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Written statement* submitted by European Centre for Law and Justice, The / Centre Européen pour le droit, les Justice et les droits de l'homme, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[11 February 2019]

* Issued as received, in the language(s) of submission only.

REQUESTING THAT THE U.N. RECOGNISE THE GROWING PERSECUTION OF CHRISTIANS AND OTHER RELIGIOUS AND ETHNIC MINORITIES IN CHINA AND TAKE IMMEDIATE AND APPROPRIATE ACTION TO CONDEMN THAT PERSECUTION

1. INTRODUCTION

In December 2018, 22 Chinese Christians from Chengdu Province, China were arrested and continue to remain in detention and are facing criminal charges simply because they were practicing their Christian faith publically. These 22 Christian prisoners are prohibited from communicating with their families, and are not even allowed to communicate with their attorneys. Renowned human rights attorneys have been threatened by the judicial bureau stay away from this case or face disbarment. The current status of the Christians' health and well-being as they are held in the detention center is unknown. Unfortunately, this is just one recent example of the increasing persecution that Chinese Christians, and other religious minorities, are facing from Chinese government officials.

Despite the fact that China's Constitution offers conditional protection for religious liberty, and that China is a Charter Member of the United Nations and a signatory to both the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR), it is much too common in China for individuals to be specifically targeted because of their religious faith. Many of the charges against Christians who are targeted for their faith are not religious in nature, which allows the government to target religious individuals for seemingly unreligious reasons.

2. BACKGROUND

In February 2018, the revised Regulations on Religious Affairs came into effect, and have since been used by Chinese officials to restrict religious practice and to ensure that the Communist Party of China (CPC) maintains control over religious organisations and activities. In fact, on 4 February 2018, the CPC issued No. 1 Central Document of 2018, which specifically stated that the government should "increase the force to crack down illegal religious activities, to prevent foreign infiltration, and to forbid anyone from using religion to intervene in public affairs"¹. This document is a general policy guidance for the CPC, which generally focuses on the economic development of agriculture and rural areas. According to the newly revised Regulations on Religious Affairs, all house churches and unregistered religious activities are considered illegal and the government is enforcing the No. 1 Central Document against Christians.

In addition, the Chinese government regularly cites Article 300 of the Criminal Law to persecute religious people and to stop their activities. Article 300 of the Criminal Law outlaws "organizing evil cults and sects and using superstition to undermine law enforcement".

In 2018, beginning with the implementation of the revised regulations, persecution against religious groups in China intensified. Christians suffer a majority of the persecution as they are the most organized religious group in China and have the highest number of members. Instances of persecution were particularly prevalent in the Hennan and Yunnan Provinces, and in Xinjiang Uryg Autonomous Region. But, as indicated by the arrest and detention of Early Rain Covenant Church members in Chengdu Province, instances of persecution are by no means limited to those areas.

Pastor Cao, a Chinese citizen, Protestant Pastor and humanitarian worker, and legal permanent resident of the United State of America, who more recently focused his work on the impoverished Wa State in Myanmar, is one example of the targeted persecution that is occurring in Yunnan Province. Pastor Cao was wrongfully detained and convicted on charges of organizing illegal border crossings—a charge generally reserved to convict human traffickers—despite a dismal lack of evidence against him. Pastor Cao used a local ferry service, utilized by local citizens for 100s of years, to cross the border between China and Myanmar. He used this service openly and without problem from either government for years while conducting humanitarian work in Wa state by providing basic necessities and establishing

¹ Document summary available in English at *SCIO Briefing on the 'No. 1 Central Document' in 2017*, SCIO.GOV (6 Feb. 2017), <http://www.scio.gov.cn/32618/Document/1541574/1541574.htm> (Chinese version available at <http://www.moa.gov.cn/ztzl/yhwj2018>).

schools to provide education to over 2000 students. He also spoke frequently with the Chinese local National Security Police to talk about his charity work and travel to Myanmar. Notably, there were approximately 12 people arriving on different ferries at the same time as Pastor Cao and a Christian teacher on the day of his arrest. While the others received a rare administrative fine for using the ferries, Pastor Cao and the other Christian present were the only ones detained, arrested, and charged with illegal border crossings. Pastor Cao's targeted arrest seems to be directly related to his religious work, as Chinese officials are cracking down on religious humanitarian workers in conjunction with officials in Wa State. Since Pastor Cao's arrest, the 16 schools that he helped build and established have been torn down.

Also in 2018, a majority of the house churches in Xihua County, Hennan Province, were shut down by the local authorities. According to sister Feng, a member of one of the house churches, local officials from each village not only closed down the local house church venue, but also went into each residence to remove religious decorations containing crosses or Bible verses. These officials also visited local schools and met with students, whose parents are Christians, to pressure the students to forsake their faith and become Communist Party members.

As indicated in the introduction, instances of persecution continued throughout 2018. On December 9, 2018, Chinese police raided the Early Rain Covenant Church, one of the largest urban house churches in Chengdu, Sichuan Province. over a 12-hour period; breaking into the individual congregants' homes, threatening the families, and using powerful searchlights to intimidate the Christian believers. By 5am on December 10, 2018, more than 80 leaders of the church were taken into custody. The pastor and his wife have been charged with the crime of "inciting subversion of state power," one of the most serious crimes with a potential sentence of 15 years in prison.

3. REQUEST

This Council should address China's continuous violations of the freedom of religion by respectfully and firmly remind China of its obligations as a Charter member of the United Nations and a signatory to the UDHR and ICCPR. This Council should also urge China to not only to reform its laws and policies but also to refrain from enforcing the current laws. Chinese law and its enforcement are severely restricting fundamental human rights. The purpose of this Council and those bodies of law is to protect the human rights of individuals living around the world. China has an obligation to ensure that the rights of all of its citizens are protected, including the rights to freedom of religion and belief, and the right to receive equal treatment under the law.

4. CONCLUSION

Action must be taken to stop the spread of persecution of Christians and other religious minorities in China. On behalf of itself and more than 55,000 individuals worldwide who have signed our petition, the ECLJ respectfully requests that this Council address China's continued violations of human rights by demanding the release of innocent religious individuals, including Christians like Pastor Cao and the members of the Early Rain Covenant Church.