



Religion

Population

Area

1,390,266,000

9,600,000 Km²

- Agnostics : **31.3%**
- Chinese folk religionists : **29.9%**
- Buddhists : **16.0%**
- Christians : **9.3%**
- Atheists : **6.9%**
- Ethnoreligionists : **4.3%**
- Muslims : **1.7%**
- Others : **0.6%**

Legal framework on freedom of religion and actual application

According to article 36 of China's constitution, the citizens of the People's Republic of China enjoy freedom of religious belief. No one, state agency or private individual, can force people to believe or not believe in a religion or discriminate on the basis of religious beliefs. "The state protects normal religious activities" and prohibits the use of religion for activities that "disrupt public order, impair the health of citizens or interfere with the educational system of the state." Religious organisations and activities must not be "subject to any foreign domination".^[1]

In practice, article 36 of the constitution protects only the activities of the five officially recognised religious traditions – Buddhism, Taoism, Islam, Protestantism and Catholicism – and only those governed by seven state-sanctioned "patriotic" associations. Religious practice or expression outside the state-controlled apparatus is illegal and has been met to varying degrees over the past 70 years with punishment, repression and persecution.

On 1st February 2018, new Regulations on Religious Affairs came into effect, which amount to the most restrictive new laws on religious practice in 13 years. They update the 2005 Regulations on Religious Affairs and confine many religious activities to registered sites. However, permission for a registered site is only granted once the applicant proves that their religious community needs to conduct regular collective religious activities. The regulations introduce new restrictions on online religious expression, proselytising and contain specific provisions in regard to religion, national security, and foreign contacts.^[2]

In a further development, on 21st March 2018 Chinese state media announced that the United Front Work Department, an agency of the Chinese Communist Party (CCP), would now oversee ethnic and religious affairs, replacing the State Administration of Religious Affairs (SARA). The United Front Work Department will absorb SARA, giving the Communist Party direct management of religious affairs.^[3]

In April 2018 the Chinese government issued a new White Paper titled “China’s Policies and Practices on Protecting Freedom of Religious Belief”. According to the White Paper, “active guidance” will be provided to religious organisations to help them “adapt to the socialist society” and foreigners can only engage in religious activity that is “authorised”^[4] Religion, according to the White Paper, must serve the Communist Party.

Article 27 of China’s National Security Law also relates to freedom of religion or belief. This law has been criticised by the UN High Commissioner for Human Rights for its “extraordinarily broad scope” and vague terminology, which, he argues, leaves “the door wide open to further restrictions of the rights and freedoms of Chinese citizens, and to even tighter control of civil society.”^[5]

Other regulations that may impact freedom of religion or belief include “Document 9”, a notice from the Central Committee of the Communist Party’s General Office, from April 2013, and a new law on foreign Non-Governmental Organisations, adopted in 2016. “Document 9” presents “Western” values, “Western Constitutional Democracy” and “the West’s idea of journalism” as in conflict with the Chinese Communist Party’s values and claims that petitions and letters calling for protection of human rights are the work of “Western anti-China forces”^[6]

The new NGO Law, which came into force in January 2017, gives the police unprecedented power to restrict the work of foreign groups in the country, and to limit the ability of local groups to receive foreign funding and work with foreign organisations. Foreign NGOs are required to have a Chinese government organisation as a sponsor, be registered with the police and be under the supervision of the Public Security Bureau. Police have new powers to arbitrarily summon representatives of foreign organisations in China, seize documents, examine bank accounts and revoke registration. Foreigners or foreign organisations deemed to be involved in activities aimed at “splitting the state, damaging national unity or subverting state power”^[7] can be detained, barred from leaving the country, or deported.^[8]

Despite continuing talks between the Vatican and the Government of the People’s Republic of China, the Catholic Church’s status in China continues to be complex. Officially, the state-recognised Chinese Patriotic Catholic Association is not in communion with Rome, while the unregistered, “underground” Catholic Church remains recognised by and in communion with the Pope. However, it is more complicated as some state-recognised bishops and clergy are also recognised by the Vatican, and in many parts of China lay Catholics attend Mass in both official and underground Catholic churches.

In April 2016, China’s President Xi Jinping addressed senior Communist Party officials at a meeting on religion and said that “religious groups ... must adhere to the leadership of the Communist Party”. Party members must be “unyielding Marxist atheists” who “resolutely guard against overseas infiltrations via religious means”^[9] This followed a speech by the director of China’s State Administration for Religious Affairs, who told a seminar on the Sinicisation of Christianity that “Chinese Christian theology should be compatible with the country’s path of socialism”^[10] The legislative framework his government has introduced is clearly designed to fulfil that objective.

Incidents

Repression of religious activity has intensified over the past five years, throughout the country. Between 2014 and 2016, authorities in Zhejiang Province forcibly removed thousands of crosses from churches and destroyed part or all of some church buildings. Conservative estimates claim that between 1,500 and 1,700 churches were affected, and some estimate as many as 2,000.^[11]

An increasing number of Christian clergy have been arrested and sentenced to prison terms. Living Stone Church in Guizhou Province has been particularly targeted since 2015.^[12] Yang Hua, one of the Church's pastors, was placed under criminal detention in December 2015 on the charge of illegally possessing state secrets. He was formally arrested on 22nd January 2016, and a year later he was sentenced to two and a half years in prison. He is believed to have been denied medical treatment and in March 2017 his lawyers reported, after visiting him in prison, that Pastor Yang Hua was "on the verge of paralysis".^[13] His fellow pastor, Su Tianfu, was sentenced to a year in prison in May 2018, suspended for two years, with a further six months under residential surveillance. Both pastors were also fined US\$1 million for collecting "illegal" donations from their congregation.

In Sichuan Province, over 200 members of the Early Rain Church in Chengdu were detained by authorities in May 2018, to prevent them from holding a prayer vigil for victims of the 2008 Sichuan (Wenchuan) earthquake. Pastor Wang Yi was detained by police on 11th May 2018 and accused of "picking quarrels and causing trouble".^[14]

In April 2018 authorities in Henan Province demolished crosses and churches, destroyed religious materials and prohibited children under the age of 18 from attending Protestant and Catholic churches. On 17th April 2018, a Catholic Church in Luoyang was demolished, along with the priest's residence. The tombstone of Bishop Li Hongye, who was appointed by the Vatican but not recognised by the government, was reportedly demolished, and two priests from the same diocese were driven out of their parish. On 4th April the Pingyuan Neighbourhood Committee issued a notice ordering Christians, Buddhists, Taoists and Muslims to register with the government. Churches have been ordered to fly the Chinese flag and sing the national anthem.^[15]

In April 2018 the Bible was banned from sale online in China^[16] and the two official state-controlled Protestant bodies announced they would be producing a new "secularised" version of the Bible compatible with Sinicisation and socialism.^[17]

In March 2018, during Holy Week, Catholic underground Bishop Vincent Guo Xijing was briefly detained in Fujian province.^[18] In recent years underground Catholic clergy have regularly been arrested, including Bishop Peter Shao Zhumin in Wenzhou, Zhejiang, who was arrested by police on 18th May 2017 but released in January 2018; Father Yang Jianwei in Hebei Province, who has been missing since April 2017; and Bishop James Su Zhimin, detained on 8th October 1997 in Hebei.

In Yunnan province, six members of an unregistered church group were jailed on 18th January 2018 for up to 13 years for using "an evil cult to organise to undermine law enforcement".^[19] In Shanxi province earlier in January, the Chinese authorities demolished the Golden Lampstand (Jindengtai) Church using dynamite. The church had 50,000 members.^[20]

In December 2017, a 25-old Catholic Church in Shaanxi province was demolished, despite having the necessary permits from the Religious Affairs Bureau.^[21] This follows reports towards the end of 2017 that Christians in some parts of the country were being offered money to take down pictures of Jesus Christ and crosses and replace them with portraits of China's President Xi Jinping.^[22]

Violations of freedom of religion or belief are also increasingly affecting Muslims, particularly among the Uighur population in Xinjiang province, and Buddhists among the Tibetan community and the Falun Gong spiritual movement.

In January 2018 it was reported that more than 100,000 Uighur Muslims were being held in "re-education" camps in Xinjiang province.^[23] In recent years Chinese authorities have prohibited Uighur Muslims from observing Ramadan, including reportedly assigning Communist Party officials to live in Uighur homes to prevent them from fasting and praying. New regulations prohibit face veils and beards, authorities have banned parents giving their children Islamic names, and Uighur Muslims' passports and Qur'ans have been confiscated.^[24] In 2014 Ilham Tohti, a prominent Uighur scholar who has been a moderate voice for freedom of religion or belief for his people and advocates peaceful dialogue, was given a life sentence. He was accused of supporting separatism, even though he has repeatedly rejected separatism and advocated dialogue.

For Tibetan Buddhists, repression continues, with the eviction of Buddhists from their institutions and the demolition of some Buddhist institutes in the name of a “renovation” campaign. In 2016 hundreds of homes at Larung Gar Buddhist Institute in Sertar, Sichuan province – one of the largest Buddhist teaching centres in the world – were demolished,^[25] and up to 1,000 Buddhist nuns were forced to leave another Buddhist centre, Yachen (Yarchen) Gar, and return to their home towns.^[26]

Falun Gong, described as “an ancient Buddha School practice”, has continued to face severe persecution since 1999, following an order from the then Chinese President Jiang Zemin to eradicate the practice, reportedly declaring, as per reports by a Falun Gong news organ (The Epoch Times): “Destroy their reputations, cut them off financially, and eradicate them physically”.^[27] In 2016 a major new report, “Bloody Harvest/The Slaughter: An Update”, written by a former Canadian parliamentarian David Kilgour, human rights lawyer David Matas, and journalist Ethan Gutmann alleged that the practice of forced organ harvesting – the involuntary removal of prisoners’ internal organs, which are then sold for transplant – was continuing on a much larger scale than previously thought. Falun Gong practitioners are believed to be among the primary victims of this practice.^[28]

In addition to the arrests, detention, imprisonment and harassment of religious adherents in China, recent years have also seen an unprecedented crackdown on human rights lawyers and human rights defenders, many of whom have taken up freedom of religion cases. In July 2015 over 300 human rights lawyers and activists, as well as their colleagues and relatives, were arrested, interrogated and in some cases imprisoned or disappeared.^[29] Wang Quanzhang has been held incommunicado since July 2015.^[30]

HONG KONG

When the United Kingdom handed over Hong Kong to China in 1997, the territory was established as a Special Autonomous Region of China, with a high degree of autonomy, basic freedoms and human rights, and the rule of law under the principle of “one country, two systems”. The Sino-British Joint Declaration, which is a legal treaty lodged at the United Nations, recognises China’s full sovereignty over the territory, but provides Britain with a continued responsibility to monitor and ensure the protection of Hong Kong’s way of life for the first 50 years after the handover, until 2047.

For the first 15 years of Chinese rule, “one country, two systems” was generally respected and implemented. However, in recent years many of Hong Kong’s civil and political freedoms in Hong Kong have become increasingly threatened. Violations include the abduction of booksellers who published books critical of the Chinese government, the disqualification of pro-democracy legislators, the imprisonment of pro-democracy activists involved in leading peaceful demonstrations, increasing restrictions on press freedom and academic freedom, the introduction of mainland Chinese law into the West Kowloon railway station for passengers travelling to the mainland on the high-speed rail link, the denial of entry to Hong Kong for British human rights activist Benedict Rogers in 2017 and the expulsion from Hong Kong of the Asia News Editor of the Financial Times Victor Mallet in 2018. However, so far freedom of religion or belief in Hong Kong is one of the few freedoms which generally continues to be protected.

Hong Kong's Basic Law, which is the territory's mini-constitution, guarantees freedom of conscience, freedom of religious belief and freedom to preach, conduct and participate in religious activities in public, and grants the Hong Kong authorities autonomy in religious affairs. The Bill of Rights Ordinance incorporates the religious freedom protections of the International Covenant on Civil and Political Rights (ICCPR).^[31] Places of worship operate freely and religious groups are exempt from the legal requirement for non-governmental organisations to register. Private schools are able to offer religious education, and government schools, while following the government curriculum, may offer students non-mandatory religious education. The Catholic Diocese of Hong Kong, the Hong Kong Christian Council, the Chinese Muslim Cultural and Fraternal Association, the Hong Kong Taoist Association, the Confucian Academy and the Hong Kong Buddhist Association are all represented in the 1,200-member Election Committee to elect Hong Kong's chief executive.

There has been some harassment of Falun Gong practitioners by groups believed to be associated with the Chinese Communist Party, although Falun Gong practitioners are generally able to practise their beliefs in Hong Kong, whereas they are banned in mainland China. There are also concerns that new regulations on religious practice in mainland China might restrict the activities of religious groups based in Hong Kong but working in mainland China.

Longer-term, however, there are concerns about the impact on religious freedom of the political activities of some Hong Kong pro-democracy leaders who are Christians, and the reluctance of some churches in Hong Kong to associate with pro-democracy activists among their community, but until now there has been no notable impact on freedom of religion or belief. And if other civil and political rights continue to be eroded and restricted, threats to freedom of religion or belief may increase. Pro-democracy activist Derek Lam, who is a Christian and has declared his desire to become a pastor, warns of dangers ahead. Writing in the New York Times in August 2017, he argues that in a sign of worse to come, "increasingly, we are also unable to express our faith freely. This year in particular saw an unprecedented erosion of religious freedom in Hong Kong, especially for Christians."^[32] He claims that: "Every summer, Hong Kong's Christians organise youth camps in which thousands of teenagers gather to have fun, dance to Christian rock and learn about Christian values. During the last evening of one of this summer's camps, the leaders of the camp told the campers that 'God would make China prosperous' and that Xi Jinping's pet infrastructure project known as 'One Belt, One Road' was 'the path that God had prepared'. The organisers of the camp then had the audacity to claim that 'One Belt, One Road' would help spread the gospel. This perverse co-opting of Christianity is consistent with what I have witnessed myself. In 2011, when I was 17, I spent the year founding and organising a student organisation called Scholarism along with Joshua Wong, now Hong Kong's most well-known political activist. That year, our government had announced a plan to overhaul the curriculum to what amounted to a mandatory course in nationalistic brainwashing. Scholarism helped mobilise protests and the "patriotic" curriculum was scrapped. That summer, I attended one of the city's biggest Christian youth camps. I was eager to share my democratic views with my fellow campers, but instead I witnessed young people being encouraged to proudly declare themselves as Chinese, waving the Chinese Communist Party's flag, singing the national anthem and praising the 'motherland'."

Derek Lam noted that Hong Kong's new Catholic bishop, Michael Yeung Ming-Cheung, has been reluctant to speak out against the destruction of churches in mainland China: "During a news conference on August 1, his first day as bishop, he emphasised several times how important pragmatism was to him, saying: 'We should not rush into a wall if we already know that the wall is solid.' And, instead of expressing his concern for the members of the demolished churches in Zhejiang Province, he toed the party line and claimed the churches were bulldozed because of 'structural safety concerns.'"

Mr Lam concluded that: "Although there is nothing I would love more than to become a pastor and preach the gospel in Hong Kong, I will never do so if it means making Jesus subservient to Xi Jinping. Instead, I will continue to fight for religious freedom in Hong Kong, even if I have to do it from behind bars. What I ask of you is to keep Hong Kong in your prayers as we seek to find light amid the sea of darkness descending upon us."

Prospects for freedom of religion

China's President Xi Jinping has unleashed the most severe crackdown on human rights in China since, many would say, the Tiananmen massacre of 1989. Across the board, freedom of expression and space for civil society and dissent are severely restricted, while repression is increasing in Xinjiang, Tibet and Hong Kong. Violations of freedom of religion or belief must be seen in this context. With the introduction of new, even more restrictive regulations on religious practice, the destruction of churches and crosses, the grave and brutal repression of the Uighur Muslims, and Xi Jinping's own remarks about the role of religion, the prospects for freedom of religion or belief improving in China under the current government are extremely low. Repression is predicted to continue and to further increase and intensify.

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