

PEOPLE'S REPUBLIC of CHINA

While the Chinese Constitution guarantees freedom of religion, it protects only “normal” religious activities and does not explicitly protect the right of individuals to manifest their beliefs without state interference. Religious groups and individuals believed to pose a threat to national security or social harmony, or whose practices are deemed superstitious, cult-like, or beyond the vague legal definition of “normal religious activities,” face severe restrictions, harassment, detention, imprisonment, and other abuses. Religious freedom conditions for Tibetan Buddhists and Uighur Muslims remain particularly poor, as the government broadened its efforts to discredit and imprison religious leaders, control the selection of clergy and the distribution of religious literature, and ban certain religious gatherings. The government also detained hundreds of unregistered Protestants in the past year and stepped up efforts to shutter “illegal” meeting points and public worship activities. Dozens of unregistered Catholic clergy remain in detention or have disappeared, and relations between the Vatican and Beijing declined in the past year. Falun Gong adherents continue to be targeted by extralegal security forces and tortured and mistreated in detention. The Chinese government also continues to harass, detain, intimidate, disbar, and disappear attorneys who defend vulnerable religious groups. USCIRF recommends in 2012 that China again be designated as a “country of particular concern,” or CPC under the International Religious Freedom Act of 1998 (IRFA). The State Department has designated China as a CPC since 1999.

Background

Religious communities continue to grow rapidly in China. Hundreds of millions of Chinese manifest their beliefs openly and senior government officials praise religious communities’ positive role, articulate a desire for approved religious groups to promote “economic and social development,” and have discussed allowing approved religious groups to conduct charitable activities. These are positive developments that were unthinkable two decades ago. Nevertheless, the government continues to expand its control over the religious activities of groups, particularly those viewed as political threats. Government authorities continue to praise religious groups who resist “foreign infiltration,” forbid religious affiliation among Communist Party members, and support an extralegal security force to suppress the activities of so-called “evil cult” organizations such as the Falun Gong and some Protestant and folk religion groups. The Chinese government also severely restricts online access to religious information and the authority of religious communities to choose their own leadership and parents to teach their children religion.

Religious Freedom Conditions

Tibetan and Uighur Areas: The religious freedom conditions in Tibetan Buddhist and Uighur Muslim areas of China are worse now than at any time over the past decade. The restriction of religious activity causes deep resentment in Tibetan and Uighur communities. Since the 2008 and 2009 protests in Tibetan and Uighur areas, the Chinese government has intensified efforts to discredit religious leaders, issued new measures to increase government oversight of monasteries and mosques, and implemented new “education” programs to ensure the political loyalty of Buddhist monks and “weaken the religious consciousness” of Uighur Muslims. There are hundreds of Tibetans and Uighurs in prison for their religious activity or religious freedom advocacy, though the exact number is difficult to verify because of lack of transparency. Almost two dozen Tibetan monks, nuns, and former monks have staged self-immolation protests, mostly in Tibetan areas of Sichuan province, to protest Chinese policies. The Chinese government stepped up efforts to discredit His Holiness the Dalai Lama and issued new decrees in the past year that may allow the removal of Buddhist leaders who profess loyalty to him.

Protestant and Catholics: Protestant and Catholics who refuse to join the state-sanctioned religious organizations face severe restrictions, including efforts to undermine and harass their leaders, arrest and detention, and property destruction. The head of China’s State Administration for Religious Affairs (SARA) recently called on government officials to renew efforts to “guide” unregistered Protestants and Catholics to join the state-sanctioned churches. He also urged efforts to “break” large Protestant house churches into small groups. Chinese security forces detained more than 700 unregistered Protestants in the past year and sought to break up Beijing’s 1,000-member Shouwang Church. Relations between Beijing and the Vatican deteriorated in the past year as China continued to ordain bishops without Vatican approval and to promote them to positions of Church oversight and governance. Dozens of “unregistered” Catholic clergy, including three Bishops, remain in detention, in home confinement, or “disappeared.”

Falun Gong: The Chinese government continued its thirteen-year campaign to eradicate Falun Gong activity and pressure practitioners to renounce their beliefs. China maintains an extrajudicial security apparatus, the 6-10 office, to stamp out

Falun Gong activities and created specialized facilities known as “transformation through reeducation centers” to force practitioners to relinquish their faith. An estimated 2,000 individuals were detained in the extralegal “re-education centers” over the past two years and there are 486 known Falun Gong practitioners currently serving prison sentences. Practitioners who do not renounce their beliefs in detention are subject to torture, including credible reports of deaths in custody and the use of psychiatric experiments.

Human Rights Defenders: More than 100 human rights defenders were forcibly disappeared, tortured, detained, stripped of legal licenses, or sentenced to prison terms in 2011, as authorities tried to pre-empt any political unrest similar to the popular uprisings in the Arab world. The systematic targeting of human rights lawyers and activists belonging to the *wei quan* (rights defense) movement predates the previous year’s persecution.

Repatriation of North Korean Asylum-Seekers: China continues to repatriate North Korean asylum-seekers in violation of its obligations under the 1951 Convention relating to the Status of Refugees and its 1967 protocol. Beijing considers North Koreans to be economic migrants rather than refugees fleeing persecution, limits UNHCR access to North Korean asylum-seekers, and prohibits UNHCR from operating in the border region with North Korea.

Recommendations for U.S. Policy

Religious freedom and related human rights should be an important part of the Administration’s “pivot” toward Asia. 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 directly relates to expanding the rule of law, developing civil society, aiding stability in ethnic minority areas, expanding the freedoms of expression and association, and bringing China firmly within the international system through assisted implementation of universal human rights obligations. The U.S. government should use the tools available with the CPC designation to impose travel bans and other financial penalties that target officials or state agencies which perpetrate religious freedom abuses as well as provinces in which there are the highest numbers of religious freedom abuses. 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 in which the State Department and National Security Staff (NSS) 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 staffing and support for all U.S. delegations visiting China;
- Issue travel restrictions and financial penalties for Chinese authorities who engage in human rights abuses, including officials from provinces with the worst religious freedom conditions and those working for state agencies shown to perpetrate religious freedom and related rights abuses;
- 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;
- Increase the number of staff dedicated to supporting 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;
- Reinvigorate multilateral cooperation on human rights and technical assistance programs with allies who conduct bilateral human rights dialogues with China; and
- Urge China to uphold its international obligations to protect asylum seekers by: working with UNHCR to provide such protection; permit safe transport to countries of final asylum; provide UNHCR with unrestricted access to interview North Korean nationals in China; and ensure 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.

Please see USCIRF’s 2012 Annual Report for a more extensive review and recommendations on China.