and the Chinese government in late November and early December 2016.

Falun Gong

The practice of Falun Gong has been banned since 1999 after the Chinese government labeled it an “evil cult,” and practitioners have been severely mistreated ever

since. They are regularly confined in labor camps or prisons, or disappear altogether. While detained, Falun Gong practitioners suffer psychiatric and other medical experimentation, sexual violence, torture, and organ harvesting. A new report released in June 2016 by the International Coalition to End Organ Pillaging in China revealed that 60,000–100,000 organ transplants are performed in the country each year, an alarming discrepancy from the government’s claim of 10,000. Organ donors often are nonconsenting, particularly executed Falun Gong prisoners and detainees, though individuals from other faiths also have been targeted, such as Uighur Muslims, Tibetan Buddhists, and Christians.

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Zhiwen Wang, a Falun Gong practitioner who was persecuted and imprisoned for 15 years, was released in 2014, but the Chinese government has prevented him from receiving proper medical care and reuniting with his family in the United States. In 2016, Zhiwen was granted a passport and U.S. visa to leave China, but a customs agent at the airport nullified his passport. This occurred after Chinese police and undercover agents harassed and intimidated Zhiwen and his family for several days. For the second year in a row, in 2016 Chinese authorities attempted to suppress Chinese-born human rights advocate and Falun Gong practitioner Anastasia Lin. Chinese authorities had denied her a visa and barred her entry into mainland China from Hong Kong when the country hosted the 2015 Miss World competition. She competed in the 2016 Miss World competition in Washington, DC, but Chinese journalists and other “minders” relentlessly followed her, and pageant officials interfered with her ability to speak to the media and initially barred her from attending a screening of “The Bleeding Edge,” a movie about China’s forced organ harvesting in which she stars.

Forced Repatriation of North Korean Refugees

The Chinese government claims North Koreans entering China without permission are economic migrants, but

it does so without evaluating each individual's case to determine whether they qualify for refugee status and ignoring the near certainty that these individuals will be tortured upon their forced return to North Korea. This violates China's obligations under the 1951 UN Refugee Convention and its 1967 Protocol. Not only does the government of China refuse to evaluate asylum claims, but it also increasingly appears to closely coordinate with the North Korean government in the arrest and forced repatriation of North Koreans attempting to cross the border. Moreover, some reports indicate Chinese authorities actively urge citizens to inform them about suspected North Korean asylum seekers and they punish those found offering assistance.

U.S. POLICY

China does not comply with international standards concerning the freedom of religion or belief and related human rights, and defiantly dismisses what it considers to be international interference, including by the United States. It is crucial that the U.S. government not only integrate human rights messaging—including on freedom of religion or belief—across its interactions with China, but also consistently make clear that it opposes Beijing's overt violations of international human rights standards.

During 2016, high-level representatives of the United States and China engaged several times, with U.S. officials raising human rights concerns. In connection with the Nuclear Security Summit in Washington, DC, from March 31 to April 1, 2016, then President Barack Obama met with President Xi and expressed "support for upholding human rights and fundamental freedoms in China," according to the official White House readout of the meeting. In June 2016, then Secretary of State John Kerry and then Treasury Secretary Jacob Lew met with Chinese counterparts in Beijing for the U.S.-China Strategic and Economic Dialogue (S&ED), which reportedly included some human rights discussions. In September 2016, China hosted the G20 Summit in Hangzhou, the capital of Zhejiang Province and home to a large Christian population of underground churches and parishioners whom the Chinese government has repressed and, at times, violently attacked, including through the destruction of churches and crosses. Ahead of the summit, then National Security Advisor Susan E. Rice met at the White House with a group of Chinese human rights advocates and discussed human rights and religious

freedom. On the sidelines of the summit, then President Obama met with President Xi, and according to the official White House readout, the president spoke about human rights and "the need for China to protect religious freedom for all of its citizens."

In June 2016, then President Obama welcomed the Dalai Lama to the White House for an unofficial meeting, which China criticized. In August 2016, the State Department issued a statement urging China to release lawyers and human rights advocates detained since 2015 when the Chinese government conducted a sweeping roundup of nearly 300 individuals. The statement referred specifically to Hu Shigen (mentioned above), Zhou Shifeng, Zhai Yanmin, Guo Hongguo, and Li Heping. On December 16, 2016, then President Obama signed into law the Fiscal Year 2017 Department of State Authorities Act (P.L. 114-323), which requires the secretary of state, in coordination with the secretary of treasury, to submit to Congress a report that, in part, assesses "the treatment of political dissidents, media representatives, and ethnic and religious minorities" within the context of the U.S.-China bilateral relationship and the overall effectiveness of the S&ED.

In addition to its individual critiques of China's human rights record discussed above, the United States also joined multilateral efforts. For example, in January 2016 the United States was one of four diplomatic missions that jointly sent China a letter expressing concern about the counterterrorism law and then-drafts of the NGO law and a cybersecurity law. In part, the letter questioned China's willingness to protect human rights under the law. The U.S. government expressed further concerns about the NGO law at other times during the year. Also, in March 2016 the United States was one of 12 countries signing the first-ever joint statement on China's human rights situation at the UN Human Rights Council. Although the statement did not specifically mention freedom of religion or belief, it did reference the detention of rights activists and lawyers, many of whom have advocated on behalf of religious freedom and religious freedom activists.

In February and October 2016, the State Department redesignated China as a CPC. At the same time, then Secretary Kerry extended the existing sanctions related to restrictions on exports of crime control and detection instruments and equipment.