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China

Religious Freedom in China a cause of concern

Soteria International

宗教と人権を考える会,

The Association on Study of Religion and Human Rights,

(TASRHR)



Soteria international, is a non-governmental organisation founded in Copenhagen in 2007, who's aim is to facilitate a constructive dialogue between spiritual practitioners, state, and social actors in order to decrease misunderstandings and stop human rights abuses. www.soteriainternational.org info@soteriainternational.org

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TASRHR, 宗教と人権を考える会, **The Association on Study of Religion and Human Rights**, with a head office at **2-17-3 Suido, Bunkyo-Ku, Tokyo, Japan**, is a NGO whose aim is to protect religious freedom and human rights. TASRHR, by investigating and studying the issues and problems of religious freedom and human rights, particularly of Christians, in China, supports the persecuted religious groups and establishes a platform for informing the media.

Website: <https://www.tasrhr.org>

1. Introduction

1.1 After the second cycle of UPR, China has turned down most of the recommendations concerning civil and political rights, including the recommendations calling for China to revoke extrajudicial and arbitrary detention.

1.2 Although several Christian groups are persecuted in China, we focus on the most blatant and dramatic case, concerning the Christians of The Church of Almighty God. In addition to others religious believers, human rights activists, and dissidents, during the span between 2014 and 2018, members of The Church of Almighty God have been subjected to continuous arbitrary detention and imprisonment in China.

1.3 The Church of Almighty God (CAG) is a new Christian Church established in China in 1991, whose core teaching is that Jesus Christ has returned to Earth and incarnated as Almighty God, who expresses teachings mainly collected in the book *The Word Appears in the Flesh*, promising the full salvation and purification of humankind. CAG Christians focus on reading Almighty God's words and practicing them in daily life, proclaiming the Gospel in a peaceful way.

1.4 The authorities of the Chinese Communist Party (CCP) have continued their consistent policy to persecute the CAG, just as they are suppressing many forms of religious belief. Upon information we received, and continue to receive, from China, so far, more than 400,000 CAG Christians have been subjected to arbitrary detention and imprisonment due to participating in peaceful religious activities, and nearly 50,000 members suffered torture during arbitrary detention.

2. Legal Framework

2.1 The CCP has included several Christian churches, including CAG, into the list of "cults" it publishes since 1995, which led to the legislation of the crime of "being active in a cult," and to the arrest of CAG Christians under the pretext of "clampdown on cults" (Irons 2018).

2.2 CCP has accused CAG of having committed several crimes, including the May 28 McDonald's Murder in 2014. The CCP used this justification to arrest CAG Christians overtly. However, after their investigation and studies, reputable Western scholars concluded that so far, none of such crimes has been proved, that CCP had already started its widespread arrests and persecution of CAG Christians many years before the accusations, and that CCP did use the alleged crimes as a pretext to escalate their repression of CAG (Introvigne 2017).

2.3 On January 25 of 2017, a judicial interpretation of Article 300 of the Criminal Law of the People's Republic of China was published by the Supreme People's Court and the Supreme People's Procuratorate, detailing the criteria of sentencing each crime of "sabotaging the implementation of the laws by utilizing evil religious organizations," and distinctly prohibiting several religious activities, such as attending church meetings, producing and disseminating promotional publications, spreading the theology on the Internet, etc. Whoever is involved in such activities is to be sentenced to 3-7 years of fixed-term imprisonment; when circumstances are particularly serious, to not less than seven years of fixed-term imprisonment or life imprisonment (The Supreme People's Court and Supreme People's Procuratorate of the People's Republic of China 2017). This overtly violates the provisions "The state protects normal religious activities" in Article 36, and "Citizens of the People's Republic of China enjoy freedom of speech" in Article 35, of the Constitution of the People's Republic of China, as well as Articles 7, 9, 18, 19, 20 of the Universal Declaration of Human Rights.

2.4 The CCP's abuse of human rights during the arbitrary detention and imprisonment seriously violates Articles 1, 2, 3, 4, 5, 10, 11, 12, 22, 23, 24, 25 and 26 of the Universal Declaration of Human Rights.

3. Arbitrary Detention During 2014-2018

3.1 CAG Christians have encountered arbitrary detention and imprisonment on a large scale during 2014-2018. As mentioned earlier, in 2014, the CCP falsely attributed the May 28 McDonald's Murder in Zhaoyuan, Shandong to CAG, and thus openly began massive arrests of CAG members throughout the country. According to CCP's official media outlet Xinhuanet, during June 16, 2014 to August 19, 2014, nearly 1,000 CAG Christians were arrested (China News 2014). Freedom House, an International NGO, reported that eighty percent of those arrested and persecuted between 2014 and early 2016 as members of "heterodox religions" (*xie jiao*) were members of CAG (Cook 2017). They were sentenced and imprisoned not because they had committed any crimes, but because they had peacefully exercised their rights to freedom of belief, and freedom of expression.

3.2 In 2017, the CCP carried out its "Door-knocking Operation" (The Office of the CCP Henan Provincial Committee 2017). From early 2017 to the end of September of the same year alone, at least 1,674 CAG Christians encountered arbitrary detention and imprisonment for their belief.

3.3 In March 2018, Human Rights Without Frontiers, an international NGO from Belgium, published 377 cases of detainees of CAG Christians in the 19-77 age range, among which 250 members were sentenced to three to seven years of imprisonment, and 73 to more than seven years. The investigation showed that those 377 CAG Christians were identified as "sabotaging the implementation of the laws by utilizing evil religious organizations," and sentenced because of practicing the rights to freedom of religion and expression. The provision of Article 300 of the Chinese Criminal Code was commonly applied (HRWF 2018).

Some examples may be useful to understand the situation of these CAG Christians.

a. Ms. **Luo Yanping**, a CAG Christian, was sentenced to 10 years of imprisonment and deprived of political rights for 2 years on November 21, 2013, due to **her** printing books of CAG (See Criminal Verdict from the official website of Judicial Opinions of China: <http://bit.ly/2ExtkKx>).

b. Ms. **Sun Cuiqin**, a CAG Christian, was sentenced to 4 years of imprisonment in April 2014, for helping and revising articles by other CAG Christians (<https://goo.gl/S61RD8>).

c. Mr. **Li Xiaodong**, a CAG Christian, 19 at that time, was sentenced to 3 years of imprisonment on October 25, 2016, for using computer software to make videos for CAG (<http://bit.ly/2EDtD4c>).

d. Mr. **Xie Guangsheng**, a CAG Christian, 77 years old at that time, was sentenced to 3 years of imprisonment on June 30, 2017, due to believing in Almighty God and spreading the gospel, and fined 5,000 RMB (about 650 Euro) as well. From 2013 to 2017, he was administratively detained for 4 times due to his insisting on his belief in Almighty God (<http://bit.ly/2EDtD4c>).

e. Ms. **Zheng Shihong**, a CAG Christian, was arrested for organizing Church meetings for Church members and copying materials such as videos and articles of CAG, and sentenced to 8 years of imprisonment in August 2017 (<http://bit.ly/2BRjHW1>).

3.4 Nothing has been improved in the last few years. The detained CAG Christians remain in cells that violates the Standard Minimum Rules for the Treatment of Prisoners. Information was received from direct sources that each cell was about 10 square meters, where 20 prisoners (or even more) had to live together and problems such as eating, sleeping and nature calls had to be resolved in the same cell; the light was dim, the air was turbid, and the cell was always damp and cold. CAG Christians were asked to sleep on the cold cement floor. No heating facilities and hot water were provided in winter, and each prisoner was just given a mangy and stinky thin quilt.

3.5 During the arbitrary detention and imprisonment, the basic rights of CAG Christians are wantonly trampled, for instance, through frequent violent mistreatment and torture; deprivation of food and sleep; deprivation of the right to fair trials; discrimination and degradation; slavery; deprivation of medical care; deprivation of right to privacy, etc.

3.6 Violence on Detainees

Arbitrarily perpetrating violence against CAG Christians is a common occurrence during the arbitrary detention. The aim is to extract the information about other CAG Christians and the church's financial resources, and force CAG Christians to renounce their beliefs.

Torture is perpetrated by police officers, State Security Force members, prison guards, and local administrative officers. Due to the fact that secret interrogation was mainly conducted in basements, hotels, resorts, and the interrogation chamber with closed detectors in the public security bureaus and police stations, as well as other strictly controlled premises, it is very difficult to collect evidence concerning these crimes. Abuses include beatings, intended deprivation of food and sleep, long-time forced painful postures, etc., which led to injuries, disability and even death.

One example: on July 24, 2014, Mr. **Jiao Fuqun**, a CAG Christian, was arrested in Xianyang City, Shaanxi Province. The police officers kicked and stamped mercilessly on his body, and ruthlessly beat his ankles with a wooden stick. Then the police drilled the broken stick with thorn into his calf back and forth, and the blood bled immediately. The police officers also handcuffed him behind his back, put bricks under the handcuffs on his back, and fiercely lifted the handcuffs up several times. The teeth of the handcuffs had cut deeply into his flesh, and one hour later, Jiao fainted in great pain. (See **First Affidavit** by his friend Xu Rong, who later escaped to New Zealand).

3.7 Deprivation of Right to Fair Trials

The Chinese authorities have not respected the principle of due judicial process nor arrested CAG Christians based on the standard of fair trials. In much of the cases, when arresting CAG Christians, the police officers have not told them the place where they would be taken to, and have forbidden them to contact their families as soon as possible to assure their families knowledge of their condition and timely contact the lawyers for legal remedy.

The judiciary in China insists on confessions and gives less weight to evidence, and the circumstance of using torture to extract confessions is common, although it violates the principles of Criminal Procedure Law. We receive continuous reports that confessions by CAG Christians were extracted under torture and coercion. The lawyers of CAG Christians are not given sufficient opportunities to make legal defense.

For example: Ms. **Jiang Xuelian**, a CAG Christian, was arrested on July 16, 2014 for believing in Almighty God. Convicted of "sabotaging the implementation of the laws by utilizing evil religious organizations," she was sentenced to 8 years of imprisonment. Her family was not informed and could not attend the trial process, nor has it received the verdict until now (see Report on Anhui Legal System News: <http://bit.ly/2BSJoRI>).

3.8 Arbitrary Degradation and Discrimination

During the detention and imprisonment, the prison guards regard CAG Christians as political prisoners and impose special and strict regulations, including: forbidding CAG Christians to talk to each other, prolonging labor time, reducing the amount of food, restricting time to use the toilet, etc.

CAG Christians have been forced to kneel, and have been paraded along the streets with a board before their chest, stripped naked before the inmates in prison, etc.

The prison guards also incite the inmates to exclude and degrade CAG Christians, and encourage the inmates to arbitrarily beat CAG Christians, snatch their clothes and food, force them to sleep beside the toilets, and clean the toilets by hands, etc.

3.9 Forced Overload Labor

CAG Christians are forced to work for long time without payment in the severely insanitary conditions, lacking safeguards, for 12 to 20 hours a day. They are even forced to do labor that is obviously harmful to human beings and to work without protective equipment.

3.10 Deprivation of Food Supply

The majority of CAG Christians we interviewed accused the prison authorities of not providing enough food to maintain healthy and physical strength as stipulated, and most food was out-of-date or consisting of deteriorated vegetables. Due to long-term forced overload labor and serious nutritional deficiency, CAG Christians' health condition aggravated rapidly, and they suffered various diseases. Some even died of overwork.

3.11 *Deprivation of Detainees and Prisoners of Their Right to Medical Care*

Numerous detainees cannot receive medical care when getting ill in prison. According to several testimonies, doctors in prison are unavailable, or they just provide painkillers. The majority of CAG Christians were also forbidden to receive medical care in external medical centers, which resulted in serious illnesses and even death. Mr. **Nan Xiangming**, a CAG Christian, was sentenced to 3 years of imprisonment in 2015 at the age of 73 due to believing in Almighty God and keeping gospel CDs of the CAG in his home (Report on Kaiwind.net 2015). The long time in prison with high-intensity labour coupled with insufficient nutrition led to an aggravation of his diabetes, which was stable at first. The authorities of the prison refused his family's requirement of having treatment out of jail, and said, "The Chinese Communist Party's policy is: treatment out of custody for diabetes will only be given in the case of blindness or foot rot!" At last, Nan died in 2016. (See **Second affidavit** by Xu Rong)

3.12 *Deprivation of Right to Privacy*

All CAG Christians must be accompanied and monitored by police officers when their family members visit them and are commanded to speak Mandarin instead of their usual dialects so that the police could get the content of their conversations. Generally, CAG Christians are forbidden to make calls or write letters to their families. Even when CAG Christians are allowed to do so in special circumstances, their letters must be opened and read and checked by the police before mailing.

4. Conclusion and Recommendations

4.1 The Chinese authorities' continuing arbitrary detention and imprisonment infringes the rights of CAG Christians and violates the Constitution of China and the Universal Declaration of Human Rights, which protect the freedom of religious beliefs and expression. If the Chinese authorities continue to neglect the international standard and trample human rights, they won't deserve the respect of countries all over the world.

4.2 *Recommendations*

—The Chinese authorities must cease their arbitrary detention and imprisonment of CAG Christians. All CAG Christians currently imprisoned must be released.

—The Chinese authorities should abide by the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and Articles 35 and 36 in Chapter 2 of the Constitution of People's Republic of China, to protect the freedom of religious beliefs and other basic rights of CAG Christians according to the law.

Enclosures:

First and Second Affidavits by Xu Rong

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