

CHINA



USCIRF STATUS:

Tier 1 Country of Particular Concern

BOTTOM LINE:

Poor religious freedom conditions in China deteriorated significantly, particularly for Tibetan Buddhists and Uighur Muslims. To stem the growth of independent Catholic and Protestant groups, the government detained and arrested leaders, forcibly closed churches, and selected Catholic bishops without the approval of the Vatican. The Falun Gong, and other groups deemed “evil cults,” face long-term imprisonments, forced renunciations of faith, and torture in detention.

EXECUTIVE SUMMARY

FINDINGS: The Chinese government continues to perpetrate particularly severe violations of the freedom of thought, conscience, and religion or belief. Religious groups and individuals considered to threaten national security or social harmony, or whose practices are deemed beyond the vague legal definition of “normal religious activities,” are illegal and face severe restrictions, harassment, detention, imprisonment, and other abuses. Religious freedom conditions for Tibetan Buddhists and Uighur Muslims remain particularly acute, as the government broadened its efforts to discredit and imprison religious leaders, control the selection of clergy, ban certain religious gatherings, and control the distribution of religious literature by members of these groups. The government also detained over a thousand unregistered Protestants in the past year, closed “illegal” meeting points, and prohibited public worship activities. Unregistered Catholic clergy remain in detention or disappeared. Falun Gong face some of the most intense and violent forms of persecution. Adherents are tortured and mistreated in detention and are pursued by an extralegal security force chartered to stamp out “evil cults.” The Chinese government also continues to harass, detain, intimidate, and disbar attorneys who defend members of vulnerable religious groups.

Because of these systematic, ongoing, and egregious violations of religious freedom, USCIRF recommends in 2013 that China again be designated as a “country of particular concern” (CPC). USCIRF has recommended and the State Department has designated China as a CPC since 1999.

Millions of Chinese manifest their beliefs openly and senior government officials have praised religious communities’ positive role in society and urged approved religious groups to promote “economic and social development” and “socialist principles.” New directives were issued last year to allow approved religious groups to conduct some charitable activities. These are positive developments that were unthinkable just two decades ago. Nevertheless, the government continues to see the growth of religious communities who resist its oversight as potential threats to social “harmony” or to its “core interests.” Peaceful public protest or worship activities are criminalized and both Christian and Muslim missionary activities are curtailed. Government authorities praise religious groups who resist “foreign infiltration,” prohibit religious affiliation among Communist Party members and some government employees, and restrict the amount of religious materials available. The Chinese government also restricts online access to religious information and the authority of religious communities to choose their own leadership and parents to teach their children religion, particularly in Uighur and Tibetan areas.

PRIORITY RECOMMENDATIONS: The United States should raise religious freedom concerns at all levels of the U.S.-China relationship and coordinate potential sources of leverage within the U.S. government and with allies to build a consistent and multi-level human rights diplomacy. Consistent public statements by top U.S. officials, negotiations of human rights agreements at the U.S.-China Strategic Dialogue, and the inclusion of human rights concerns at every level of the relationship are needed to show that religious freedom is a fundamental interest of bilateral relations and not a secondary concern. In addition, the U.S. government should use the CPC designation in a more targeted manner, using both positive and negative incentives to improve religious freedom. This includes such actions as travel bans and other financial penalties targeting specific officials or agencies that perpetuate religious freedom abuses and provinces where religious freedom conditions are most egregious, as well as positive political, cultural, or financial incentives for leaders and regions that improve religious freedom conditions. Additional recommendations for U.S. policy towards China are at the end of this chapter.

RELIGIOUS FREEDOM CONDITIONS

RESTRICTIVE LEGAL FRAMEWORK AND GOVERNMENT INTERFERENCE

The Chinese Constitution guarantees the freedom of religion, but protects only “normal” religious activities and does not explicitly protect the right of individuals to manifest their beliefs without state interference. While a growing number of Chinese citizens are allowed to practice their religion, the government tightly controls religious groups and actively represses and harasses religious activity that it views as “superstitious,” a “cult,” a threat to national security or social harmony, or falling outside the vague parameters of “normal” religious practices. The majority of religious practice in China falls within these disfavored categories, creating large problems for the government’s religion policies.

The Chinese government’s approach to religion prioritizes the five government-approved religions – Buddhism, Daoism, Catholicism, Protestantism, and Islam. Chinese government officials, at many levels, view religious organizations as an extension of state policy, bolstering support for state economic and social goals, and do not promote religious freedom. In an April 2012 speech, the head of the United Front Work Department (UFD), the Communist Party’s organization tasked with implementing state policy on religion, said the government should “remove the chaff” of religious practice so it can better adapt to “socialist society.”

While the Chinese government has signed the International Covenant on Civil and Political Rights, it has not ratified or fully applied it to its legal framework, particularly freedom of religion or belief.

Despite restrictions, harassment, arrests, and government oversight, the number of religious adherents continues to grow in China and the government continues to tolerate regular and public worship activities of both legally-approved and some unregistered religious groups. Tolerance for unregistered religious activity often varies, depending on province, locality, or relationship with provincial government officials.

The government continues to use law to restrict religious activity and manage religious groups. The Chinese government’s religion policy is governed by the National Regulations on Religious Affairs (NRRA), first issued in March 2005 and updated in 2007. The NRRA requires all religious groups to affiliate with one of seven government-approved associations and allows government control of every aspect of religious practice and related activities. The NRRA does allow registered religious groups to carry out some religious activities and charitable work. When registered, religious communities can apply for permission to possess property, accept donations from overseas, conduct religious education and training, and host inter-provincial religious meetings. The NRRA permits only “normal religious activity” and contains vague national security provisions that suppress the peaceful activity of unregistered religious groups, organizations deemed “cults,” and Uighur Muslims and Tibetan Buddhists.

In the past year, State Administration for Religious Affairs (SARA) announced plans to issue new legal guidelines governing the religious activities of foreigners, the granting of degrees in religious training schools, and the management of the foreign relations of religious groups. In February 2012, SARA and five other government agencies issued a public opinion that appeared to encourage participation of religious organizations in charitable activities. Nevertheless, according to the U.S. Congressional-Executive Commission on China (CECC), the opinion emphasizes “supervision” and “guiding religion and socialist society to mutually adapt.” It remains difficult for approved religious groups to establish a charity and legally impossible for unregistered groups or those in Tibetan and Uighur areas.

CHINA

In Tibetan and Uighur regions, the NRRA includes additional restrictions on peaceful religious expression and leadership decisions and is supplemented by extensive provincial regulations. (For more information, see the sections on Tibetan Buddhists and Uighur Muslims below.)

The government seeks to “guide” unregistered Christian groups toward affiliation with government-sanctioned groups and to stop the proliferation of unregistered Buddhist, Daoist, or folk religion groups because they promote “superstition.” Catholics, Protestants, Buddhists, and spiritual movements consistently have not joined officially-sanctioned religious organizations because they refuse, among other things, to: provide the names and contact information of their followers; submit leadership decisions to the government or to one of the government-approved religious organizations; or seek advance permission for all major religious activities or theological positions. They also do not trust government oversight, given past persecution.

The Chinese government, as part of official policy, continues to restrict peaceful religious expression and the expansion of religious ideas or worship on the Internet. It confiscates or punishes individuals for the distribution of unapproved Bibles, Muslim books, Falun Gong documents, and interpretations of religious texts. It also blocks access to Internet sites of religious groups or those with “illegal” religious content. Nevertheless, a wide array of religious materials and books is available for purchase without restrictions in state-approved bookstores.

TIBETAN BUDDHISTS

The religious freedom conditions in Tibetan Buddhist areas of China are worse now than at any time over the past decade. Since 2008 protests in Tibetan areas, the government’s control of the doctrines, worship sites, and selection of religious leaders of Tibetan Buddhism, and its arrests and detentions of individuals who oppose government policy or support the Dalai Lama, have nurtured deep resentments among Tibetans.

THE RELIGIOUS FREEDOM CONDITIONS IN TIBETAN
BUDDHIST AREAS OF CHINA ARE WORSE NOW
THAN AT ANY TIME OVER THE PAST DECADE.

Since May 2011, 106 Tibetans have staged self-immolation protests calling for Tibetan independence and the return of the Dalai Lama, among other things. At least 52 Tibetan nuns, monks, and former monks had self-immolated as of the end of this reporting period.

During the past year, the Chinese government continued efforts not only to strengthen control over Tibetan Buddhism but also to chart its future development, including new regulations, new oversight bureaucracy, and the opening of a government approved Tibetan Theological Institute. Zhu Weiqun, UFDW deputy director and director of the Communist Party’s General Office for Tibet Affairs, said the goal of the new institute was to “conform Tibetan Buddhism...to the development of our times, and to resist the Dalai clique’s religious infiltration... and remove the crude customs and habits that are not in line with social progress.”

In February 2012, government officials completed the establishment of a new Monastery Management Committee (MMC) headed by Party and government officials residing in every Tibet Autonomous Region (TAR) monastery. According to the CECC, the goals of the new MMC’s are to ensure that monks and nuns observe regulations, abide Chinese laws, and build “harmony.”

CHINA

Nine of the ten Tibetan autonomous regions in China issued measures to subordinate internal Tibetan Buddhist affairs to central government regulation, particularly over monasteries that had resisted “management by law and supervision by the public.” These measures were coordinated with local initiatives of April 2011 that allowed religious personnel to be removed for perceived disloyalty to government policy, limited the number of monks and nuns living in monasteries, and required religious personnel to conform with unspecified political, professional, and personal criteria. There is real concern that government officials will use the new regulations to remove monks, nuns, or *trulkus* (living Buddhas) viewed as devoted to the Dalai Lama or his recognized Panchen Lama, or to those holding positions the government deems problematic or illegal. The Dalai Lama denounced these measures and publicly detailed his plans for the search for his successor.

Since May 2011, there have been 106 self-immolations, including 52 monks, nuns, and former nuns. Eighty-eight people have died and the others remain detained. In the past year, the number of self-immolations, mostly involving laypeople, has increased. The self-immolations are also spreading to other Tibetan areas from the Kirti monastery epicenter in Aba (Ngaba) county, Aba Tibetan and Qiang Autonomous Prefecture, Sichuan province. According to the International Campaign for Tibet (ICT), the protests have spread to areas of Ganzi (Kardze), Tibetan Autonomous Prefecture, Chamdo prefecture in

CHINESE AUTHORITIES HAVE NOT ACKNOWLEDGED THAT THEIR POLICIES OF REPRESSION HAVE CONTRIBUTED TO THE SELF-IMMOLATIONS, INSTEAD CALLING THEM “TERRORIST ACTS” THAT ARE ORCHESTRATED WITH THE “INSTIGATION AND SUPPORT” OF THE DALAI LAMA.

the TAR, and Golog Tibetan Autonomous Prefecture in Qinghai province, and have also occurred in Beijing and India. The Dalai Lama has called the self-immolations “desperate acts by people seeking justice and freedom.” Chinese authorities have not acknowledged that their policies of repression have contributed to the self-immolations, instead calling them “terrorist acts” that are orchestrated with the “instigation and support” of the Dalai Lama.

Reports indicate that those who spoke during their self-immolations called for Tibetan independence and the return of the Dalai Lama to Tibet. In several cases, the protestors also called for the release of the Panchen Lama and protection of the environment. In some areas of Quinhai and Sichuan provinces,

self-immolation protests have drawn sympathetic crowds who gather to pray and chant slogans. According to Radio Free Asia, at least six people died when police attempted to stop the spontaneous demonstrations.

In response to the increasing number of self-immolations, in early December 2012, China’s Supreme Court, prosecution agency, and Ministry of Public Security issued guidelines that criminalized the act of self-immolation and stated that anyone assisting or encouraging self-immolation would be charged with murder. Later that month, police arrested Lorong Konchok, a 40-year-old monk, and his nephew in Sichuan province for encouraging eight people to burn themselves. Lorong Konchok was reported to have confessed to acting on the instructions of the Dalai Lama. The Tibetan government-in-exile in India denied this and said the confession must have been coerced. As of the end of the reporting period, 70 people had been arrested for assisting self-immolations. Most were given long prison terms or, in the case of Lorong Konchok, a suspended death sentence.

In March 2012, security officials arrested five Tibetan men for planning a demonstration against the closure of five monasteries and a nunnery in Biru county, Naqu prefecture, TAR. According to ICT, the religious sites were closed because the monks and nuns refused to conform to recent regulations.

Hundreds of monks and nuns were arrested and detained in the aftermath of 2008 demonstrations. At least 283 Tibetan Buddhist monks, nuns, and *trulkus* are currently imprisoned in China, according to the CECC

CHINA

prisoner database. Despite requests, the Chinese government has not provided full details or a credible accounting of those detained, missing, or “disappeared,” trials have not been open, and those accused are not given adequate legal representation.

The Chinese government continues to deny repeated international requests for access to the “disappeared” 20-year-old Gendun Choekyi Nyima, whom the Dalai Lama designated as the 11th Panchen Lama when he was six years old. The Chinese government continues to insist that Gyaltzen Norbu, selected with the support of Chinese officials, is the “true” Panchen Lama.

Despite the efforts of the U.S. and other governments, no formal dialogue took place between the Dalai Lama’s representatives and Chinese government and Communist Party officials during the past year. The environment for productive exchanges deteriorated markedly, given the new religious freedom restrictions and the government’s public denunciations against the Dalai Lama.

UIGHUR MUSLIMS

In the Xinjiang Uighur Autonomous Region (XUAR) and other areas of Xinjiang province, there continue to be severe religious freedom abuses affecting both Uighur Muslims and others engaged in independent religious activity. In an effort to eradicate “extremism and terrorism” the XUAR authorities view independent religious activities as evidence of “extremism” and prohibit outward manifestations of Islamic piety among students and government employees. China’s active repression of Uighur religion and culture may be counterproductive, leading to the very type of extremism Beijing’s policies are allegedly trying to forestall.

...[CHINESE] AUTHORITIES VIEW INDEPENDENT [MUSLIM] RELIGIOUS ACTIVITIES AS EVIDENCE OF “EXTREMISM” AND PROHIBIT OUTWARD MANIFESTATIONS OF ISLAMIC PIETY AMONG STUDENTS AND GOVERNMENT EMPLOYEES.

Efforts to promote “ethnic unity,” curb free speech and public protest, and halt independent religious activity, which started after 2009 demonstrations and riots in the XUAR, continued during the past year. Local governments pursued campaigns to curtail illegal religious gatherings, and in January 2012, the deployment to rural areas of 8,000 new security personnel was announced, tasked with “cracking down on illegal religious activities,” among other things.

The increased police presence in rural areas of the XUAR is complimented by a system of informal “religious information gatherers” who are paid to provide details on Friday sermons and other religious activity. According to information compiled by the CECC, such a system was authorized last year in Chapchal Xibe Autonomous County, Ili Kazakh Autonomous Prefecture, and in parts of the city of Urumqi, where authorities called on religious personnel to halt the emergence of “illegal religious sects” that they deem “contrary” to the Qur’an. According to the Uyghur-American Association (UAA), villages in Hoten implemented a system of “voluntary pledges” to regulate religious and political behavior of villagers, placing special emphasis on promises to curb “illegal religious activity.” Provincial authorities reportedly target 23 kinds of “illegal religious activity,” including student prayer, holding unauthorized religious classes, “distortion” of religious doctrine, conducting certain marriage and divorce practices, and advocating “Pan-Islamism” and “Pan-Turkism.” During June 2012, police conducted neighborhood sweeps in the city of Hoten as part of a campaign to stop illegal religious schools. There have been yearly campaigns and arrests of individuals in Hoten engaged in private study of the Qur’an. In February 2012 police detained and fined over one hundred people and shut down hundreds of religious sites.

CHINA

During the current reporting period, police raids on independent religious schools reportedly led to at least a dozen injuries and the death of one child in police custody. In June 2012, in the city of Hoten, a dozen children were injured when a tear gas canister exploded during a police raid. According to the CECC, local officials claimed that teachers were holding the students against their will. Also in June, in Korla city, Bayangol Mongol Autonomous Prefecture (BMAP), an 11 year old boy died after being detained for attending an unauthorized religious school, reported RFA.

There continue to be reports of campaigns to prevent men from wearing “large beards” and women from wearing veils. In March 2012, RFA reported that authorities in Aksu prefecture destroyed 13,000 “illegal propaganda materials” confiscated from students, including electronic versions of the Qur’an and other religious materials. In July 2012, government officials required welfare recipients in Hoten, Asku, and Kashgar to sign pledges promising not to cover their faces for religious reasons. In Hejing country, BMAP, welfare recipients were told that their benefits would be cut if women wore veils and parents allowed minors to attend mosques.

In Uighur areas, imams are required to undergo annual political training seminars to retain their licenses, and local security forces monitor imams and other religious leaders. Imams at Uighur mosques are reportedly required to meet monthly with officials from the provincial level Religious Affairs and Public Security Bureaus to receive “advice” on the content of their sermons. Failure to attend such meetings can result in the imam’s expulsion or detention. The XUAR government restricts observance of religious holidays, particularly Ramadan. Teachers, professors, university students, and other government employees are prohibited from observing Ramadan and reportedly are subject to fines if they attempt to do so. Government officials are prohibited from fasting or attending mosques.

Uighur Muslims continued to serve prison sentences for engaging in independent religious activity. In May 2012, nine Uighurs were sentenced to prison on charges related to their “illegal religious activities.” Qahar Mensur and Muhemmed Tursun continue to serve three-year terms for allegedly distributing “illegal religious publications,” although the charge is disputed.

Members of the family of Rebiya Kadeer, one of the most prominent Uighur human rights and religious freedom advocates, are either in prison or under constant surveillance and harassment.

CATHOLICS

The Chinese government continues to interfere in the religious activities of Chinese Catholics, including the ability of priests and bishops to affiliate with the Holy See. Tensions between the government-approved “Catholic Patriotic Association” (CPA) and so-called “underground” Catholics continued, and priests and bishops continued to be imprisoned. Governmental efforts to convince or coerce Catholic clergy to join the CPA are particularly intense in the two provinces with the largest Catholic communities, Hebei and Shaanxi.

THE CHINESE
GOVERNMENT
CONTINUES TO
INTERFERE IN THE
RELIGIOUS ACTIVITIES
OF CHINESE CATHOLICS,
INCLUDING THE ABILITY
OF PRIESTS AND BISHOPS
TO AFFILIATE WITH THE
HOLY SEE.

The Chinese government continued to put forward bishops not recognized by the Holy See and to place these bishops in charge of both the CPA and the Catholic Bishop’s Council in China. An estimated 90 percent of CPA bishops and priests are secretly ordained by the Vatican and, in many provinces, CPA and unregistered Catholic clergy and congregations work closely together. In 2006, the Vatican and the CPA worked together to select eleven bishops, reversing a previous trend of the government appointing all bishops without Vatican approval. However, beginning in late 2010, the CPA ordained

CHINA

seven bishops without Vatican approval, and the Vatican excommunicated four of them. Three bishops received prior Vatican approval, though the Chinese government is now detaining two of these bishops for secretly contacting the Holy See.

In July 2012, the CPA ordained a bishop of Harbin, Heilongjiang province without Vatican approval. Before the ceremony, police detained individuals opposed to the ordination, including several priests and the Holy See-recognized apostolic administrator in Harbin. They were released after the ceremony, but two priests have been forced to stay away from their parishes. Also in July 2012, Ma Daqin was ordained a bishop in Shanghai with both Vatican and CPA approval. The new bishop refused to allow the participation of a non-Vatican-approved CPA bishop in his ceremony and publicly resigned from the CPA in front of the congregation. Bishop Ma was immediately taken to a “Catholic seminary,” where he is being detained while the CPA investigates whether he violated its regulations.

Chinese authorities continue to pressure Catholic clergy to affiliate with the CPA and recognize its leadership. Priests, seminarians, and some laity were forced to attend political “education” sessions in the past year. In January 2012, six priests from the Inner Mongolian city of Erenhot reportedly were arrested while attempting to meet to discuss pastoral care and leadership issues for unregistered Catholics in the Suiyuan diocese. Four of the six reportedly were released within several days, but the whereabouts of Fathers Ban Zhanxiong and Ma Mumin remain unknown. The arrests were allegedly related to a dispute over the transfer of priests in Erenhot by Bishop Paul Meng Qinglu, a Vatican-affiliated bishop who previously had participated in the illicit ordination of the bishop of Chengde (Hebei). Since the arrests, police reportedly have closed the seminary and stationed police at churches in the region.

According to the CECC, at least 40 Roman Catholic bishops remain imprisoned or detained, or were forcibly disappeared, including the elderly Bishop Su Zhimin, whose current whereabouts are unknown and who had been under strict surveillance since the 1970s. In addition, the whereabouts of Bishop Shi Enxiang, who was detained in April 2001, and Auxiliary Bishop Yao Ling, remain unknown. The whereabouts of two unregistered priests, Ma Shengbao and Paul Ma, detained in March 2009, remain unknown. In addition, Father Li Huisheng remains in custody serving a seven-year term for “inciting the masses against the government” and Fr. Wang Zhong is serving a three-year sentence for organizing a ceremony to consecrate a new unregistered church.

PROTESTANTS

The Chinese government continues to restrict the religious activities of Protestants who worship in the government-approved church and to harass, intimidate, detain, and arrest unregistered Protestants for religious activities protected by China’s constitution. In the past year, police and security officials detained almost 1,500 Protestants, some in long-term home detention, sentenced as many as 18 religious leaders to prison or re-education through labor, harassed and closed churches, and curtailed both public worship activities and outreach to students.

...POLICE...DETAINED ALMOST 1,500 PROTESTANTS, SOME IN
LONG-TERM HOME DETENTION, [AND COURTS] SENTENCED AS
MANY AS 18 RELIGIOUS LEADERS TO PRISON OR
RE-EDUCATION THROUGH LABOR...

The majority of Protestants in China, estimated to be at least 70 million, are affiliated with the “house church” movement, which refuses, both for theological and political reasons, to affiliate with the government-sanctioned Three-Self Protestant Movement (TSPM) or China Christian Council (CCC).

CHINA

The government requires all Protestant groups to register and join one of these officially-recognized religious organizations; those that do not are technically illegal, though there is uneven enforcement of this provision, with some churches meeting openly and regularly with memberships of several hundred to a thousand. The government largely tolerates groups that meet in homes or in small groups, but continues to view with suspicion religious organizations with extensive foreign ties, whose memberships grow too quickly, whose leadership becomes too popular or organizes across provincial lines, or whose religious activities allegedly disrupt ethnic or social “harmony.”

In recent years, both SARA and various security bureaus have sought to reduce the visibility of large unregistered churches and curtail missionary, educational, and charitable work. During the reporting period, the NGO ChinaAid published several government directives, including a ten-year plan to “eradicate” churches that refuse to affiliate with the TSPM or the CCC, and orders to limit missionary activity among university students in order to “resist foreign influence.”

The plan on house churches was issued by SARA and the Ministries of Public Security and Civil Affairs, and counseled a three- step approach to dealing with the unregistered churches over a 10- year period. According to the CECC, authorities would deal individually with unregistered congregations, registering those willing to register, and, if these measures fail, “forcefully” ban congregations “influenced or controlled” by overseas organizations or by “cult organizations.”

During the reporting period, the government attempted to force unregistered groups to either join the TSPM or face harassment, closure or other penalties. In Xilinhot city, Xilingol league, Inner Mongolia Autonomous Region, local authorities demanded that the New Canaan Church affiliate with the TSPM. In January 2012, public security officials raided the house church, confiscated Bibles and hymnals, installed new locks, pressured the landlord to terminate the lease, and interrogated the pastor and two members of the congregation for several hours before releasing them. In May 2012, police interrupted services at house churches in Shijiazhuang city, Hebei province, and Langzhong city, Nanchong municipality, Sichuan province, and told parishioners to worship only at a TSPM church. In August 2012, three churches in Dongguan, Guangdong province were closed after they refused to join the TSPM. Also in August, a house church in Gushi county, Henan province, was raided, the church's pastor beaten, and the police said the church must join the TSPM if it was to remain open.

The May 2012 directive on campus missionary activity was jointly issued by six ministries affiliated with the Central Committee of the Communist Party. It advises university officials to shut down Protestant outreach activities to students, characterizing unregistered Protestantism as being directed by “foreign forces.” Although it is not clear how this directive will be implemented, during the past year a church-run summer camp for students in Hou village, Lichuan county, Jiangxi province was forcibly closed and its leaders detained and told to join the TSPM. In August, nine Protestants from Ulanhot, Inner Mongolia, were arrested for engaging in missionary activity and two were sentenced to two years of re-education through labor.

Police continued to detain members of Beijing’s Shouwang Church, who have tried to hold weekly public worship services since April 2011 to protest government efforts to close their church. Nine hundred people were detained for short periods in the past year, some multiple times. Sixty members of the Shouwang Church were evicted from their apartments, ten lost government jobs, and others lost Beijing residency permits. Shouwang Church leaders, including pastors Jin Tianming, Yuan Ling, Zhang Xiaofeng, and Li Xiaobai, and lay leaders Sun Yi, You Guanhui, and Liu Guan, remain confined to their homes.

CHINA

Members of unregistered Protestant groups that the government arbitrarily deems “evil cults” are the most vulnerable to detention, arrest, and harassment. The extrajudicial security apparatus, called the 6-10 Office, has broadened its mandate beyond Falun Gong activity to include groups that self-identify as Protestant. The government has banned at least 18 Protestant groups. Examples of banned groups include the Disciples Association, the “Shouters,” and the Local Church, a group that was founded by Chinese church leader Watchman Nee.

In February, two leaders of a house church in Yulin, Shaanxi province, were sent to a labor camp for allegedly leading an “evil cult.” In April, seven leaders of a house church in Pingdingshan, Henan province, were arrested on a similar charge. In December, Pastor Cao Nan of Shenzhen, Guangdong province and several members of his church were arrested for holding public worship services in a local park. The members were released after a few days, but Cao Nan was held in administrative detention for several weeks for using “false religion” to “harm social order.” Pastor Cao is suing the local police for his detention.

Protestant pastor Alimjan Yimit (Himit) continues to serve a 15-year sentence in the XUAR, allegedly for “leaking state secrets to overseas organizations.” Jiang Yaxi also remains in custody awaiting trial; she was arrested in November 2011 for the sale and distribution of a Christian documentary.

FALUN GONG

The Chinese government continued its fourteen-year campaign to eradicate Falun Gong activity and pressure practitioners to renounce their beliefs. Falun Gong adherents report, and official Chinese government statements confirm, long-term and arbitrary arrests, forced renunciations of faith, and torture in detention. Reportedly, over 3,500 Falun Gong practitioners have died as a result of government-approved persecution. China maintains an extrajudicial security apparatus, the 6-10 office, to stamp out Falun Gong activities and uses specialized facilities known as “transformation through reeducation centers” to force practitioners to renounce their beliefs through the use of torture and medical experimentation. Falun Gong practitioners have documented dozens of deaths in these transformation centers.

THE CHINESE GOVERNMENT CONTINUED
ITS FOURTEEN-YEAR CAMPAIGN TO
ERADICATE FALUN GONG ACTIVITY AND
PRESSURE PRACTITIONERS TO RENOUNCE
THEIR BELIEFS.

Provincial authorities were urged to conduct anti-cult campaigns, including public meetings and the signing of anti-cult “pledge cards.” According to the CECC, a government website provided training materials for these campaigns.

The government detains Falun Gong practitioners under Article 300 of the Criminal Procedure Code, which deals with individuals accused of crimes associated with “evil cults.” Lawyers who have challenged the law and those who sought to defend Falun Gong have been harassed and detained, including in recent years lawyers Wei Liangyue and Wang Yonghang.

In January 2012, according to the NGO China Human Rights Defenders Network, officials in Hunan Province threatened parents with the expulsion of their children from school unless they signed a guarantee not to take part in the “evil cult” activities of Falun Gong and house church Protestantism. Parents in Wugang City must sign such an agreement to register their children for school, which violates both the rights to education and freedom of religion or belief. To spread information about the requirement, the local government held more than 30 events related to “evil cults” during the Chinese New Year, disseminating tens of thousands of publications opposing Falun Gong and house churches.

CHINA

It is difficult to determine how many Falun Gong practitioners are in detention because they are most often incarcerated in re-education through labor (RTL) camps and mental health institutions. However, the U.S. Department of State noted that Falun Gong adherents may constitute half of the 250,000 officially recorded inmates in RTL camps. The UN Special Rapporteur on Torture has reported that practitioners make up two-thirds of the alleged victims of torture presented to him.

As of December 2012, the CECC's prisoner database lists 486 Falun Gong practitioners as currently serving prison sentences, though the actual number may be much higher. One such prisoner is Wei Jun, currently serving a five-year sentence at the Heilongjiang Women's Prison, her fourth incarceration since 1999. According to her testimony of torture and abuse while in custody, which was smuggled from prison, she suffers from partial paralysis from being beaten by both prison guards and other prisoners. The Falun Dafa Information Center (FDIC) claims evidence showing that over 50 Falun Gong practitioners died in custody since 2011.

Numerous allegations of government-sanctioned organ harvesting and psychiatric experimentation also continue to surface, and both the UN Special Rapporteur on Torture and the Committee against Torture, a UN treaty-monitoring body, have highlighted concerns.

RESTRICTIONS ON OTHER "ILLEGAL" RELIGIOUS GROUPS

Judaism, the Eastern Orthodox Church, the Baha'i faith, the Unification Church, the Church of Jesus Christ of Latter-day Saints (Mormons) and various folk religions have adherents in China but are not legal. However, some groups, such as the Mormons, do meet in homes for weekly services. In May 2010, the Ohel Rachel Synagogue in Shanghai was allowed to open and hold services on weekends for visiting tourists and the city's expatriate community. Orthodox churches are allowed to operate, primarily in Xinjiang and Heilongjiang provinces. Efforts to legalize the Orthodox have failed.

Various folk religions, some with millions of followers, are sometimes tolerated at the provincial level. Authorities in Hunan Province have begun to implement provincial-level regulations to oversee folk religious venues. These regulations are potentially significant because they protect religious practice outside the five recognized communities and allow venues to register directly with provincial governments, something that is not allowed to Protestant, Catholic, or Orthodox religious sites. However, the regulations allow registration only of existing venues and stipulate that no new sites may be built. In addition, any venue that is destroyed may not be rebuilt unless it retains "historical stature" and "great influence." The State Administration for Religious Affairs has established a division to deal directly with the management of folk religions.

RESTRICTIONS ON GOVERNMENT-APPROVED RELIGIOUS GROUPS

Members of the officially-approved religious groups (Taoist, Buddhist, Muslim, Protestant, and Catholic) are subject to similar government oversight and restrictions, including on issues of doctrine, clergy, religious activities, and religious sites. All agree to "uphold the leadership of the Communist Party and the socialist system," "participate in socialist material, political, and spiritual civilization," and protect "religious harmony, national unity ... and world peace." According to the CECC, these groups allow SARA to interpret scriptures.

Buddhist Master Wu Zeheng, since his release from prison in 2010, has been closely monitored by police and local authorities in Guangzhou province. He was arrested twice for holding meetings and ceremonies

CHINA

with students and followers. Several of his students have been harassed for seeking his teaching. His freedom of movement also continues to be restricted.

Government oversight of the Islamic Association of China (IAC) affects both Uighurs and Hui Muslims, the majority of China's Muslim population. In the past year, authorities continued to regulate the selection of religious leaders and overseas pilgrimages. Authorities also continued to control the content of sermons and the ability of Muslims to do missionary work (*dawa*). Some provincial areas issued bans on *dawa*, including Changde city, Hunan province and in the Menyuan Hui Autonomous County, Qinghai province.

In December 2012, 14 people were sentenced to prison for clashing with police over a disputed mosque in Hexi township, Ningxia Hui Autonomous Region (NHAR). After local authorities sought to tear down a newly refurbished mosque, members of the Hui Muslim community demonstrated. RFA stated that 2 people died and 50 were injured in the clash.

HUMAN RIGHTS DEFENDERS

For the past five years, the government has harassed and intimidated rights defenders, shutting down law firms and revoking the licenses of lawyers that take on sensitive human rights cases and defend vulnerable religious communities. Over 100 lawyers and human rights defenders have been forcibly

FOR THE PAST FIVE YEARS,
THE GOVERNMENT HAS
HARASSED AND
INTIMIDATED RIGHTS
DEFENDERS, SHUTTING
DOWN LAW FIRMS AND
REVOKING THE LICENSES
OF LAWYERS THAT TAKE
ON SENSITIVE HUMAN
RIGHTS CASES AND DEFEND
VULNERABLE RELIGIOUS
COMMUNITIES.

disappeared, tortured, detained, or sentenced to prison terms since 2011. During the past year, the CECC documented efforts by Chinese authorities to intimidate and physically harm human rights lawyers as well as their families. Local government security agencies monitored rights defenders' whereabouts, forced them to leave their homes for remote locations during sensitive visits of foreign delegations, and detained them in their homes.

Human rights lawyers who defended Falun Gong practitioners faced the most difficulty. Lawyer Li Fangping was detained and tortured in custody and Lawyers Liu Wei and Tang Jitian's law licenses were revoked by the Beijing Municipal Justice Bureau. In 2011, Wang Yonghang, from Liaoning province, was given a seven-year prison sentence for defending a Falun Gong client.

Dr. Fan Yafeng, a prominent Protestant leader, human rights lawyer, and drafter of Charter '08, was first detained in March 2010 to prevent him from meeting foreign media. He remains under house arrest and over the past year has undergone intense periods of interrogation and mistreatment, including reportedly being shown video of Gao Zhisheng's torture.

It was announced in January 2012 that Gao Zhisheng, one of China's best-known human rights lawyers, was to serve a three-year sentence for parole violation. Gao had been disappeared since April 2010 and under some form of detention since 2007. Gao defended Falun Gong and unregistered Protestants and was a vocal critic of the Chinese government's human rights record and corruption. Before his disappearance, he published a report of the torture he endured during a September 2007 interrogation. Videos of Gao's torture have been shown to other dissidents.

FAILURE TO PROTECT NORTH KOREAN REFUGEES

CHINA

During the last year, the Chinese government continued to detain and repatriate North Korean asylum-seekers despite its international obligations to protect refugees. North Koreans who are forcibly repatriated, particularly those suspected of having religious beliefs or affiliations, face torture, imprisonment in penal labor camps, and possible execution. China is a party to the 1951 Convention relating to the Status of Refugees and its 1967 protocol, but no Chinese law provides for the protection of asylum seekers and China continues to insist that North Koreans are economic migrants and not refugees. The South Korean Unification Ministry estimates that around 5,000 North Koreans are repatriated each year.

In February, 2012 South Korean media and CNN reported that dozens of North Koreans were arrested in Jilin province and later repatriated. According to various foreign media reports, in May 2012 public security officials in Yanbian Korean Autonomous Prefecture (Jilin province) conducted a five month sweep of “illegal” refugees and international NGOs and religious organizations working to assist them. In March 2012, public security officials detained four South Koreans activists on charges of “endangering state security.” After their release and deportation in July 2012, one of the activists claimed that he was tortured while in custody.

The Chinese government cooperates with the UN High Commissioner for Refugees (UNHCR) on some refugee or asylum cases for North Koreans who are able to make it to Beijing. However, the Chinese government does not allow the UNHCR to work in the border regions and continues to deny humanitarian assistance for asylum-seekers.

U.S. POLICY

During the past year, the U.S. government has pursued a policy of “re-balancing” relations with Asia or the so-called “Asia Pivot.” Officials have stated repeatedly that the new U.S. stance is intended to strengthen cooperation with China while establishing a strong and credible American presence across Asia. The United States wants to encourage constructive Chinese behavior and provide confidence to other countries in the region that they need not yield to Chinese regional hegemony. The Chinese official press and observers characterize the new policy as containment.

The Obama administration announced detailed security and economic positions, including the creation of a new economic regime in Asia (the Trans-Pacific Partnership or TPP) that will exclude China because of its trade practices and currency manipulation, and the expansion of U.S. military presence in Australia and the Philippines. The President said the United States will “lead in Asia” in promoting democracy and human rights, declaring that “fascism and communism, rule by one man and rule by committee” have been tried and failed. President Obama is reported to have raised religious freedom concerns with the Chinese leadership, and in September 2012, then Deputy National Security Advisor Dennis McDonough publicly criticized China for continuing to “outlaw and imprison the worshippers of religious and spiritual groups, including unregistered Christian churches and Tibetan Buddhists.” Despite these statements, the security and economic pillars of the Asia Pivot remain more developed, and no new democracy, human rights, or humanitarian policy proposals have been offered.

Outside of this rebalancing, the U.S. government has emphasized Internet freedom, the protection of human rights advocates, and freedom of religion in China. Administration officials, including the President, have raised publicly the cases of Nobel Prize winner Liu Xiaobo, human rights lawyer Gao Zhisheng, and the self-immolation of Tibetan Buddhists. Nevertheless, human rights issues, unlike other issues of bilateral concern, are not fully integrated into the architecture of U.S.-China bilateral relations,

CHINA

particularly during the U.S.-China Economic and Security Dialogue, the most significant bilateral cooperation mechanism.

This administration, like its predecessors, places emphasis on conducting rights dialogues to advance the freedom of religion and related human rights. China and the United States engage in a regular formal Human Rights Dialogue and convened a U.S.-China Legal Experts Dialogue. In describing the discussions at the human rights dialogue, Assistant Secretary of State for Democracy, Human Rights, and Labor Michael Posner said that he had “frank and constructive exchanges” including freedom of religion, among other things. There has been no progress towards creating a bilateral Religious Freedom Working Group.

RECOMMENDATIONS

The United States should undertake consistent and principled engagement with China on human rights by regularly, visibly, and consistently pressing human rights at all levels of bilateral relations—trade, security, environment, educational, and civil society development. A stable China committed to protecting and advancing its citizens’ fundamental rights and religious freedoms is in the interests of the United States. Religious freedom and related human rights are directly related to expanding the rule of law, developing civil society, aiding stability in ethnic minority areas, and expanding the freedom of expression.

In pursuit of these interests, USCIRF recommends that religious freedom and related human rights be woven into the architecture of the U.S.-China bilateral relationship. In addition, USCIRF urges the Obama administration to raise religious freedom concerns in multilateral fora where the United States and China are members, to signal clearly and publicly that human rights are a vital U.S. interest that affect the flexibility and scope of U.S.-China relations, and to coordinate potential sources of leverage, within the U.S. government and with allies, in order to build a consistent human rights diplomacy with China.

I. ENDING RELIGIOUS FREEDOM AND RELATED HUMAN RIGHTS ABUSES IN CHINA

In addition to continuing to designate China as a CPC, the U.S. government should initiate a “whole-of-government” approach to human rights diplomacy that would:

- use the CPC designation to develop political, cultural, or financial incentives, both positive and negative, for provinces with the worst religious freedom conditions and state agencies shown to perpetrate abuses of religious freedom and related rights;
- task the National Security Staff (NSS) to develop a human rights action plan and coordinate its implementation across all U.S. government agencies and entities, including developing targeted talking points and prisoner lists, and providing support on human rights concerns for U.S. delegations visiting China;
- maintain lists of Chinese authorities who engage in human rights abuses and issue travel restrictions or potential financial penalties for these actions;
- coordinate human rights and technical assistance programs with allies who conduct bilateral human rights dialogues with China; and

CHINA

- make consistent and clear public statements directly to the Chinese people in support of human rights activists, and increase the number of staff supporting human rights diplomacy and the rule of law, including religious freedom, at the U.S. embassy and consulates.

II. RAISING RELIGIOUS FREEDOM IN THE U.S.-CHINA STRATEGIC DIALOGUE AND OTHER FORUMS

The U.S. government should:

- raise a full range of religious freedom concerns in the Strategic Dialogue and seek to reach agreements on key religious freedom issues as part of the Dialogue's regular outcomes; and
- ensure that the U.S.-China Legal Experts Dialogue includes ongoing discussions about issues of religion and law in China, including seeking to reach agreements on technical assistance and legal exchanges on the compatibility of Chinese laws, regulations, and decrees with international standards on freedom of religion or belief.

In addition, during bilateral discussions with China, the U.S. government should seek to raise religious freedom concerns and urge the Chinese government to:

- release all those imprisoned, detained, or disappeared on account of their religious belief, activities, or religious freedom advocacy;
- account fully for all those detained, released, tried and sentenced and/or missing following public order disturbances in Tibet or Xinjiang; allow immediate access for international observers, including the International Committee of the Red Cross, to all detention facilities; and implement all UN recommendations on Tibet and Xinjiang;
- allow faith-based non-governmental organizations to operate legally and nationally, including in the border regions with North Korea;
- cease the use of torture and ensure that alleged incidents are consistently and impartially investigated and that evidence procured through torture is excluded from legal proceedings, end the mistreatment of Falun Gong and North Korean refugees in detention, and ensure that no asylum-seeker is returned to a country where he or she faces a real possibility of torture;
- ensure that religious education for minors is fully guaranteed in national and provincial laws and state publicly that religious education for minors is allowable in all religious venues;
- establish a mechanism for reviewing cases of persons, including religious leaders engaged in peaceful activities, detained under suspicion of, or charged with, offenses relating to state security, disturbing social order, "counterrevolutionary" or "splittist" activities, or organizing or participating in "illegal" gatherings or religious activities;
- end the harassment, arrest, detention, and mistreatment of lawyers who take on cases of Falun Gong, unregistered Protestants, Uighur Muslims, or Tibetan Buddhists, reinstate the licenses removed from lawyers who take sensitive human rights cases, and engage in discussions with international legal bodies on ways to train and license legal advocates; and

CHINA

- allow visits to China by the UN Special Rapporteurs on the Freedom of Religion or Belief, on the Independence of Lawyers and Judges, on the Freedom of Opinion and Expression, on Human Rights Defenders, and on the Freedom of Assembly and Association, with full access in compliance with the terms of reference required by the Special Rapporteurs.

III. SUPPORTING CHINESE DISSIDENTS AND RIGHTS DEFENDERS

To strengthen the ability of Chinese lawyers and activists to defend religious freedom or related rights, address violations on account of religion or belief, and encourage freedom of expression and a vibrant civil society, media, and the rule of law, the U.S. government should:

- use appropriated Internet freedom funds to develop free and secure email and web access for use in China, to facilitate the dissemination of high-speed Internet access via satellite, and to distribute immediately proven and field-tested counter-censorship programs in order to prevent the arrest and harassment of activists and help them maintain their freedom of expression and legitimate expectations of privacy;
- ensure that programs to assist rule of law reforms and facilitate exchanges of legal experts are designed to provide support and capacity for Chinese lawyers who defend human rights activists, Falun Gong practitioners, Tibetans, Uighurs, and unregistered Christians; and
- assist human rights lawyers to educate dissidents and religious groups on their rights under Chinese and international law; and require that all commercial law programs and legal exchanges include appropriate human rights training, discussions, and technical assistance support.

IV. EXPANDING DIPLOMACY AND HUMAN RIGHTS PROGRAMS IN TIBET AND XINJIANG

The U.S. government should:

- urge the Chinese government to allow a U.S. government presence, such as consulates, in Lhasa, Tibet and Urumqi, Xinjiang, which could monitor religious freedom and other human rights conditions;
- offer publicly to facilitate meetings between Chinese officials and envoys of the Dalai Lama and seek to broker trust-building agreements to end religious freedom restrictions in Tibet and Tibetan areas; and
- strengthen efforts to highlight conditions faced by Uighur Muslims and Tibetan Buddhists by:
 - creating legal clinics to assist Uighur Muslims and Tibetan Buddhists to enforce their human rights under the Chinese Constitution and international law, similar to existing programs that serve other ethnic minority areas in China;
 - supporting religious groups and organizations to address chronic needs, as articulated by the Tibetan and Uighur people, in such areas as education, conflict resolution, language and culture preservation, environmental protection, drug and alcohol abuse prevention, and sustainable development; and

CHINA

- ensuring continued availability of funds to maintain appropriate Tibetan and Uighur language broadcasting through the Voice of America and Radio Free Asia.

V. PROTECTING AND AIDING NORTH KOREAN REFUGEES IN CHINA

The U.S. government should work with regional and European allies to press China on its obligation to protect North Korean refugees and should urge the Chinese government to:

- uphold its international obligations to protect asylum seekers by: working with the UN High Commissioner for Refugees (UNHCR) to establish a mechanism to confer temporary asylum on those seeking such protection and to permit safe transport to countries of final asylum; providing UNHCR unrestricted access to interview North Korean nationals in China; and ensuring that the return of any migrants pursuant to any bilateral agreement does not violate China's obligations under the 1951 Refugee Convention and its 1967 Protocol or under Article 3 of the Convention Against Torture;
- allow international humanitarian organizations greater access to North Koreans in China and end harassment, detentions, and other restrictions on those groups already working to assist asylum-seekers;
- allow greater numbers of North Korean migrants who desire resettlement to have safe haven and secure transit until they reach third countries; and grant legal residence to the North Korean spouses of Chinese citizens and their children; and
- facilitate exchanges between public security officials and U.S. and international agencies on issues of refugee processing, border control, and trafficking.

VI. RECOMMENDATIONS FOR THE U.S. CONGRESS

The U.S. Congress should:

- require the State Department to submit a regular public report (as is required on Vietnam) to the appropriate congressional committees detailing issues of concern discussed during the U.S.-China Strategic and Economic Dialogue, Human Rights Dialogue and the U.S.-China Legal Experts Dialogue and describing progress made toward a series of benchmarks and goals identified by Congress;
- authorize, appropriate, or re-program the funds necessary to implement a comprehensive and integrated U.S. government human rights strategy towards China, including creation of an inter-agency human rights strategy and staffing, efforts to coordinate human rights diplomacy with allies, and new positions at the U.S. Embassy in Beijing to raise the number of diplomats engaged in the promotion of human rights and religious freedom;
- ensure that any funding for rule of law and legal exchange programs includes significant programs in human rights and religion and law and provides appropriate technical support to assist human rights defenders who have been disbarred, jailed, or disappeared for taking on politically-sensitive cases; and
- ensure full implementation of the North Korea Human Rights Act of 2012, including provisions to provide humanitarian support to asylum-seekers and remove legal obstacles to North Korean refugee resettlement in the United States.