



Australian Government
Refugee Review Tribunal

Country Advice

China

China – CHN37796 – Liaoning Province –
Christians – Unofficial churches – Police –
Population growth – Summonses –
Overseas Chinese

1 December 2010

1. How do the authorities in Shenyang City in Liaoning Province regard unofficial Christian churches, particularly small groups of up to 8 people?

Some information was located which discusses the treatment of unauthorised Christians by authorities in Liaoning Province and in Shenyang City. No sources were located which provided information on the treatment of unregistered small groups of Christians.

In his book, *China's Christian Millions*, Tony Lambert describes a rapid growth in registered and unregistered Christians in Liaoning:

In 2002 the TSPM stated that there were 600 000 Protestants meeting in over 1400 registered churches and meeting-points [in Liaoning Province]. There is also many unregistered house churches. As there were only 65000 believers in 1965, on the eve of the Cultural Revolution, the registered church has seen explosive ten-fold growth in under forty years ... I was told in 2000 that the total number of registered believers in Shenyang was 200 000 – compared to only 70,000 in 1996.¹

Several sources, including the 2006 US Congressional-Executive Commission on China (CECC)², indicate that unregistered Christians may be treated less harshly than in other provinces of China. The China Aid Association, a non-profit Christian organisation based in the United States reported in 2007 that Liaoning had the lowest rate of Christians detained or arrested across 19 provinces with one reported incident.³ There were no reported incidents in 2008 or 2009.

Nevertheless, the Chinese government continues to implement policy and legislation which limits religious freedom across the country, and periodic 'crackdowns' on unregistered Churches and registered and unregistered Church members who are thought

¹ Lambert, Tony in his 2006, *China's Christian Millions*, OMF Publishing, Monarch Books, London, 2nd ed., pp. 261-262 – Attachment 4; as reprinted in *Country Advice CHN33443* (June 2008)

² US Congressional – Executive Commission on China 2006, *Annual Report 2006*, 20 September, p.94.

<http://www.cecc.gov/pages/annualrpt/annualrpt06/religion.php> – Accessed on 11 January 2006 – Attachment 8

³ China Aid Association 2008, *Annual Report of Persecution by the Government on Christian House Churches within Mainland China: January 2007 – December 2007*, February, p.7

<http://chinaaid.org/pdf/2007%20persecution%20report/caa%202007%20annual%20persecution%20report%20english.pdf> – Accessed 4 March 2009 – Attachment 8

to be proselytising are common. Crackdowns on unregistered Christians have been reported in Liaoning in 2002 and 2007⁴. The American organisation *China21.org*, stated that “the [Shenyang] city government issued a secret document ordering crackdown on religious believers”⁵. The 2009 US Department of State (USDOS) religious freedom report states that: “The Government permits proselytism in registered places of worship and in private settings, but does not permit it in public, in unregistered places of worship, or by foreigners.”⁶ According to the 2009 annual report of the US Congressional-Executive Commission on China (CECC), authorities often punish anyone who proselytises with administrative detention, including sentencing to re-education through labour.⁷

A number of recent Country Advice products discuss the treatment of Christians in Liaoning Province, and in Shenyang City: *Country Advice CHN36767* (June 2010)⁸; *Country Advice CHN36264* (March 2010)⁹; *Country Advice CHN34437* (March 2009)¹⁰; *Country Advice CHN33443* (June 2008). No further reports were located which dealt with the treatment of unregistered Christians in Liaoning Province other than those identified in these Research Responses.

Selected key reports are included in the ‘Attachments’ list, including Amnesty International’s *Annual Report 2010 – People’s Republic of China*¹¹; US Congressional-Executive Commission on China 2009, *Annual Report 2009*¹² and the China Aid Association’s *2008 Annual Report of Persecution by the Government on Christian House Churches within Mainland China: January 2007 – December 2007*¹³.

2. Has there been marked population growth in Shenyang, especially the Hongling area, since 2006?

No information was located on the change in population in Hongling town. The city of Shenyang was listed as one of the ten largest cities in China, and is also one of the

⁴ See Question 3 for further discussion.

⁵ ‘30-40 K RMB Fine or 3-4 Year Imprisonment’ 2003, *China.21.org* website, 11 May <http://www.china21.org/English/News/2003/051103.htm> – Accessed 4 June 2008 – Attachment 13

⁶ US Department of State 2009, *International Religious Freedom Report 2009 – China (includes Tibet, Hong Kong, Macau)*, 26 October – Attachment 9

⁷ US Congressional-Executive Commission on China 2009, *Annual Report 2009*, 10 October, p. 132 - Attachment 10

⁸ RRT Country Advice 2010, *Research Response CHN36767*, 29 June - Attachment 1

⁹ RRT Country Advice 2010, *Research Response CHN336264*, 3 March - Attachment 2

¹⁰ RRT Country Advice 2009, *Research Response CHN34437*, 5 March - Attachment 3

¹¹ Amnesty International 2010, *Amnesty International Annual Report 2010 – People’s Republic of China* - Attachment 21

¹² US Congressional-Executive Commission on China 2009, *Annual Report 2009*, 10 October - Attachment 11

¹³ China Aid Association 2008, *Annual Report of Persecution by the Government on Christian House Churches within Mainland China: January 2007 – December 2007*, February, <http://chinaaid.org/pdf/2007%20persecution%20report/caa%202007%20annual%20persecution%20report%20english.pdf> – Accessed 4 March 2009 – Attachment 8

fastest growing cities in China.¹⁴ The current population of Shenyang city is between 6.93 million¹⁵ and 8 million¹⁶.

3. If so, are there any reports of an increase in police interest associated with this growth?

No sources were located which specifically discussed a correlation between population growth in Shenyang or Hongling and an increase in police interest in unregistered Christian congregations.

Chinese authorities periodically ‘crack down’ on unregistered religious activity across the country; two recent examples involving Liaoning Christians include:

- a) China’s central government has launched a nationwide campaign to crackdown on what it calls “illegal religious activities,” targeting especially Christians, BosNewsLife learned from investigators Saturday, August 25 [2007] ... reports indicate “massive arrests in at least eight provinces including Inner Mongolia, Xinjiang, Jiangsu, Henan, Shandong, Shanxi and Anhui,” said the US-backed China Aid Association (CAA) which has close contacts with what it describes as “persecuted” house churches ... In a report quoted by CAA, China’s Ministry of Public Security (MPS) urged all local officials to start a one month campaign to “severely crack down illegal religion and evil religious activities” to eliminate “the political unstable elements” in the countryside.

Among those detained are reportedly seven house church leaders, who were apparently arrested Tuesday, August 21, during a house church meeting in Inner Mongolia. **Four pastors from Liaoning province, including pastor Qin Tao, 29, Wang Cong, 34, Wang Shengjun, 34 and Wang Youjun, 47, were arrested along with three Christian women leaders from Inner Mongolia while holding a worship service in Leizhiwa village of Inner Mongolia,** CAA claimed. They are detained at the local office of the Public Security Bureau, one of China’s main law enforcement agencies.¹⁷

- b) On 26 October 2002, a preacher Yuxian Mu was arrested while sharing the Gospel in Shenyang city. This report states “that police took her as an example since she was the first arrested after the city government issued an secret document ordering crackdown on religious believers”¹⁸;

One source, the US Congressional – Executive Commission on China, reported in 2006 that Communist Party officials in Liaoning disagreed with the view that high numbers of religious adherents (especially Christians) among Party

¹⁴ ‘The Rise of the ‘CHAMPS’ – New Report Maps Business Opportunity In China’s Fastest Growing Cities’, 2010, *Sourcewire* website, 9 November, http://www.sourcewire.com/releases/rel_display.php?relid=60590# - Accessed 3 December 2010 - Attachment 14

¹⁵ ‘Shenyang City, Liaoning Province Map’ 2009, *52maps.com*, 26 August, http://www.52maps.com/english/maps_show.asp?id=f13d451727aef90# - Accessed 3 December 2010 - Attachment 15; NOTE: population estimate from 2004.

¹⁶ ‘Shenyang’ undated, *China Travel Advice* website, <http://www.chinatraveladvice.com/destinations/Shenyang#> - Accessed 3 December 2010 – Attachment 16

¹⁷ BosNewsLife News Centre 2007, ‘China Launches Nation-Wide Crackdown On House Churches, Investigators Say’, 27 August, <http://www.worthynews.com/1459-china-launches-nation-wide-crackdown-on-house-churches-investigators-say> - Accessed 2 December 2010 - Attachment 17

¹⁸ 30-40 K RMB Fine or 3-4 Year Imprisonment’ 2003, *China.21.org* website, 11 May <http://www.china21.org/English/News/2003/051103.htm> – Accessed 4 June 2008 – Attachment 13

members was a danger, believing instead that it was time to allow Party members to believe in and practice religion.¹⁹ This may indicate a more lenient view towards Christians in Liaoning within some parts of the Provincial government.²⁰

4. Are there any reports of arrests and detention of Christians in Liaoning Province in December 2009?

No reports of arrests or detentions of Christians in Liaoning Province were located in 2009.

5. Would authorities issue a summons to a suspected Christian living abroad?

It is legally and logistically possible for authorities to issue a summons to a Chinese citizen currently abroad. No information was located as to the frequency with which this course of action was undertaken by Chinese authorities, or under what circumstances authorities would deem it necessary.

Article 81 of the *Criminal Procedure Law of the People's Republic of China* states that a summons must be delivered to the addressee himself. If the addressee is unavailable, it may be left at the addressee's residence after the situation has been explained to a neighbour, or other witness.

Preliminary reading of this provision would indicate that the authorities would be able to issue a summons to a Chinese resident while they were overseas by delivering it to their residence in China, and explaining the situation to a responsible party. As *Country Advice* 36576 (May 2010) states:

A 'Human Rights in China' representative [explained] that the service of subpoenas, notices and other procedural documents shall be made upon the addressee. If the addressee is not in, the delivery may be made to an adult member of his family or a responsible member of his unit.²¹ For further background reading please see question one of *Country Advice* CHN30224 (March 2006).²²

Article 81 of The *Criminal Procedure Law of the People's Republic of China*:

Article 81

A summons, notice or any other court document shall be delivered to the addressee himself; if the addressee is absent, it may be delivered to his adult family member or a person in charge of the unit to which he belongs to receive on his behalf.

¹⁹ US Congressional – Executive Commission on China 2006, *Annual Report 2006*, 20 September, p.94.

<http://www.cecc.gov/pages/annualrpt/annualrpt06/religion.php> – Accessed on 11 January 2006 – Attachment 8.

²⁰ RRT Research & Information 2008, *Research Response* CHN33443, 5 June – Attachment 12.

²¹ Immigration and Refugee Board of Canada 2004, *CHN42444.E – China: Circumstances and authorities responsible for issuing summonses/subpoenas; procedural law; whether summonses are given to individuals or households; format and appearance; whether legality can be challenged; punishment for failure to comply with a summons (1998-2004)*, 1 June – Attachment 18

²² RRT Research Response 2006, *Research Response* CHN30224, 31 May - Attachment 19

If the addressee or a receiver on his behalf refuses to accept the document or refuses to sign and affix seal on the receipt, the person delivering the document may ask the addressee's neighbors or other witnesses to the scene, explain the situation to them and leave the document at the addressee's residence, record on the service certificate the reasons of the refusal and the date of service and sign his name, then the service shall be deemed as having been completed.²³

6. Would there be any repercussions for family members including a 10 year old child of the person who is the subject of the writ?

No information was located which specifically discussed the treatment of children whose parents were the subject of a writ. More generally, there is evidence that the family of a person who is known to Chinese authorities, and is either detained in prison, or at home may also experience scrutiny or harassment by police. For example, Amnesty International's 2010 Annual Country Report for China stated that "family members of human rights defenders, including children, continued to be targeted and were subjected to long-term house arrest and other restraints and harassment."²⁴

Country Advice CHN35147 (July 2009) describes incidents where the families and children of underground Christians have experienced harassment and intimidation from Chinese authorities, including being subjected to house arrest, being banned from attending school:

Jerome Cohen, a Chinese law expert at New York University, says Gao Zhisheng's case shows a new, disturbing trend of "prison at home ... Now, as a matter of practice, not as a matter of law, the Chinese government seems to be bringing back collective punishment, often punishing not just the alleged offender, but also their entire family — children as well as spouses," he says.²⁵

An article dated 6 March 2009 by the China Aid Association reports that house church leader, Pastor Lou Yuanqi of Uygur Autonomous Region remains in prison despite receiving a verdict of insufficient evidence on charges of "utilizing superstition to undermine the law." After the trial, the Pastor's daughter was beaten by court police when she tried to speak to her father:

After Lou's trial, his daughter Lou Tiantian, 18, was beaten by court police when she tried to speak with her father as he was being put into a police car. Lou Tiantian was taken to the hospital where she received medical treatment, then was released the same night.²⁶

²³ *Criminal Procedure Law of the People's Republic of China* 17 March 1996, United Nations High Commission for Refugees website <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=search&docid=3ddbcd4e7&skip=&query=criminal%20procedure%20china> – Accessed 29 May 2008 – Attachment 20

²⁴ Amnesty International 2010, *Amnesty International Annual Report 2010 – People's Republic of China*, p. 104–106 - Attachment 21

²⁵ Lim, L. 2009, 'Family Of Chinese Activist Lawyer Escapes To U.S.', *National Public Radio*, 16 March <http://www.npr.org/templates/story/story.php?storyId=101865588> – Accessed 2 July 2009 – Attachment 22

²⁶ 'Insufficient Evidence for Pastor Lou Yuanqi's Case, Yet Authorities Continue to Keep Him in Prison' 2009, China Aid Association website, 6 March

Attachments

1. RRT Country Advice 2010, *Research Response CHN36767*, 29 June.
2. RRT Country Advice 2010, *Research Response CHN336264*, 3 March.
3. RRT Country Advice 2009, *Research Response CHN34437*, 5 March.
4. Lambert, Tony in his 2006, *China's Christian Millions*, OMF Publishing, Monarch Books, London, 2nd ed.
5. China Aid Association 2008, *Annual Report of Persecution by the Government on Christian House Churches within Mainland China: January 2007 – December 2007*, February, <http://chinaaid.org/pdf/2007%20persecution%20report/caa%202007%20annual%20persecution%20report%20english.pdf> – Accessed 4 March 2009.
6. Xi, L. 2007, 'Beijing Christian Arrested for Spreading Gospel', China Aid Association website, source: *Epoch Times*, 6 April http://www.chinaaid.org/qry/page.taf?id=105&function=detail&sbtblct_uid1=649&nc=a36d1dbe0dc34d373037b39f963d8247 – Accessed 2 March 2010.
7. 'Businessmen to build China's first Bible theme park' 2009, *The Independent*, 24 November <http://www.independent.co.uk/incoming/businessmen-to-build-chinas-first-bible-theme-park-1826554.html> – Accessed 2 March 2010.
8. US Congressional – Executive Commission on China 2006, *Annual Report 2006*, 20 September, p.94. <http://www.cecc.gov/pages/annualrpt/annualrpt06/religion.php> – Accessed on 11 January 2006.
9. US Department of State 2009, *International Religious Freedom Report 2009 – China (includes Tibet, Hong Kong, Macau)*, 26 October.
10. US Congressional-Executive Commission on China 2009, *Annual Report 2009*, 10 October.
11. Kell, K. 2007, 'Ministry delivers Christian teachings to China; Local pastor helps underground groups', *Times-Picayune*, 30 December.
12. RRT Country Advice 2008, *Research Response CHN33443*, 5 June.
13. '30-40 K RMB Fine or 3-4 Year Imprisonment' 2003, China.21.org website, 11 May <http://www.china21.org/English/News/2003/051103.htm> – Accessed 4 June 2008.
14. 'The Rise of the 'CHAMPS' – New Report Maps Business Opportunity In China's Fastest Growing Cities', 2010, *Sourcewire* website, 9 November,

- http://www.sourcewire.com/releases/rel_display.php?relid=60590# - Accessed 3 December 2010.
15. 'Shenyang City, Liaoning Province Map' 2009, 52maps.com, 26 August, http://www.52maps.com/english/maps_show.asp?id=f13d451727aeff90# - Accessed 3 December 2010.
 16. 'Shenyang' undated, *China Travel Advice* website, <http://www.chinatraveladvice.com/destinations/Shenyang#> - Accessed 3 December 2010.
 17. BosNewsLife News Centre 2007, 'China Launches Nation-Wide Crackdown On House Churches, Investigators Say', 27 August, <http://www.worthynews.com/1459-china-launches-nation-wide-crackdown-on-house-churches-investigators-say> - Accessed 2 December 2010.
 18. Immigration and Refugee Board of Canada 2004, *CHN42444.E – China: Circumstances and authorities responsible for issuing summonses/subpoenas; procedural law; whether summonses are given to individuals or households; format and appearance; whether legality can be challenged; punishment for failure to comply with a summons (1998-2004)*, 1 June.
 19. RRT Research Response 2006, *Research Response CHN30224*, 31 May.
 20. *Criminal Procedure Law of the People's Republic of China* 17 March 1996, United Nations High Commission for Refugees website <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=search&docid=3ddbcd4e7&skip=&query=criminal%20procedure%20china> – Accessed 29 May 2008.
 21. Amnesty International 2010, *Amnesty International Annual Report 2010 – People's Republic of China*.
 22. Lim, L. 2009, 'Family Of Chinese Activist Lawyer Escapes To U.S.', *National Public Radio*, 16 March <http://www.npr.org/templates/story/story.php?storyId=101865588> – Accessed 2 July 2009.
 23. 'Insufficient Evidence for Pastor Lou Yuanqi's Case, Yet Authorities Continue to Keep Him in Prison' 2009, China Aid Association website, 6 March http://www.chinaaid.org/qry/page.taf?id=105&function=detail&sbtblct_uid1=1155&nc=1a0b382de6d125a0e1a9b724829cced8 – Accessed 2 July 2009.