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Factsheet

CHINA

China: 20 Questions on Religious Freedom for China's Universal Periodic Review



THE U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

was created by the International Religious Freedom Act of 1998 to monitor the status of freedom of thought, conscience, and religion or belief abroad, as defined in the Universal Declaration of Human Rights and related international instruments, and to give independent policy recommendations to the President, Secretary of State, and Congress.

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China will go through its second human rights review at the UN Human Rights Council in Geneva, Switzerland. During this review, which is called the Universal Periodic Review (UPR), countries will be able to ask questions of China during its review.

The UPR is intended to assess progress towards commitments made in 2009, and it will consider new information about human rights conditions in China since 2009. China rejected most of the specific recommendations made in 2009, but the UPR still offers a chance to both review China's human rights record and seek answers from Chinese officials about religious freedom and related rights.

QUESTIONS FOR CHINA

1. Will China commit to ensuring that Tibetan Buddhist leaders are allowed to select monastic teachers autonomously under Buddhist procedures and standards, and will Tibetan Buddhists be allowed to openly express their devotion for recognized religious leaders including the Dalai Lama?
2. There have been more than 100 self-immolations within Tibetan areas of China since 2009. China's response has been to increase police presence and religious restrictions and re-educate monks and nuns, leading to further discontent and dissatisfaction among Tibetans. Will China use different methods to address the root cause of immolations, including guaranteeing that Tibetans can freely exercise religious cultural, linguistic, political, and economic rights?
3. Will China commit to resuming direct dialogue with the Dalai Lama or his representatives without preconditions?
4. Will China end secrecy and publish statistics of Tibetan Buddhists and Uighur Muslims accused of various national security crimes, allow all charged with such crimes access to lawyers and family members, and ensure that the charges of "endangering state security," "splitticism," "extremism," and "terrorism," conform to international human rights standards?
5. Will China commit to ensuring the universal right to the freedom of religion or belief of Uighur Muslims, including: allowing students to pray, attend mosque and private religious instructions; allowing government employees to fast, wear religious garb and attend religious services; ending raids on private religious study sessions and the labeling of them as a "extremist" activities; and allowing Uighurs to observe without restrictions Ramadan and other religious holidays?
6. Will China consider revising the "National Regulations on Religious Affairs" to conform to international standards related to the freedom of thought, conscience, and religion or belief?

7. Will China consider providing additional legal protections for individuals who exercise their right to the freedom of religion or belief in “unregistered” religious groups or facilities, including “house church” Protestants, “unregistered” Catholics, or folk religions?
8. Will China end the practice of selecting bishops for the Catholic Patriotic Association of China (CPA) who are not affiliated with the Vatican, allow Catholic religious leaders to openly and freely affiliate with the Holy See, and end the detentions of priests and bishops from the “unregistered” Catholic Church, including Shanghai Bishop Ma Daqin, who publicly quit the CPA in July 2012?
9. Will China end efforts to disband the Shouwang Church of Beijing, and other similar unregistered Protestant churches in China, release the leaders of these churches from detention, and simplify legal approval requirements for religious practice consistent with international human rights standards?
10. Will China consider repealing Article 300 of the Criminal Procedure Code, and any other associated legislation regarding the banning of “evil cults,” and disbanding the “610” office and the system of administrative and extrajudicial detention centers, including the transformation through reeducation facilities run by the 610 office?
11. Will China end efforts to disband the Falun Gong and allow UN special procedures and other interested observers to inquire freely about Falun Gong practitioners reportedly subject to arbitrary detentions, torture, other degrading treatment, forced labor, organ harvesting, lengthy jail terms, appropriations of property, expulsions of children from schools, suspensions of government pension payments, and other forms of discrimination and human rights violations?
12. In light of numerous reports of reprisals, arrests, and torture, the loss of their professional law licenses for defending Falun Gong practitioners, Tibetan activists, and unregistered house-church Protestants, will China protect the right of lawyers to vigorously defend clients in sensitive political cases by implementing China’s own plan set forth in its Judicial Reform White Paper (2012) on “revising laws to provide legal guarantees for lawyers to overcome difficulties in meeting with suspects or defendants, accessing materials concerning the case and obtaining evidence through investigation”?
13. Will China release all those deemed by United Nations Working Group on Arbitrary Detention to be arbitrarily detained, including individuals who advocated for greater religious freedoms, such as Gao Zhisheng, Thomkis Gyatso, Teltem Gyatso, Kalsan Gyatso, and Alimujiang Yimiti?
14. Will China consider releasing those arrested and sentenced for their religious activities or religious freedom advocacy including Wang Yonghang, Cao Nan, Qahar Mensur, Muhemmed Tursun, Yang Rongli, Wang Xiaoguang, Chen Zhenping, Fr. Li Huisheng, Fr. Joseph Zhang, Bishop Su Zhimin, Bishop Ma Daqin, Fan Yafeng, Jin Tianming, Yuan Ling, Zhang Xiaofeng, Li Xiaobai, Namkha Gyaltzen, Gedun Choekyi Nyima, Wang Xiaomei,

Wang Xiaodong, Runggye Adak, Tenzin Delek Rinpoche, Liu Gang, Wei Jun, Liu Fengmei, and Song Sheng?

15. Will China ensure that religious content on the internet is not blocked, censored, or deemed to be politically sensitive?
16. In 2009, China agreed to “strengthen the protection of ethnic minorities’ religious, civil, socio-economic and political rights.” In this regard, will China consider releasing Tibetan filmmaker Dhondup Wangchen, whose films included praise for the Dalai Lama, and Uighur internet journalist Gheyret Niyaz, who criticized repressive policies toward Muslims?
17. Though China rejected in 2009 the recommendation to invite the Special Rapporteur on Religion and Belief, will it respond positively now to the outstanding request made by that Special Rapporteur and allow a visit to China?
18. Will China grant greater access to both ethnic minority and autonomous regions for the Office of the UN High Commissioner for Human Rights (OHCHR) and other relevant United Nations bodies, as well as journalists, diplomats, international media, NGOs, and other interested observers, including places such as Tibet and Tibetan regions outside Tibet, Xinjiang and the autonomous regions within Xinjiang, and the Yanbian Autonomous Prefecture.
19. In 2009, China agreed to allow a visit by the United Nations High Commissioner for Human Rights. Will China accept a visit from the High Commissioner within the next year?
20. Will China work with the United Nations High Commissioner for Refugees (UNHCR) and other interested observers and NGOs to: establish a mechanism to confer temporary asylum for those seeking such protection and permit safe transport to countries of final asylum; provide unrestricted access for the UNHCR to interview in particular North Korean nationals in China; and ensure that the return of any North Korean asylum seeker does not violate China’s obligations under the Refugee Convention or Article 3 of the Convention Against Torture?