



promoting religious freedom and rule of law

Dissidents Who Have Suffered for Human Rights in China: A Look Back and a Look Forward

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HVC 210, Capitol Visitor's Center

Congressional-Executive Commission on China

Religious Freedom and Rule of Law Under Xi Jinping 2016

Bob Fu, China Aid

Dear Chairman Congressman Smith and Co-Chair Senator Marco Rubio,

As China regresses into a more Maoist regime, the Communist Party continues to place restrictive measures on human rights and religious freedom and executes its control over all forms of dissent by arresting or otherwise harassing those who oppose the strictures.

According to current president Xi Jinping, religion must conform to and benefit a socialist society. At a national conference on religion held in April of this year, he urged his administration to ensure that religions “merge religious doctrines with Chinese culture, abide by Chinese laws and regulations, and devote themselves to China's reform and opening up drive and socialist modernization in order to contribute to the realization of the Chinese dream of national rejuvenation,” and argued that the role of the Party was to “guide and educate the religious circle and their followers with the socialist core values....”

His words reinforced a pre-existing nationwide crackdown on religious institutions, including an ongoing cross demolition campaign, arbitrary arrests of pastors and lawyers, and the suppression of Tibetan Buddhists and Uyghur Muslims. Because China Aid receives reports on Christian persecution, this summary will spotlight their cases as examples indicative of a much wider repression of belief.

In its 2015 Annual Report, *Chinese Government Persecution of Christians and Churches in China*, China Aid noted a 4.74 percent overall increase in persecution, based on how statistics gathered in 2015 compared to those collected the previous year. The various categories accounted for include: number of religious persecution cases (up 10.84 percent), number of persecuted individuals (up 8.62 percent), number of unjustly detained persons (up 6.14 percent), number of abuse cases (up 174.65 percent) and number of abused people (up 91.32 percent).

Persecution campaigns made 2016 one of the most tyrannical years since the Cultural Revolution. As imprisoned human rights lawyers still fight for the right to defend their clients without legal repercussions, officials in Zhejiang province carry out the third consecutive year of a beautification

movement that targets church crosses for demolition, Henan province launched a movement focusing on forcing “illegal” Catholic and Protestant churches to conform to socialist ideals, and authorities arrested and detained church members.

Trials for lawyers rounded up in the 709 incident, the nationwide crackdown on human rights defenders named for the day it started, July 9, 2015, commenced on Aug. 2 with the sentencing of Zhai Yanmin, a rights activist who received a three-year suspended prison term for coordinating protests against government rule. A day later, a Tianjin court condemned Beijing church elder Hu Shigen to seven-and-a-half-years’ incarceration and five years’ deprivation of political rights for allegedly “subverting state power” by using Christianity to “spread subversive thoughts and ideas.” The tribunal presented photos of his baptism as evidence of his guilt, and Hu was forced to confess to his crimes, after which he accepted his sentence and did not appeal.

Hu, a Beijing University alumnus and former instructor at the Beijing Language Institute, formerly served 16 years of a 20 year prison sentence for founding an organization that opposed the Communist Party.

On Aug. 4, Zhou Shifeng was coerced into confessing to his crimes. Zhou, a Christian attorney, was arrested on suspicion of “subverting state power” on Jan. 8, 2016. In an attempt to publicly authenticate their charges against him, authorities pressured Zhang Kai, a human rights lawyer known for his defense of more than 100 churches affected by the cross demolition campaign, to travel from his home in Inner Mongolia, attend the trial, and conduct an interview in which he denounced Zhou and the other imprisoned human rights lawyers. Zhang later recanted his statements, saying he had been too frightened to stand up to the authorities. Consequentially, officials barred him from social media and attempted to arrest him again.

On the night of Aug. 25, 2015, government personnel broke into a church in Wenzhou, Zhejiang and took Zhang and his two legal assistants into police custody. After holding him incommunicado for six months in an unofficial prison known as a “black jail,” China forced Zhang to confess on television on Feb. 25, 2016. A few days later, he was taken into criminal detention and released on bail on March 23. Since then, he has lived with his parents in Inner Mongolia.

Another Christian lawyer, Li Heping, vanished into police custody on July 10, 2015, followed by his brother, attorney Li Chunfu, on Aug. 1 of that year. Li Heping was formally arrested on Jan. 8, 2016, on suspicion of “subverting state power.” Since their disappearance, family members have not been able to contact either of the men.

The cross demolition movement, which began in 2014 as part of a beautification campaign known as “Three Rectifications and One Demolition,” continued in Zhejiang province during 2016. Although official rhetoric claims the operation intends to address “illegal structures,” it specifically discriminates against Christian churches and imposes strictures on the crosses that adorn the exterior of their buildings. In 2016, the number of crosses demolished surpassed 1,800.

Zhang Chongzhu, a pastor who was placed under “residential surveillance in a designated location,” otherwise known as a “black jail,” in September 2015, was originally held in police custody for his opposition to the cross demolitions. On Feb. 5, he was criminally detained for “stealing, spying, buying, or illegally providing state secrets or intelligence to entities outside China.” He was formally arrested on March 9 for the same crime. On May 9, he was released.

Now, Zhang faces a new challenge; on Oct. 29, the Zhejiang Provincial China Christian Council and the Zhejiang Provincial Three-Self Patriotic Movement, China's two state-run Christian organizations, expelled him from the clergy and revoked a certificate proving that he was licensed to preach. This triggered outrage among local Christians, one of whom speculated that the government terminated Zhang Chongzhu in order to keep citizens from attending house churches.

In addition to previous restrictions on religious activity, Henan province published a work plan devising to bring "illegal" Catholic and Protestant churches in line with the Party's ideologies. According to the official document, the authorities plan to manage church meetings and force the congregations to eradicate all religious symbols and become more socialist. The timeline outlined by the official document stated the plan was to be implemented on Sept. 4 and run until Oct. 15. The government mandated that the village and sub-district government branches investigate churches, submit reports to their superiors, assist the religious affairs bureau in distributing a notice about the expected changes to the churches, shut down non-compliant congregations, and record how satisfactorily they were able to complete the job as part of their year-end assessment.

Prompted by this decision, the Bo' Ai County Religious Affairs Bureau issued a notice to a house church. Claiming that the church was unauthorized, the bureau ordered it to immediately disband and remove any religious materials within three days. They urged the attendees to conduct religious activities at the local official churches, with which many of them have deep, theological disagreements. Failure to comply with these measures will result in further government interference.

This campaign echoes the new political trend set out in a proposed revision of the Regulations on Religious Affairs, which was introduced by the State Council earlier this month. The revision introduces tighter control on peaceful religious activities, such as punishing house church meetings by imprisoning Christians or heavily fining the church leaders, forbidding religious adherents from attending conferences or trainings abroad, and barring minors from receiving religious education. By passing these regulations, China violates its own Constitution, which guarantees religious liberty and condemns discriminating against religious and non-religious citizens, and breaches the country's pledges to adhere to the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the United Nations' Convention on the Rights of the Child.

Paraphrasing and quoting an unnamed expert on the Regulations on Religious Affairs, Christianity Today published the following statements on Oct. 3 in an article entitled "[Red Tape: China Wants to Constrict Christian Activities with 26 New Rules](#)," referring to China's State Administration on Religious Affairs as SARA:

The draft law opens with the assurance that all Chinese citizens are free to believe whatever they want and to engage in religious activity—as long as it's within the tighter limits. One Chinese religious policy expert, who asked to remain anonymous, summed up some of what the regulations include:

- No religious activities that are not approved by SARA.
- No one may provide a venue for religious services that are not approved by SARA.

- No one may use their home for religious practices that are not approved by SARA (including home or family Bible studies).
- No publishing religious materials without approval from SARA.
- No foreign or domestic donations may be made to any religious organization that hasn't been approved by SARA.
- No one may call themselves a pastor without the approval of SARA.
- No international religious exchanges may happen without the approval of SARA.
- No one may study theology at school without the approval of SARA.

“As you can imagine, these amendments to the administration of religion in China by SARA would in effect leave no space for the house or unregistered church in China, and will significantly curtail many of the activities of the TSPM [Three-Self Patriotic Movement] as well,” the expert told ChinaSource.

In 2015, a major developing case emerged as authorities increased pressure on Huoshi Church, the largest house church in Guiyang, Guizhou province. Though precluded by a police presence when the church moved into a new building in 2014 and the 2015 arrest of Zhang Xiuhong, an accountant and chairwoman at the church who was apprehended when she withdrew church funds at her beauty shop, the situation escalated when Pastor Su Tianfu received an administrative penalty notice on Oct. 21, 2015. It indicted himself, Zhang and a church member named Liang Xuewu for “changing usage plans” of the office space the church rents for its services and ordered them to stop holding religious activities there, despite the church continually reporting its services to the government. Originally, the building was approved for business operations. When they neglected to heed the orders, officials imposed a fine that accumulated 12,960 Yuan (U.S. \$2,030) daily.

Su, who is currently released on bail, has been under constant surveillance since Dec. 19 and must use government-arranged transportation for all outings. He is expected to stand trial soon.

Additionally, administrative offices dispatched uniformed and plainclothes personnel to raid the church on several occasions. On Dec. 9, 2015, Pastor Li Guozhi, better known by his alias, Yang Hua, was taken into police custody and sentenced to two consecutive, five-day administrative detention terms a day later for the “crime of obstructing justice” and “gathering a crowd to disturb public order” after he attempted to prevent officials from confiscating a church hard drive. When his wife came to collect him on Dec. 20, she witnessed him donning a black hood and being herded into an unlicensed vehicle. Upon further inquiry, she learned that her husband had been charged with “illegally possessing state secrets” and was being transferred to another facility for criminal detention. She was not allowed to contact him. On Jan. 22, she received a notice announcing his formal arrest and changing his charge to “divulging state secrets.”

Even with his impending trial, which is expected to take place this month, authorities only permitted Yang to convene with his lawyers beginning in March. During one meeting, lawyer Chen Jiangang and his co-counsel, Zhao Yonglin, noted that he appeared fearful and began to suspect that he had been tortured. On their next visit, Zhao transcribed an interview with Yang in which he described

how the prosecutors assigned to his case had stepped on his toes and threatened to kill him and harm his family in order to extract a confession from him. After hearing this, Chen and Zhao filed a lawsuit against the prosecution team and asked that they be criminally punished for “using torture to extort a confession.”

During one of his pre-trial meetings, Yang requested that Zhang Wei, one of the prosecutors in his case, be disqualified from hearing the trial on account of his torture allegations. Chen and Zhao have furthered this request by submitting a document requesting both the disqualification of Zhang and a transferal to a new court.

In the highest profile case of Christian persecution since the Cultural Revolution, China ousted Gu Yuese, chairman of the Hangzhou branch of the China Christian Council, from his position as the head pastor of China’s largest Three-Self Church on January 18. Later that month, Gu was arrested on a falsified charge of “embezzling 10 million Yuan (U.S. \$1.6 million) in funds,” although many Christians believe authorities incarcerated him for his opposition to the cross demolition campaign. On April 1, he was released and placed under “residential surveillance.” His case demonstrates the rampant spread of religious persecution as China clamps down on both house and state-run churches.

As 2016 progressed, religious persecution continued to intensify. In Xinjiang, a politically and ethnically restive region wrought with religious tension, authorities apprehended dozens of Christians in the last two months. One of them, Ma Huichao, was taken from her home in September, where she and four other Christians were gathering for a church service. As a result of the service, she was charged with “gathering a crowd to disturb public order,” and her trial of the first instance commenced in mid-November. According to Li Dunyong, her defense attorney, he was barred from pleading innocent on her behalf. Currently, the court is adjourned.

Recently, two Hong Kong residents, Lin Haixin and his wife, vanished into police custody for running a church that specialized in offering assistance to individuals suffering from addictions and mental health problems. The church was raided, and officials confiscated its computer and religious materials, banned it from holding religious services and dispersed Christians gathered there.

For two days, local Christians tried unsuccessfully to contact them. Some speculate that they were taken away for holding so-called “illegal religious activities” without registering.

Concerns over the safety of human rights lawyers spiked in the past weeks as Jiang Tianyong, a prominent human rights lawyer turned activist following his disbarment in 2007, disappeared, believed detained. He contacted his wife shortly before boarding a train from Changsha to Beijing, after which no one has been able to successfully reach him. He had been returning from a trip to visit the wife of Xie Yang, another human rights lawyer who was imprisoned during the lawyer crackdown last year, and helped her petition for his release. In the past, Jiang has been incarcerated for his work and suffered torture at the hands of the authorities.

On the morning of Nov. 29, the brother of veteran human rights activist Peng Ming received a call from prison authorities saying that Peng had suddenly collapsed while watching television and was found dead. However, three days earlier, Peng had received a visit from his brother, who reported that the prisoner was in satisfactory health. When he arrived at the hospital and tried to place a call to his sister, who lives in California, officials took the phone from him and related their version of

the story. Peng's family has since demanded an autopsy to confirm the cause of his death, and the Chinese government has warned them not to travel to China for the funeral.

At the time of his death, Peng was serving a lifelong prison sentence that began on May 28, 2004, when Chinese agents lured him into Burma while he was visiting his parents in Thailand and abducted him. After arriving in China, he was charged with leading a terrorist organization and kidnapping and possessing counterfeit money and given a life sentence. Upon investigation, the U.N. Working Group on Arbitrary Detention concluded in 2005 that authorities arbitrarily detained Peng, violating his right to freedom of expression and association.

China is unwilling to commit to furthering religious freedom and human rights, which caused both a significant demise of human rights under the Xi Administration. Western policies can hold the country accountable for abuses of basic freedoms.

It is time for the West to shift their paradigm from appeasing China to truly principled engagement. Like what happened before in the West during Hitler's rule of Germany in the 1930s, the current policy of ignoring China's anti-democratic system of governance in pursuit of economic opportunity will likely produce irreparable damage for the fundamental interests of the free world.

Recommendations:

I urge the Trump Administration and members of Congress, including President Trump himself, to meet with religious leaders and family members of prisoners of conscience and visit religious sites—especially churches, mosques and Tibetan Buddhism temples when visiting China in order to:

1. Raise cases not only behind doors, which has proved non-effective so far, but in public as well. Look at what happened to the prompt release of the "China feminist 5" after interventional outcry, including public demands by Secretary John Kerry and United States Ambassador to the United Nations Samantha Power.
2. Use multi-faceted approaches to religious freedom and human rights. The "human rights dialogue" mechanism has failed, be it bilateral or multilateral. After all, FoRB is a universal value. If the Chinese regime only sees the West as interested in talking about this issue behind closed doors in a compartmentalized way, it's nothing but a green light for the abuses to continue.
3. Adopt a concerted, internationally coordinated effort by working jointly with our allies in Europe and other regions. The release of imprisoned human rights lawyer Zhang Kai and Pastor Wen Xiaowu, who were freed after the Communist Party received enormous international pressure, are good examples of how well this method works.
4. Pressure China to stop committing violations of international law by overstepping their own nation's boundaries to detain dissidents such as Jiang Yefei and Dong Guangping, who were taken back to China from a detention center in Thailand; Peng Ming, who was kidnapped after being lured into Burma by Chinese special agents and died on Nov. 29 while serving a life sentence; and five Hong Kong booksellers, who disappeared into police custody for selling gossip books about the private lives of Chinese officials.

In conclusion, China continuously violates its own laws and international statutes safeguarding religious freedom and human rights in favor of promoting a socialist agenda, forcing dissidents and religious devotees to choose between certain persecution and disregarding their deeply-held beliefs. Additionally, it prosecutes lawyers who attempt to defend the rights of religious practitioners and activists, completely disregarding the rule of law. International governments must publicly and

proactively organize efforts to persuade China to free those it unjustly holds behind bars and refrain from unproductive, behind-closed-doors conversations on these matters. Should the international community fail to do this, they will be communicating to China that they care more about trade than human rights, permitting these abuses to continue.