Home Office

Country Information and Guidance
China: Non-Christian religious groups

Version 1.0

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Preface

This document provides country of origin information (COI) and guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as 'clearly unfounded' under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the guidance contained with this document; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Country Information

The COI within this document has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the Common EU [European Union] Guidelines for Processing Country of Origin Information (COI), dated April 2008, and the European Asylum Support Office's research guidelines, Country of Origin Information report methodology, dated July 2012.

Feedback

Our goal is to continuously improve the guidance and information we provide. Therefore, if you would like to comment on this document, please email the Country Policy and Information Team.

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office's COI material. The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's website at http://icinspector.independent.gov.uk/country-information-reviews/

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Guidance

Updated: 31 August 2016

1. Introduction

1.1 Basis of Claim

1.1.1 Fear of persecution or serious harm by the Chinese authorities due to the person's involvement with a non-Christian religious group.

1.2 Points to note

1.2.1 For the purposes of this guidance, non-Christian religious groups include folk religions, Buddhism, Taoism (also spelt Daoism) and Islam.

1.2.2 For country information and guidance on the treatment of Christians in China see China: Christians. For claims based on the practice of Falun Gong see country information and guidance on China: Falun Gong.

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2. Consideration of Issues

2.1 Credibility

2.1.1 For guidance on assessing credibility, see the Asylum Instruction on Assessing Credibility and Refugee Status.

2.1.2 Decision makers must also check whether there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants).

2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the Asylum Instruction on Language Analysis).

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2.2 Assessment of risk

2.2.1 Under the constitution citizens have the right to hold, or not hold, a religious belief, but protections for religious practice are limited to 'normal religious activities' without defining what 'normal' may mean. The constitution also prohibits discrimination on the grounds of religion (see Legal Framework).

2.2.2 In practice, the Chinese authorities exercise control over religion and restrict the activities and personal freedom of religious adherents when these are perceived to threaten state or Chinese Communist Party (CCP) interests, including social stability. Only religious groups belonging to one of the five state-sanctioned 'patriotic religious associations' (Buddhist, Taoist, Muslim, Catholic, and Protestant) are permitted to register with the government and legally hold worship services (see Legal Framework).

i. Buddhism, Taoism and folk religions

2.2.3 Buddhism, Taoism (also spelt Daoism) and Chinese folk religions are generally treated with greater tolerance by the Government than Islam or

Christianity. It is reported that hundreds, if not thousands, of folk religious temples are unregistered with the State Administration for Religious Affairs (SARA) but are tolerated. Authorities continue to take steps to bring registered and unregistered Buddhist monasteries under stricter government and Party control (see Folk Religions, Buddhism and Taoism).

2.2.4 There are a small number of incidents reported of members of some sects encountering ill-treatment by the authorities. For example, the founder of the ‘‘Huazang Zongmen” Buddhist group was sentenced to life imprisonment in October 2014 for “using cults to sabotage law enforcement”, extortion, and other charges (see Buddhism). However, considering the number of adherents of folk religions (c300 million), Buddhism (c240 million), Islam (c25 million) Muslims and Taoism (c4 million) in the country when against the relatively low number of reported incidents, followers of these religions are not generally subject to treatment which would be persecutory or cause serious harm. The onus is on the person to show why they in particular would be at risk on return to China.

ii. Uighur Muslims and Tibetan Buddhists

2.2.5 The government’s treatment of religious minorities is conflated with measures taken by the authorities with regard to confronting separatist and terrorist organisations. The government has increasingly cited concerns over the ‘three evils’ of ‘separatism, religious extremism, and terrorism’ as grounds to enact and enforce restrictions on religious and cultural practices of Uighur Muslims and announced in January 2015 that it would extend the ‘strike hard’ campaign against Uighur Muslims in Xinjiang, which was launched in 2014. Authorities in Xinjiang continue to impose restrictions on religious attire, beards, and fasting during the holy month of Ramadan, in some cases sentencing violators to prison. In January 2016, it was reported that this ‘strike hard’ campaign had been concluded. However, in June 2016 the authorities detained 17 people for encouraging Uighurs to fast during Ramadan and forbid Uyghurs from leaving their residence during the holy month (see Islam and Uighurs in Xinjiang).

2.2.6 Whilst there are reports of ill-treatment of Uighur Muslims, the country evidence suggests that these often derive from actual or perceived political opinion as opposed to being based solely on the person’s religion.

2.2.7 Similarly, fundamental rights to freedom of expression, peaceful assembly, religion and privacy are reported to be highly restricted in Tibet, As in Xinjiang, this policy appears to be related to actual or perceived political opinion and the ethno-religious grouping of the population concerned (see Tibetan Buddhism).

2.2.8 Illegal activities related to Tibetan independence identified in 2015 targeted religious activities and called for collective punishment of monastic institutions that do not comply with the rules. Government-led raids on monasteries continued and reports indicated increased government interference in the education and training of young Buddhist monks. Tibetan Buddhist leaders have been harassed, detained, tortured and disappeared and their property destroyed. An intensive and intrusive surveillance programme across Tibet involving questioning about their political and

religious views and collecting information that could lead to detention or other punishment has been extended indefinitely. Tibetans have been detained and extra-judicially killed for possessing and sharing photos of the Dalia Lama (see Tibetan Buddhism).

2.2.9 The onus is on the person to show why they in particular would be unable to freely practice their religion or be at risk on return to China because of their religious beliefs. For claims based on actual or perceived political opinion and the ethno-religious grouping see the country information and guidance on China: Opposition to the Chinese Communist Party

iii. Un-registered groups

2.2.10 Members of unregistered religious groups may face more difficulties than members of registered communities. While the level of ill-treatment suffered by unregistered religious groups is subject to regional variation and the attitude of local officials, individuals from these groups may in some regions face restrictions of their ability to worship as well as in some cases intimidation, arrest, detention, torture and extra-judicial killings or being held in high security psychiatric hospitals. In other regions, unregistered places of worship are tolerated (for example, see Folk Religions).

2.2.11 The onus is on the person to show why they in particular would be unable to freely practice their religion or be at risk on return to China because they are a member of an unregistered religious community. Those who are likely to be at risk of persecution or serious harm by the authorities are those who choose to worship in unregistered places of worship **and** who also conduct themselves in such a way as to attract the local authorities' attention to them or their political, social or cultural views.

2.2.12 For further guidance on assessing risk, see the Asylum Instruction on Assessing Credibility and Refugee Status.

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2.3 Protection

2.3.1 As the person's fear is of ill treatment/persecution at the hands of the state, they will not be able to avail themselves of the protection of the authorities.

2.3.2 For further guidance on assessing the availability or not of state protection, see the Asylum Instruction on Assessing Credibility and Refugee Status.

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2.4 Internal relocation

2.4.1 In the country guidance case of QH (Christians - risk)(China) CG [2014] UKUT 86 (IAC) (14 March 2014), the Upper Tribunal held that in the light of the wide variation in local officials' response to unregistered churches, individual Christians at risk in their local areas will normally be able to relocate safely elsewhere in China. The exception to this would be where the person is the subject of an arrest warrant, or their name is on a black list, or they have a pending sentence. Given the scale of internal migration, and the vast geographical and population size of China, the lack of an appropriate hukou alone will not render internal relocation unreasonable or unduly harsh (paragraph 137 of the determination). Although this country guidance case

was specific to Christians, the evidence suggests that the situation regarding internal relocation is the same for members of other religious groups.

2.4.2 Decision makers must give careful consideration to the relevance and reasonableness of internal relocation on a case-by-case basis taking full account of the individual circumstances of the particular person.

2.4.3 For further information on the residence registration system and internal relocation, see the country information and guidance on China: Background including actors of protection and internal relocation.

2.4.4 For further guidance on internal relocation, see the Asylum Instruction on Assessing Credibility and Refugee Status.

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2.5 Certification

2.5.1 Where a claim based on a person's religion alone falls to be refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002 unless the person worships in unregistered places of worship and conducts themselves in such a way as to attract adverse attention of the local authorities which may lead to persecution due to their actual or perceived political, social or cultural views.

2.5.2 For further guidance on certification, see the Appeals Instruction on Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 (clearly unfounded claims).

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3. Policy summary

3.1.1 In general the treatment faced by members of religious groups in China, including those from unregistered places of worship, is unlikely to amount to persecution or risk of serious harm.

3.1.2 There may be a risk of persecution or serious harm for persons who choose to worship in unregistered places of worship and who conduct themselves in such a way as to attract the local authorities' attention to them or their political, social or cultural views, particularly Tibetan Buddhists and Uighur Muslims perceived to support separatism, religious extremism and terrorism.

3.1.3 However, in the light of the wide variation in local officials' response to unregistered places of worship, persons at risk in their local areas will in general be able to relocate safely elsewhere in China, if on the particular facts of the case it would be unduly harsh to expect them to do so.

3.1.4 Generally, a person who fears persecution or serious harm in China on the basis of their religious minority beliefs is unlikely to qualify for protection, but full account must be taken of the individual circumstances of each case.

3.1.5 Where a claim based on a person's religion alone falls to be refused, it is likely to be certifiable as 'clearly unfounded' unless the person has come to the adverse attention of the local authorities as result of their actual or perceived political, social or cultural views.

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4. Demography

4.1.1 China's national report to UN Universal Periodic Review published by the Human Rights Council August 2013 noted: 'Currently, there are about 5,500 religious groups in China, along with nearly a hundred religion-affiliated academic institutions and as many as 140,000 places of religious activity registered in accordance with the law and open to the public. Religious clergy number some 360,000, and there are around 100 million believers.' [1]

4.1.2 The US State Department International Religious Freedom (USIRF) Report, released 2015 stated:

'The U.S. government estimates the total population at 1.4 billion (July 2014 estimate).... Estimates of the numbers of religious believers vary widely. For example, a 2007 survey conducted by East China Normal University states that 31.4 percent of citizens aged 16 years and over, or approximately 300 million people, are religious believers. The same survey estimates there are 200 million Buddhists, Taoists, or worshippers of folk gods, although accurate estimates are difficult to make because many adherents practice exclusively at home.

'According to the State Administration for Religious Affairs (SARA), there are more than 21 million Muslims in the country; unofficial estimates range as high as 50 million. Hui Muslims are concentrated primarily in the Ningxia Hui Autonomous Region and Qinghai, Gansu, and Yunnan provinces. Uighur Muslims live primarily in Xinjiang. According to Xinjiang Statistics Bureau data from 2012, there are 10.37 million Uighurs in Xinjiang.' [2]

The US Commission's 2016 International Religious Freedom Annual Report, released 2 May 2016, noted "The Chinese Communist Party officially is atheist and took steps in 2015 to ensure that Party members reject religion or belief. More than half of China's population is unaffiliated with any religion or belief. There are nearly 300 million Chinese who practice some form of folk religion; more than 246 million Buddhists; at least 68 million Christians; nearly 25 million Muslims; and less than 3.6 million apiece practice Hinduism, Judaism, or Taoism." [3]

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[1] UN Human Rights Council – China's national report to the Universal Periodic Review, August 2013 https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/169/58/PDF/G1316958.pdf?OpenElement. Date accessed: 26 May 2016

[2] US State Department – 2014 International Religious Freedom Report, released 14 October 2015 http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper. Date accessed: 19 May 2016

[3] US Commission on International Religious Freedom – 2016 Annual Report, 2 May 2016 http://www.uscirf.gov/sites/default/files/USCIRF_AR_2016_Tier1_China.pdf. Date accessed: 6 May 2016

5. Legal framework

5.1 International conventions

5.1.1 The US State Department International Religious Freedom (USIRF) Report, released 2015, noted that "The government has signed, but not ratified, the International Covenant on Civil and Political Rights, which provides all individuals the right to "adopt a religion or belief" of choice and manifest belief through "worship, observance, and practice."" 4

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5.2 Constitution

5.2.1 The same USIRF report stated that, "The constitution states citizens have "freedom of religious belief," but limits protections for religious practice to "normal religious activities." The constitution does not define "normal." The constitution provides for the right to hold or not hold a religious belief and states that state organs, public organizations, and individuals may not discriminate against citizens "who believe in, or do not believe in, any religion." 5

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5.3 Criminal and other laws

5.3.1 According to the USIRF report, "the law does not allow for legal action to be taken against the government on the basis of the religious freedom protections afforded by the constitution. Criminal law allows the state to sentence government officials to up to two years in prison if they violate a citizen's religious freedom. There were no reported cases of such prosecutions during [2014]." 6

5.3.2 The same source continued:

'Only religious groups belonging to one of the five state-sanctioned "patriotic religious associations" (Buddhist, Taoist, Muslim, Roman Catholic, and Protestant) are permitted to register with the government and legally hold worship services. Other religious groups, such as Protestant groups unaffiliated with the official patriotic religious association or Catholics professing loyalty to the Vatican, are not permitted to register as legal entities. Proselytizing in public or meeting in unregistered places of worship is not permitted. Tibetan Buddhists in China are not free to venerate the Dalai Lama…Religious groups independent of the five official government patriotic religious associations have difficulty obtaining any other legal status and are vulnerable to coercive and punitive action by SARA [The State

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[4] US State Department – 2014 International Religious Freedom Report, released 2015 http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper. Date accessed: 19 May 2016
[5] US State Department – 2014 International Religious Freedom Report, released 2015 http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper. Date accessed: 19 May 2016
[6] US State Department – 2014 International Religious Freedom Report, released 2015 http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper. Date accessed: 19 May 2016

Administration for Religious Affairs], the Ministry of Public Security (MPS), and other party or government security organs.

'All religious organizations are required to register with SARA or its provincial and local offices. Registered religious organizations are allowed to possess property, publish approved materials, train staff, and collect donations. According to regulations, religious organizations must submit information about the organization's historical background, doctrines, key publications, minimum funding requirements, and a government sponsor. Due to the difficulty of fulfilling these requirements, many religious organizations either remain unregistered or register as commercial enterprises.'

'Certain religious or spiritual groups are banned by law. The criminal law defines banned groups as "evil cults," and those belonging to them can be sentenced to prison. A judicial explanation states this term refers to: "those illegal groups that have been found using religions, qigong [a traditional Chinese exercise discipline], or other things as a camouflage, deifying their leading members, recruiting and controlling their members, and deceiving people by molding and spreading superstitious ideas, and endangering society." There are no published criteria for determining, or procedures for challenging, such a designation. The government maintains a ban on the Guanyin Method Sect (Guanyin Famen or the Way of the Goddess of Mercy), Zhong Gong (a qigong exercise discipline), and Falun Gong…'[7]

'In addition to the five nationally recognized religions, local governments have legalized certain religious communities and practices…Some ethnic minorities retain traditional religions, such as Dongba among the Naxi people in Yunnan Province and Buluotuo among the Zhuang in Guangxi Province. Worship of the folk deity Mazu has been reclassified as "cultural heritage" rather than religious practice.

'While the National People's Congress Standing Committee passed legislation in December 2013, to abolish reeducation-through-labor camps and state media announced inmates would be released, state media later issued a clarification that all pre-abolition penalties would be considered legitimate. Advocacy groups reported some camps simply had been relabeled, and authorities continue to detain members of religious and spiritual groups in these renamed facilities.

According to the law, inmates have the right to believe in a religion and maintain their religious beliefs while in custody. In practice, some prisoners and detainees of faith were told to recant their beliefs (particularly Falun Gong practitioners, who reportedly endured "thought reform") or were not provided adequate access to religious materials, facilities, or clergy. Reports stated some prisons failed to accommodate prisoners' religious dietary requirements.'[8]

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[7] US State Department – 2014 International Religious Freedom Report, released 2015 http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper. Date accessed: 23 June 2016

[8] US State Department – 2014 International Religious Freedom Report, released 14 October 2015 http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper. Date accessed: 23 June 2016

5.3.3 The Human Rights Watch World Report 2016 noted that, 'In August [2015], the National People's Congress approved proposed changes to article 300 of the Criminal Law, which punishes individuals for organizing and participating in cults. The potential penalty range has been lengthened to include life imprisonment.'[9]

5.3.4 The US Department of State's International Religious Freedom Report 2014, published in October 2015, continued:

'The religious and social regulations permit official patriotic religious associations to engage in activities, such as building places of worship, training religious leaders, publishing literature, and providing social services to local communities. The CCP's United Front Work Department, SARA, and the Ministry of Civil Affairs provide policy guidance and supervision on the implementation of these regulations, which are often enforced in an arbitrary manner. Most leaders of official government religious organizations serve in the Chinese People's Political Consultative Conference (CPPCC), a CCP-led body that provides advice to the central government from business leaders, academics, and other segments of society.

'SARA has stated through a policy posted on its website that family and friends have the right to meet at home for worship, including prayer and Bible study, without registering with the government.' [10]

5.3.5 See Islam and Uighurs in Xinjiang for information about the Counter-Terrorism Law and concerns about its use in connection with Uighurs.

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6. State attitude towards religious groups

6.1.1 The Council on Foreign Relations Backgrounder on Religion in China of 10 June 2015 noted:

'Religious observance in China is on the rise. The Chinese Communist Party (CCP) is officially atheist, but it has grown more tolerant of religious activity over the past forty years. Amid China's economic boom and rapid modernization, experts point to the emergence of a spiritual vacuum as a trigger for the growing number of religious believers.

'…China's religious revival does not appear to be abating, experts say, but Beijing's rigorous regulation of religious affairs persists as well. Experts argue that state repression and close monitoring of religion often have less to do with religious doctrine than with a group's organizational ability because of the perception that such a group could potentially challenge the CCP's legitimacy and authority.

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[9] Human Rights Watch. 'World Report 2016,' published 27 January. 2016 https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf. Date accessed: 23 June 2016.

[10] US State Department – 2014 International Religious Freedom Report, released 2015 http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper. Date accessed: 19 May 2016

'Though Beijing may gradually come to see state-backed religion as a resource not entirely incompatible with China's development, some officials argue that religion must be contained. Tsering Shakya of the Institute of Asian Research at the University of British Columbia highlights the fundamental problem in the relationship between the Chinese state and religion: "the party is willing to tolerate the emergence of religion as a purely private experience, but it is not willing to see religion expressed as a sort of collective authority."

'Despite Beijing's concern that religious organizations may call the party's authority into question, some scholars claim that the threat to the CCP is overblown. Laliberté writes that "the religious landscape of China is too fragmented for any one religion to mount a credible political challenge to the regime." Increasingly, the government seems to be promoting traditional Chinese ideologies and faiths, like Confucianism and Buddhism, while also urging unregistered Christian organizations and believers to join officially recognized religious bodies.'[11]

6.1.2 Human Rights Watch stated the following in the World Report 2016:

'The government restricts religious practice to five officially recognized religions and only in officially approved religious premises. The government audits the activities, employee details, and financial records of religious bodies, and retains control over religious personnel appointments, publications, and seminary applications.

'In June [2015], a top CCP official told religious leaders that "hostile forces" are using religion to infiltrate China, and that they must "Sinicize religion" to ensure that religious worship contributes to national unity.' 12

6.1.3 The US Commission's 2016 International Religious Freedom Annual Report, released 2 May 2016, noted:

'China's leadership has long justified its harsh policies, including against Uighur Muslims, Tibetan Buddhists, and others, by asserting the importance of confronting the so-called "three evils" – separatism, terrorism, and religious extremism. In 2015, the Chinese Communist Party tightened its internal ideology, elevating the crusade against the three evils, particularly with respect to religious freedom.

'CCP members are required to be atheists and are forbidden from engaging in religious practices. Members who belong to religious organizations are subject to expulsion, although these rules are not universally enforced. The vast majority of public office holders are CCP members.'[13]

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[11] Council on Foreign Relations Backgrounder – Religion in China, 10 June 2015 http://www.cfr.org/china/religion-china/p16272. Date accessed: 6 May 2016

[12] Human Rights Watch. 'World Report 2016,' published 27 January 2016 https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf. Date accessed: 23 June 2016.

[13] US Commission on International Religious Freedom – 2016 Annual Report, 2 May 2016 http://www.uscirf.gov/sites/default/files/USCIRF_AR_2016_Tier1_China.pdf. Date accessed: 6 May 2016

6.1.4 The US Department of State's International Religious Freedom Report 2014, published in October 2015 considered:

''In parts of the country, local authorities tacitly approved of or did not interfere with the activities of some unregistered groups. Officials in many large urban areas, for example, increasingly allowed services in unregistered places of worship provided they remained small in scale and did not disrupt "social stability." In other areas, local officials punished the same activities by restricting events and meetings, confiscating and destroying property, physically assaulting and injuring participants, or imprisoning leaders and worshippers.'[14]

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7. State treatment of religious groups

7.1 Folk Religions

7.1.1 A Light Planet undated report on Chinese Folk Religion noted:

'Chinese folk religion is composed of a combination of religious practices, including Confucianist ceremonies, ancestor veneration, Buddhism and Taoism. Chinese folk religion also retains traces of some of its ancestral neolithic belief systems which include the veneration of (and communication with) the sun, moon, earth, the heaven, and various stars, as well as communication with animals. It has been practiced alongside Buddhism, Confucianism, and Taoism by Chinese people throughout the world for thousands of years.

'Ceremonies, veneration, legends, festivals and various devotions associated with different folk gods/deities and goddesses form an important part of Chinese culture even today. The veneration of secondary gods does not conflict with an individual's chosen religion, but is accepted as a complementary adjunct to Buddhism, Confucianism or Taoism. Some mythical figures in folk culture have even been integrated into Buddhism as in the case of Miao Shan who is generally thought of having evolved into the Buddhist bodhisattva Kuan Yin. Other folk deities may date back to pre-Buddhist eras of Chinese history. The Chinese dragon is one of the key religious icons in these beliefs.' [15]

7.1.2 According to a Council on Foreign Relations Backgrounder on Religion in China of 10 June 2015 noted:

'A 2012 Pew Research Center report found that more than 294 million people (21 percent of China's population) practice folk religion. Chinese folk religions have no rigid organizational structure, blend practices from Buddhism and Daoism, and are manifest in the worship of ancestors, spirits, or other local deities.Though traditional Chinese religious adherents are

[14] US State Department – 2014 International Religious Freedom Report, released 14 October 2015 http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper. Date accessed: 19 May 2016
[15] Light Planet – Chinese Folk Religion, undated http://www.lightplanet.com/chinese_folk_religion.html. Date accessed: 25 May 2016

difficult to measure accurately, the physical increase in number of temples and the restoration of old temples signals the growth of Buddhism and other folk beliefs in China.... According to journalist Ian Johnson, "hundreds, if not thousands, of folk religious temples are unregistered with the SARA but are tolerated."' 16

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7.2 Buddhism

7.2.1 The Council on Foreign Relations Backgrounder on Religion in China of 10 June 2015 noted:

'China has the world's largest Buddhist population, with an estimated 244 million practitioners (around 18 percent of the population)…Though Buddhism originated in India, it has a long history and tradition in China..... "Buddhism, Daoism, and other folk religions are seen as the most authentically Chinese religion and there is much more tolerance of these traditional religions than of Islam or Christianity," says CFR Edward R. Murrow Press Fellow Barbara Demick...

'Since China's opening and reform in the 1980s, the party has been tolerant of, and tacitly approved, the rise in Buddhist practice. However, Karrie Koesel, author of Religion and Authoritarianism: Cooperation, Conflict, and the Consequences, says that "political winds can shift quite quickly in China, so having a positive, collaborative relationship with the government is important to these religious communities." Under former Chinese leaders Jiang Zemin and Hu Jintao, the government "passively supported" the growth of Buddhism because they believed it helped bolster the image of China's peaceful rise, supported the CCP's goal of creating a "harmonious society," and could help to improve relations with Taiwan, according to University of Ottawa Professor André Laliberté.

'The growth of Buddhism led to heightened visibility of its institutions, particularly Buddhist philanthropic organizations that deliver social services to the poor amid soaring inequality in China. More recently, since President Xi Jinping has come to power, experts have noted an apparent easing of tough rhetoric against, and even a promotion of, traditional beliefs in China. Xi publicly shared his hope that China's "traditional cultures" of Confucianism, Buddhism, and Daoism could help curb the country's "moral decline."' [17]

7.2.2 The Congressional Executive Commission on China 2015 Annual Report, released 8 October 2015, noted:

'This past year, the Chinese government and Communist Party continued to take steps designed to ensure that Buddhist doctrine and practices in non-

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[16] Council on Foreign Relations Backgrounder – Religion in China, 10 June 2015 http://www.cfr.org/china/religion-china/p16272. Date accessed: 20 May 2016
[17] Council on Foreign Relations Backgrounder – Religion in China, 10 June 2015 http://www.cfr.org/china/religion-china/p16272. Date accessed: 20 May 2016

Tibetan areas of China conformed to government and Party policy…In April 2015, the state-controlled Buddhist Association of China (BAC) convened its Ninth National Conference in Beijing municipality, during which authorities selected new BAC leadership. Yu Zhengsheng, a member of the Standing Committee of the Political Bureau of the Communist Party Central Committee, met with the new BAC leadership and called on them to work towards government and Party goals, including ''[having] a firm and correct political orientation'' and ''comprehensively implementing the Party's basic policy on religion . . . .'' Yu's remarks echoed similar themes from the 2010 BAC Eighth National Conference - for example, that Buddhist clergy should be ''politically reliable'' and that Buddhism should follow the Party's policy on religion - as well as statements by government and Party officials in other settings.

'Authorities continued to take steps to bring registered and unregistered Buddhist monasteries under stricter government and Party control, as outlined in the 2012 Opinion Regarding Issues Related to the Management of Buddhist Monasteries and Taoist Temples, a joint opinion issued by 10 government and Party offices. For example, in March 2015, officials from the bureau of ethnic and religious affairs, public security bureau, and Buddhist association in Yuhang district, Hangzhou municipality, Zhejiang province, conducted a ''surprise inspection'' of Buddhist monasteries and folk religious sites in Yuhang in part to investigate the registration status of religious personnel. In another example, authorities in Chongqing municipality reportedly carried out a campaign that would publicly distinguish registered Buddhist monasteries from unregistered Buddhist monasteries by hanging placards on registered monasteries.

'On July 14, 2015, the Zhuhai Intermediate People's Court, in Zhuhai municipality, Guangdong province, tried Wu Zeheng, founder of the Buddhist group ''Huazang Zongmen,'' for ''organizing and using a cult to undermine implementation of the law,'' rape, fraud, and producing and selling toxic and dangerous food products, and tried four others for similar crimes. Central government news agency Xinhua quoted anonymous sources—reportedly former followers of Wu—as corroborating the charges against him. Wu's lawyer Lin Qilei and international observers reportedly character- ized the case as religious persecution. Authorities criminally detained Wu and over 10 of his followers in July 2014, during a crackdown on ''cults.'' The Zhuhai Municipal People's Procuratorate subsequently returned the case at least twice to the public security bureau for supplementary investigation.' [18]

7.2.3 Human Rights Watch's World Report 2016 stated that Wu Zeheng, was sentenced to life in prison in October 2015 for "using cults to sabotage law enforcement," extortion, and other charges.'[19]

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[18] The Congressional Executive Commission on China - 2015 Annual Report, released 8 October 2015 http://www.cecc.gov/sites/chinacommission.house.gov/files/2015%20Annual%20Report.pdf. Date accessed: 20 May 2016

[19] Human Rights Watch. 'World Report 2016,' published 27 January. 2016 https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf. Date accessed: 23

7.2.4 The US Department of State's International Religious Freedom Report 2014, published in October 2015, stated that 'In Guangdong Province, police took nearly 50 Zen Buddhists into custody, including 20 children, after raiding their businesses and homes to examine residency registration documents'.[20]

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7.3 Tibetan Buddhism

7.3.1 The Council on Foreign Relations Backgrounder on Religion in China of 10 June 2015 noted:

'The Tibet Autonomous Region is home to more than six million ethnic Tibetans, most of whom are Buddhist. The Dalai Lama is the spiritual leader of Tibetan Buddhists, as well as an active participant in the debate about Tibet's political status. Since 1987, he and his exiled government in India have played a prominent role in garnering international support for Tibetan independence. Buddhist monks within Tibet have also organized anti-government demonstrations (including violent riots in 2008 and periodic self-immolations). Experts say that discontent among Tibetan Buddhists stems in part from economic disparities between ethnic Tibetans and Han Chinese. Tibetans account for nearly 90 percent of the autonomous region's population, and while Beijing does not provide official percentages for the numbers of Han and Tibetans, large numbers of Han Chinese have migrated to Tibet as part of Beijing's broader "Develop the West" campaign that seeks to modernize its Western regions.

'As in Xinjiang, Beijing's religious policy in Tibet is inherently tied to the ethno-religious status of Tibetan Buddhists. To quell dissent, the CCP restricts religious activity in Tibet. The state monitors daily operations of major monasteries and it reserves the right to disapprove an individual's application to take up religious orders. Additionally, the party created "patriotic education campaigns" that promote a state-sanctioned version of Buddhism.' [21]

7.3.2 The Tibetan Centre for Human Rights and Democracy 2015 Annual Report noted: 'Throughout 2015, Chinese authorities continued to violate freedom of religion and belief in Tibet, contravening the international human rights standards, by controlling and interfering with religious practices – detaining and imprisoning religious leaders and demolishing religious property.'

'In February 2015 a document issued by Party officials identified 20 illegal activities related to Tibetan independence.Several of these, however, targeted religious activities and called for collective punishment of monastic institutions that do not comply with the rules.

June 2016.

[20] US State Department – 2014 International Religious Freedom Report, released 14 October 2015 http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper. Date accessed: 19 May 2016

[21] Council on Foreign Relations Backgrounder – Religion in China, 10 June 2015 http://www.cfr.org/china/religion-china/p16272. Date accessed: 20 May 2016

‘In 2015, Chinese authorities announced that party and government officials would be stationed in monasteries to educate monks in separatism. There are concerns that Tibetan monastics whose work focuses on the promotion and preservation of Tibetan language, culture, and religion would be persecuted and punished in the name of stemming separatism.

‘As of December 2015, out of the total number of 2081 known Tibetan political prisoners 967 are monastics –including those detained, disappeared or sentenced. The Chinese government has imposed harsh policies on the Tibetan Buddhist community and its religious leaders including, harassment, imprisonment, and torture. Religious repression has also involved the destruction of Buddhist institutions and symbols.

‘Before the Dalai Lama’s 80th birthday in July 2015, local Chinese authorities prevented Tibetans from participating in any celebrations commemorating their spiritual leader and detained people for possessing and sharing photos of the Dalai Lama, accompanied by increased restrictions on social media.’[22]

7.3.3 The US Department of State’s International Religious Freedom Report 2014 on Tibet, published in October 2015, stated that ‘In the Tibet Autonomous Region (TAR) and other Tibetan areas, authorities severely restricted religious freedom and engaged in widespread interference in religious practices, especially in Tibetan Buddhist monasteries and nunneries. There were reports of extrajudicial killings, prolonged detention without trial, torture, and arrests of individuals due to their religious practices. Travel restrictions also severely hindered traditional religious practices. Repression was severe and increased around politically sensitive events and religious anniversaries. Official interference in the practice of Tibetan Buddhist religious traditions continued to generate profound grievances. According to reports by journalists and nongovernmental organizations (NGOs), 11 Tibetans, including monks, nuns, and laypersons, self-immolated. The government routinely denigrated the Dalai Lama, whom most Tibetan Buddhists venerate as a spiritual leader, and blamed the “Dalai [Lama] Clique” or other outside forces and foreign media reports for instigating the self-immolations and other protests against government practices. Authorities often justified official interference with Tibetan Buddhist monasteries by associating them with separatism and pro-independence activities. Tibetans encountered societal discrimination when seeking employment, engaging in business, or when traveling.

‘There were reports authorities beat a monk to death. Authorities detained Tashi Paljor, a monk at Wenpo Monastery in the TAR’s Qamdo (Chamdo) Prefecture, on February 28 [2014], for his alleged possession of politically sensitive writings and recordings by the Dalai Lama. He died after being severely beaten in custody, according to Radio Free Asia (RFA).

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[22] The Tibetan Centre for Human Rights and Democracy – 2015 Annual Report, released 19 February 2016 (I. Tibetan Buddhism with Chinese Characteristics p.8-11) http://www.tchrd.org/annual-report-2015/. Date accessed: 26 May 2016

‘There were reports of prolonged detention without criminal charges, arrest, and the torture of individuals for their religious practice. For example, Norgay, who uses one name and is from the TAR’s Dingri (Dhingri) County, was reportedly detained and tortured in January [2014] for possessing pictures and audio recordings of the Dalai Lama on his mobile phone.

‘Since ethnicity and religion are tightly intertwined for many Tibetan Buddhists, it was sometimes difficult to categorize incidents solely as ethnic or religious intolerance. Tibetans, particularly those who wore traditional and religious attire, regularly reported incidents in which they were denied hotel rooms, avoided by taxis, and/or discriminated against in employment opportunities or business transactions’.[23]

7.3.4 The Congressional Executive Commission on China 2015 Annual Report, released 8 October 2015, stated:

‘The Chinese Communist Party and government continued efforts this past year to deepen the transformation of Tibetan Buddhism into a state-managed institution that prioritizes adherence to Party and government policies as a principal feature of the religion. The range of religious activity in which officials sought to interfere or control, sometimes by imposing coercive regulations, ranged from as slight as whether a pilgrim could carve or place mani (offering) stones, to as consequential as whether the Dalai Lama would reincarnate.

‘Regulations reportedly issued in September 2014 by the Biru (Driru) County People’s Government in Naqu (Nagchu) prefecture, TAR, asserted greater control over religious activities. Some articles punish an individual by imposing a ban varying from one to three years on harvesting cordyceps sinensis (‘‘caterpillar fungus’’)—a principal source of income for many Tibetan families. Some articles also impose loss of welfare benefits for either one or three years. Loss of income and social support could effectively impose collective punishment by subjecting an entire family to financial hardship for the action of one family member.’[24]

7.3.5 The US Commission’s 2016 International Religious Freedom Annual Report, released 2 May 2016, noted

‘In 2015, the Chinese government maintained tight control of Tibetan Buddhists, strictly monitoring and suppressing their cultural and religious practices. Government-led raids on monasteries continued, and Chinese party officials in Tibet infiltrated monasteries with Communist Party propaganda. Reports indicated increased government interference in the education and training of young Buddhist monks. In protest of these and

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[23] US State Department – 2014 International Religious Freedom Report-Tibet, released 14 October 2015 http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?dynamic_load_id=238290&year=2014#wrapper. Date accessed: 3 August 2016

[24] The Congressional Executive Commission on China - 2015 Annual Report, released 8 October 2015 (Religious Freedom for Tibetan Buddhists p.304) http://www.cecc.gov/sites/chinacommission.house.gov/files/2015%20Annual%20Report.pdf. Date accessed: 20 May 2016

other repressive policies, at least 143 Tibetans have self-immolated since February 2009. Buddhist leader Tenzin Delek Rinpoche, who had been serving a 20-year sentence, died in prison in July 2015. Supporters of the popular monk maintained he was falsely accused of separatism and terrorism, and there were reports that police opened fire on a group of supporters who had gathered in his memory. Chinese authorities cremated Tenzin Delek Rinpoche's body against his family's wishes and Buddhist practice, leading many to suspect foul play in his death. Also, authorities subsequently detained his sister and niece for nearly two weeks after they requested his body be turned over to them.' 25

7.3.6 A Human Rights Watch report of 18 January 2016, 'No End to Tibet Surveillance Program', noted:

'Chinese authorities have indefinitely extended an intensive surveillance program in villages across the Tibet Autonomous Region (TAR) that was due to end in 2014, Human Rights Watch said today. There are indications that the "village-based cadre teams" (zhucun gongzuodui) scheme, which is unprecedented in China, will become permanent.

'In the TAR, where the fundamental rights to freedom of expression, peaceful assembly, religion and privacy are already highly restricted, the extension of this scheme signals authorities' intention to suppress any signs of dissent or criticism among Tibetans. Since their deployment in 2011, the teams have carried out intrusive surveillance of Tibetans in villages, including questioning them about their political and religious views, subjecting thousands to political indoctrination, establishing partisan security units to monitor behavior, and collecting information that could lead to detention or other punishment. Official reports describe the teams pressuring villagers to publicly show support for the ruling Communist Party and to oppose the Dalai Lama.

'…The purpose of the village-based cadre teams was initially described as improving services and material conditions in the villages, but, according to the Party leader of the TAR in 2011, their primary requirement was to turn each village into "a fortress" in "the struggle against separatism," a reference to support for Tibetan independence and the Dalai Lama. This was done by setting up new Communist Party organizations in each village, establishing local security schemes, gathering information about villagers, and other measures. The teams were also required to carry out re-education with villagers on "Feeling the Party's kindness" and other topics.

'The village-based cadre teams are composed of Party officials, government officers, members of government enterprises and work-units, members of the People's Armed Police and the Public Security forces, from township and urban areas of the TAR. Each team has included at least one Tibetan to translate for Chinese cadres in the team and each official remained on their

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[25] US Commission on International Religious Freedom – 2016 Annual Report, 2 May 2016, http://www.uscirf.gov/sites/default/files/USCIRF_AR_2016_Tier1_China.pdf. Date accessed: 6 May 2016.

tour of duty for about a year before being replaced. Routine coverage of the village-based cadre work teams in the official media states that the team members are required to carry out the so-called "five duties," of which three are political or security operations: building up Party and other organizations in the village, "maintaining social stability," and carrying out "Feeling the Party's kindness" education with villagers. The other two duties involve promoting economic development and providing "practical benefit" to the villagers.

'The official slogan used to describe the objective of the village-based teams is "all villages become fortresses, and everyone is a watchman." The teams recruit and train new Party members and establish "grassroots stability maintenance" organizations such as "joint defense teams" or "patrol teams." In the fourth year of the village-based cadre scheme in Nagchu, one of seven prefecture-level areas in the TAR, the cadre teams held 1,686 political education sessions, made 45,903 "propaganda education visits to households," and recruited 1,194 new Party members. Teams in Shigatse municipality over all four years of the scheme recruited 10,030 new Party members, while fourth-batch teams in Lhokha prefecture held 3,625 sessions "on exposing the heinous reactionary crimes of the 14th Dalai clique."

'The village-based teams also "screen and mediate social disputes," which involves acting to settle and contain any disputes among villagers or families, because of official concerns in China that small disputes might lead to wider unrest or "instability." One objective is to prevent villagers from presenting petitions to higher level officials.

'The village-based teams also engage in "cultural activities" such as building meeting halls and reading rooms for the dissemination of officially approved literature, films and theatrical performances aimed at inculcating "core socialist values" and discouraging "bad old traditions." Economic activities include poverty alleviation, social welfare provisions in monasteries, vocational training, small business loans, and the "finding of paths to enrichment."' [26]

7.3.7 The same Human Rights Watch report noted:

'The program was due to end in October 2014, and no public announcement has so far been made about extending it. But in December 2014, the TAR authorities issued a communique that referred to the "mechanism of village-stationed cadres' work" as "long-term," together with "suggestions" of ways "to consolidate and expand the excellent initial results" of village-cadres work, and noted that there should be "no changes" to the cadres' work in villages.

'In August 2015, a statement posted on a government Tibetan-language website said that the TAR authorities had called for work teams "to be

[26] Human Rights Watch - 'No End to Tibet Surveillance Program', 18 January 2016 https://www.hrw.org/news/2016/01/18/china-no-end-tibet-surveillance-program. Date accessed: 20 May 2016

constantly stationed at their village committees." It added that "on hearing that village-based-cadre work was to continue, the rural masses were overjoyed, saying that this was one of the Party and government's best policies to benefit rural areas."

'Since that time, the state media in Tibet has published a series of reports referring to the "fourth batch" of village-based cadres and the "fourth phase" of village-based cadre work. In November 2015, at a meeting to award outstanding and progressive village and monastery-based cadres from the fourth batch, the departure of the "fifth batch" was officially announced. This confirmed indications that no end-date had been set for the program.

'Separate reports in the official media about construction plans for TAR villages indicate that the village-based cadre scheme is intended to be permanent. These reports state that between 2014 and 2015, the TAR government constructed 20,092 new buildings for office or residential use by cadres working in villages and townships. A further 12,008 buildings for these cadres are due to be built by the end of 2016. The total cost of these buildings will be 5.265 billion yuan (US$810 million) – the largest and most expensive project of its kind in the history of such building construction in the Tibet Autonomous Region…The construction plan – which means there will be an average of six new government buildings in each village of the TAR – will radically change the nature of Tibetan villages, which until now have never had any government offices or resident officials.

'"China's surveillance scheme openly and massively infringes upon the basic rights of Tibetans protected under Chinese and international law," Richardson said. "China's central and regional authorities should end the repressive aspects of this scheme immediately."' [27]

7.3.8 A May 2016 Human Rights Watch report on the Detention and Prosecution of Tibetans under China's "Stability Maintenance" Campaign reported that

'During 2013-2015, lay and religious leaders of rural communities often received unusually heavy sentences for expressions of dissent, especially if they were from a protest cluster site. Having a sensitive image or text on one's cellphone or computer could also lead to a long prison sentence, especially though not only if it had been sent to other people. Among those who received the longest sentences were people who tried to assist victims of self-immolations, leaders of protests against mining or government construction projects, and organizers of village opposition to unpopular decisions by local officials. Such activities, most of which were not explicitly political and did not directly challenge the legitimacy of the state, received markedly longer sentences than people shouting slogans or distributing leaflets in support of Tibetan independence.'[28]

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[27] Human Rights Watch - 'No End to Tibet Surveillance Program', 18 January 2016 https://www.hrw.org/news/2016/01/18/china-no-end-tibet-surveillance-program. Date accessed: 20 May 2016

[28] Human Rights Watch, Relentless Detention and Prosecution of Tibetans under China's "Stability Maintenance" Campaign, 22 May 2016 (Summary p.4)

7.3.9 A Radio Free Asia report of 29 March 2016, 'Chinese Authorities Slap New Constraints on Tibetan Buddhist Monasteries', noted:

'Chinese authorities in Tibet have imposed new restrictions on monasteries in a county in northwestern China's Qinghai province, intensifying an existing ban on displaying photos of exiled spiritual leader the Dalai Lama, Tibetan sources in the region and in exile said.

'The restrictions pertain to Rongwo and other monasteries in Rebgong (in Chinese, Tongren) county, Malho (Huangnan) Tibetan Autonomous Prefecture, in northwestern China's Qinghai province, a native of Rebgong who lives in exile in Europe said.

'"During the month of March this year, the Chinese authorities imposed unprecedented restrictions on the display of the Dalai Lama's photo in Rebgong's Rongwo monastery and in other monasteries," he told RFA's Tibetan Service.

'Authorities issued four restrictions to be implemented at Rongwo monastery, which was founded in the 14th century and is located 124 kilometers (77 miles) from the provincial capital Xining, and other Tibetan Buddhist institutions in the county, he said.

'The first mandate requires monasteries to strictly follow the leadership of local management committees in implementing rules and regulations, he said.

'Chinese authorities set up the management committees in early 2012 in most Tibetan Buddhist monasteries, placing them under the direct control of government officials who are permanently installed in the lamaseries.

'The policy was enacted to ensure that monks and nuns do not participate in activities calling for an independent Tibet or disturb the social order through protests or self-immolations.

'The second requirement specifies that the custodians of shrines and temples should sign off on the management committee instructions to hold them responsible for the policy, the source said.

'The third directive mandates that monks in charge of temples and shrines should oversee the safety of all statues and other property and prevent their fellow monks from participating in any activities that could bring disgrace to the monasteries, he said. Such activities include putting up posters against Chinese policy in Tibet and being involved in self-immolation protests.

'…There have been 144 self-immolations by Tibetans living in China since a wave of fiery protests began in 2009. Most protests feature demands for Tibetan freedom and the return of the 14th Dalai Lama, although a handful of self-immolation protests have occurred over local land or property disputes.'

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https://www.hrw.org/report/2016/05/22/relentless/detention-and-prosecution-tibetans-under-chinas-stability-maintenance. Date accessed: 3 August 2016

'The last directive requires that all statues and photos of the Dalai Lama be removed from shrines and temples, the source said. If anyone is discovered violating this rule, he will be expelled from the monastery and could be handed over to authorities for prosecution.'[29]

7.3.10 See Country Information and Guidance on Opposition to the Chinese Communist Party for further information on the treatment of Tibetans.

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7.4 Taoism (also spelt Daoism)

7.4.1 The Congressional Executive Commission on China 2015 Annual Report, released 8 October 2015, noted:

'In January 2015, the Chinese Taoist Association (CTA) began preparations for its Ninth National Conference, which reportedly would be held later in 2015. According to the CTA, Jiang Jianyong, Deputy Director of the State Administration for Religious Affairs (SARA), attended a planning meeting as a representative of SARA and the Party's United Front Work Department (UFWD), in order to ''guide'' [the meeting].

'Authorities in multiple locations carried out campaigns that distinguished registered and unregistered Taoist temples by publicly hanging placards on registered temples. For example, in May 2015, authorities in Beijing municipality hung a placard on the Dongyue Temple. Zhu Weiqun, Chairperson of the Ethnic and Religious Affairs Committee of the Chinese People's Political Consultative Conference, Ma Jiye, Head of the UFWD, Wang Xiaodong, Director of the Ethnic and Religious Affairs Committee of the Beijing Municipal People's Consultative Conference, and Li Shengyong, Deputy Director of the Beijing Municipal Bureau of Religious Affairs, reportedly performed the unveiling of the placard. Authorities in Chongqing municipality reportedly also carried out a campaign to hang placards on registered Taoist temples.' [30]

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7.5 Islam and Uighurs in Xinjiang

7.5.1 Freedom House published the following in their annual report, 'Freedom in the World 2016:'

'Curbs on Islam among the Uighur population of Xinjiang remained intense in 2015, although authorities are more tolerant of religious expression among ethnic Hui Muslims throughout China. Authorities in Xinjiang continued to impose restrictions on religious attire, beards, and fasting during the holy month of Ramadan, in some cases sentencing violators to prison. State

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[29] Radio Free Asia - 'Chinese Authorities Slap New Constraints on Tibetan Buddhist Monasteries', 29 March 2016 http://www.rfa.org/english/news/tibet/chinese-authorities-slap-new-constraints-on-tibetan-buddhist-monasteries-03292016132055.html. Date accessed: 20 May 2016

[30] The Congressional Executive Commission on China - 2015 Annual Report, released 8 October 2015 (Taoism p. 128) http://www.cecc.gov/sites/chinacommission.house.gov/files/2015%20Annual%20Report.pdf. Date accessed: 20 May 2016

repression of Uighur religious and cultural practices, coupled with socioeconomic grievances, have fueled frustration and radicalization among Uighurs, leading to a rising number of domestic terrorist attacks as well as peaceful protests that draw police violence. Such clashes have caused over 160 reported deaths since September 2014. Official restrictions on journalists' access to Xinjiang make it difficult to independently verify the details surrounding these incidents.'[31]

7.5.2 The Council on Foreign Relations Backgrounder on Religion in China of 10 June 2015 noted:

'China has ten predominantly Muslim ethnic groups, the largest of which is the Hui, an ethnic group closely related to the majority Han population and largely based in western China's Ningxia Autonomous Region and Gansu, Qinghai, and Yunnan provinces. The Uighurs, a Turkic people who live primarily in the autonomous region of Xinjiang in northwest China, are also predominantly Muslim. There about ten million Uighurs in Xinjiang Uighur Autonomous Region, approximately half of the region's population. Officials in Xinjiang tightly control religious activity, while Muslims in the rest of the country enjoy greater religious freedom.

'Xinjiang is an area of special concern because of its region's ethnic and religious ties to neighboring states, as well as the fact that it is the base of the East Turkestan Islamic Movement (ETIM), a militant Islamic separatist group. Some experts say that the threat of ETIM is exaggerated, while others doubt the group's existence. Still, since 1990, China has accused the ETIM of engaging in hundreds of terrorist attacks. Most Uighurs do not support the ETIM, but they are frustrated with the Chinese government because they face discrimination for having a different religion, language, and culture than the typically wealthier Han Chinese.The government blamed militants for a series of attacks at the Guangzhou, Kunming, and Urumqi railway stations in the spring of 2014. Following the incidents, Beijing announced a year-long anti-terrorism crackdown in Xinjiang, which has included prohibitions on wearing of headscarves and beards and restrictions on fasting during Ramadan.' [32]

7.5.3 The US Department of State's International Religious Freedom Report 2014, published in October 2015, stated that

'There were reports the government tortured, physically abused, detained, arrested, sentenced to prison, or harassed a number of religious adherents of both registered and unregistered groups for activities related to their religious beliefs and practices. Human rights organizations stated police shot and killed Uighur Muslims during house raids and protests after disagreements arose due to stricter government controls on religious expression and practice.

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[31] Freedom House. 'Freedom in the World 2016,' published 7 March 2016. https://freedomhouse.org/report/freedom-world/2016/china. Date accessed: 24 June 2016
[32] Council on Foreign Relations Backgrounder – Religion in China, 10 June 2015 http://www.cfr.org/china/religion-china/p16272. Date accessed: 19 May 2016

‘Human rights organizations reported in some instances security forces shot at groups of Uighurs in their homes or during worship. Authorities typically characterized these operations as targeting “separatists” or “terrorists.” According to reports, these actions bred resentment, and at times, deadly protests. Media reported 37 civilians and 50 “terrorists” were killed and another 13 civilians wounded after protestors gathered in front of a police station and government offices in Kashgar Prefecture’s Shache (Yarkand) County on July 28 [2014]. Police arrested 215 people in connection with the incident, which protestors stated stemmed from the detention of women and girls who had refused to uncover their faces covered by headscarves. According to Radio Free Asia (RFA), on May 20 police killed two Uighurs when firing on protesters in Aksu Prefecture’s Kucha County after they threatened to storm a government building. The protesters had gathered following the detention of 25 Uighur women and girls who had refused government instruction to uncover their faces covered by headscarves. RFA also reported police shot and killed 14 Uighurs during a house raid in Kashgar Prefecture’s Konasheher County on December 15. While the government stated the security forces were attacked by a “terror gang,” residents reported the violence was triggered by the lifting of a woman’s veil by a police officer.

‘According to RFA, authorities in Xinjiang sentenced to prison 22 Uighurs for alleged illegal religious activities and other infractions in November. State media reported the Uighurs, including Muslim religious leaders accused of preaching illegally, received jail terms ranging from five to 16 years at a public sentencing in the western Xinjiang town of Kashgar.

‘The government reportedly sought the forcible return of ethnic Uighurs living outside the country, many of whom had sought asylum from religious persecution. Hundreds of ethnic Uighurs reportedly fled or attempted to flee to Southeast Asia through China’s southern border. Thailand, Vietnam, and Malaysia all reported an increase in illegal immigrants believed to be Uighurs. In some cases third countries, Vietnam in particular, complied with Chinese requests for forcible return of Uighur asylum-seekers. There were reports of imprisonment and torture of Uighurs who were returned. The government’s control of information coming out of Xinjiang, together with the increasingly tight security posture there, made it difficult to verify the conflicting reports.

‘Tibetan Buddhists and Uighur Muslims, experienced institutionalized discrimination throughout the country both because of their religious beliefs and their status as ethnic minorities with distinct languages and cultures. In Xinjiang, tension between Uighur Muslims and ethnic Han continued, as officials strengthened their enforcement of policies banning men from growing long beards, women from wearing veils that covered their faces, and parents from providing their children with religious education. Many hospitals and businesses would not provide services to women wearing veils. […]

Muslims in Xinjiang faced discrimination in hiring, lost their positions, and were detained by authorities for praying in their workplaces.'[33]

7.5.4 The Congressional Executive Commission on China 2015 Annual Report, released 8 October 2015, noted:

'This past reporting year, XUAR authorities increased their ability to regulate and penalize Uyghurs for Muslim religious practices and the expression of their religious identity. In November 2014, the XUAR People's Congress amended the Xinjiang Uyghur Autonomous Region Regulations on Religious Affairs (RRA), which took effect on January 1, 2015. The RRA were first issued in 1994 and last amended in 2001. The newly amended regulations broaden XUAR officials' authority to limit religious practices, control online expression, and restrict wearing beards or attire perceived to have religious connotations.

'Authorities throughout the XUAR also continued to implement other policies and regulations restricting Uyghur Muslims' attire, appearance, and behaviour.

'Authorities in some locations in the XUAR tightened restrictions on minors' observance of Islamic religious practices. In October 2014, more than 1,000 school principals in Kashgar prefecture, for instance, signed a pledge to ''resist the infiltration of religion on campus.''

'Some Uyghur Muslims and Christians continued to serve prison sentences for the peaceful observance of their religious beliefs. In March 2015, an online state media outlet published an article reporting that a court in Kashgar prefecture sentenced a man to six years in prison for wearing a long beard and sentenced his wife to two years for wearing a burqa. The state media website later deleted the article, reportedly due to censorship instructions from government authorities. On March 21, 2015, authorities in Hanerik (Han'airike) township, Hotan county, reportedly sentenced Uyghur religious scholar Qamber Amber to nine years' imprisonment, following a public trial, for defying official instructions to stop giving speeches at religious ceremonies and for otherwise ''refusing to cooperate'' with authorities. As in the previous reporting year, local government officials throughout the XUAR reportedly maintained restrictions on Uyghurs' observance of Ramadan, forbidding government employees, students, and teachers from fasting. In Keriya (Yutian) county, Hotan prefecture, authorities forbade food establishments from shutting down or refusing to serve food during Ramadan'.[34]

7.5.5 A Uyghur Human Rights Project (UHRP) February 2016 Briefing on China's new Counter Terrorism law noted:

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[33] US State Department – 2014 International Religious Freedom Report, released 14 October 2015 http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper. Date accessed: 19 May 2016

[34] The Congressional Executive Commission on China - 2015 Annual Report, released 8 October 2015 (IV. Xinjiang, Freedom of Religion p.285) http://www.cecc.gov/sites/chinacommission.house.gov/files/2015%20Annual%20Report.pdf. Date accessed: 20 May 2016

'UHRP is concerned that the Chinese government's definition of "terrorism" in Article 3 of the Counter-Terrorism Law is too vague and will punish Uyghurs for peaceful political dissent and legitimate religious expressions. The longstanding issues over the definition of terrorism in China's legal instruments remain unresolved in the new law.

'… Although the Counter-Terrorism Law passed in December [2015] revised the link between "terrorism" and "separatism" made in the draft versions, the conflation of both terms continues in official rhetoric. Furthermore, the government continues to link its interpretation of "religious extremism" with "terrorism."

'Article 3 of the law also sets out to define other key terms such as "terrorist activities," and "terrorist organization." Among the list of "terrorist activities" included is "compelling others to wear or bear clothes or symbols that advocate terrorism in a public place," a provision that is open to abuse. Human rights organizations and the overseas media have documented the targeting of Uyghurs who express their religion through appearance. Uyghurs have been detained, charged and/or convicted for legitimate displays of the Islamic faith such as wearing a head covering or growing a beard. In addition, the law defines a "terrorist organization" as a "criminal organization of three persons or more which has been formed to carry out terrorist activities." Given the state's broad definition of "terrorism" and the criminalization of activities deemed legitimate under international human rights standards, the provision carries serious implications on the ability of Uyghurs to peacefully assemble.

'The Counter-Terrorism Law has also not dismissed concerns voiced in earlier drafts over the criminalization of "thoughts." Article 79 retains the wording of "advocacy" that can be used to punish individuals for alleged terror "thoughts." Under the heading "Legal Responsibility," the article states: "Pursue criminal responsibility in accordance with law of those…who advocate terrorism."' [35]

7.5.6 See Legal Framework for further information about the law regarding religious belief in China.

7.5.7 The US Commission's 2016 International Religious Freedom Annual Report, released 2 May 2016, noted:

'In January 2015, Chinese authorities extended their "strike hard" anti-terror campaign launched in 2014 that imposed wide-scale restrictions against Uighur Muslims in Xinjiang. In addition to increased arrests for alleged terrorist activities and the presence of additional troops, security forces reportedly closed religious schools and local authorities continued to crack down on various forms of allegedly "extremist" religious expression, such as beards for men and face-covering veils for women. Local authorities in parts of Xinjiang also threatened action against Muslim business owners if they

[35] Uyghur Human Rights Project - Briefing on China's new Counter Terrorism law, February 2016 http://uhrp.org/press-release/briefing-chinas-new-counter-terrorism-law-and-its-human-rights-implications-uyghur. Date accessed: 26 May 2016

declined to sell alcohol and cigarettes based on their religious beliefs and traditions. As in years past, officials banned the observance of Ramadan, taking steps to prevent party officials, public servants, and students from fasting. In July 2015, the government of Thailand forcibly repatriated 109 Uighur Muslims to China, reportedly due to Chinese pressure.

'China continued to deny that its repressive policies toward Uighur Muslims contribute to the community's discontent and at times aggressive reaction. Following the November 2015 terrorist attacks in Paris, China equated its own experience with so-called Uighur separatists with the situation faced by France concerning the Islamic State of Iraq and the Levant (ISIL). Days later, Chinese police killed 28 Uighurs the government suspected of involvement in a September 2015 coal mine attack in Xinjiang that killed more than 50, mostly Han Chinese. In an attempt to recruit global support for his campaign of repression against Uighur Muslims in Xinjiang, President Xi Jinping accused the international community of double standards in its response to perceived terrorism within China. This perspective diminishes the connection between the Chinese government's harsh repression and the actions of some Uighur Muslims: the crackdown has led to the detention or deaths of hundreds and possibly thousands of Uighur Muslims as well as instability and insecurity, fueling resentment and the very extremism the government claims it is trying to quell.' [36]

7.5.8 An Ijet Integrated Risk Management report of 12 January 2016 on the 'Security Situation-Xinjiang, China' noted:

'Several major attacks and riots throughout the region have reportedly occurred after security personnel have not respected Uighur cultural and religious traditions, usually by forcing men to cut or shave their beards or refusing to allow females to wear burkas. The government continues to enforce these controversial policies, and have further increased restrictions on the practice of Islam in the Region. Authorities have reportedly banned the call to prayer in at least Aksu Prefecture, though similar measures are likely in place in several areas. The government continues to ban the celebration of Ramadan during the holiday period, and has reportedly implemented rules forcing families to alter Islamic names of children before they can attend school. Such measures are likely to further fuel anti-government sentiment within the Uighur population.' [37]

7.5.9 In June 2016 Radio Free Asia reported that 'Authorities in northwestern China's troubled Xinjiang region have detained 17 people for encouraging the region's mostly Muslim Uyghurs to fast during the holy month of Ramadan.

'Beijing has implemented strict rules in Xinjiang forbidding anyone under the age of 18 from following a religion, levying hefty fines against families whose

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[36] US Commission on International Religious Freedom – 2016 Annual Report, 2 May 2016 http://www.uscirf.gov/sites/default/files/USCIRF_AR_2016_Tier1_China.pdf. Date accessed: 19 May 2016

[37] Ijet Integrated Risk Management - 'Security Situation-Xinjiang, China', 12 January 2016 https://www.ijet.com/content/security-situation-xinjiang-china. Date accessed: 19 May 2016

children study the Quran or fast during Ramadan. Parents and guardians of Uyghur children and teens are frequently pressured by local officials into signing pledges promising not to allow them to take part in any religious activity.

"The Chinese government has forbidden Uyghurs from leaving their places of residence during Ramadan, and if they do leave, they have to give the authorities details of their itinerary or destination," Raxit [World Uyghur Congress spokesman] said.

'In the regional capital Urumqi, which saw 200 people die in ethnic violence in 2009, officials are handing out payouts to the city's mosques in return for their cooperation with security personnel during Ramadan." They want the mosque staff to assist the security personnel who are installed in the mosques 24 hours a day to carry out surveillance," Raxit said…

"They want to confirm the identities of every person who comes to pray at the mosque."

'The texts of any sermons preached during Ramadan must also be passed by Beijing's censors before they can be delivered, Raxit said.

'Meanwhile, Uyghur-run restaurants are forbidden to shut their doors during fasting hours, according to a government directive.'[38]

7.5.10 See country information and guidance on China: Opposition to the Chinese Communist Party for further information on the treatment of Uighurs in China.

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[38] Radio Free Asia, China Enters Ramadan With Round-The-Clock Surveillance of Mosques, Uyghurs, 6 June 2016 http://www.rfa.org/english/news/uyghur/ramadan-06062016113750.html. Date accessed: 3 August 2016

Version Control and Contacts

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email the Country Policy and Information Team.

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Clearance

Below is information on when this version of the guidance was cleared:

- version **1.0**
- valid from **31 August 2016**

Changes from last version of this guidance

First version in CIG format.

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