

Submission to the United Nations Special Rapporteur on Freedom of Religion or Belief on new legislation in the People’s Republic of China limiting the right of children to participate in religious activities.

“First plant the root deeply, and the plant will grow naturally.”

~Chinese Proverb

Jesus Christ said, *“Let the children come to me, and do not prevent them; for the kingdom of heaven belongs to such as these.”*

Matthew 19:14¹

Introduction

In February of 2018 the Chinese Communist party (CCP) implemented the China Regulation of Religious Affairs which prohibits all children under the age of 18 from participating in any religious services, education, or related activities.² This submission urges the Special Rapporteur to investigate and address this gross injustice forced upon children in China, in violation of their right to religious freedom under article 14 of the UN Convention on the Rights of the Child Article 14,³ of which China is a signatory, and Article 2 of the UN Declaration on Human Rights⁴, and undermines and defies the intent of Sustainable Development Goal 16.⁵

This submission seeks relief and protection for Chinese children. This grave violation of the basic human rights of children as right's holders discriminatory religious policy by the Chinese authorities demands immediate condemnation by the United Nations. This submission demonstrates the ruthless depth of destruction and degradation in the enforcement of this regulation on children, their schools, and their families by government agents.

¹<http://www.usccb.org/bible/matthew/19>

²“China Forbids Children From Churches as Religious Rights Diminish.” Open Doors USA, 17 Apr. 2020, www.opendoorsusa.org/christian-persecution/stories/china-forbids-children-from-churches-as-religious-rights-diminish/.

³UN General Assembly, Convention on the Rights of the Child, 20 November 1989, United Nations, Treaty Series, vol. 1577, p. 3, available at: <https://www.refworld.org/docid/3ae6b38f0.html> [accessed 1 June 2020]

⁴UN General Assembly, Universal Declaration of Human Rights, 10 December 1948, 217 A (III), available at: <https://www.refworld.org/docid/3ae6b3712c.html> [accessed 1 June 2020]

⁵UN General Assembly, Transforming our world : the 2030 Agenda for Sustainable Development, 21 October 2015, A/RES/70/1, available at: <https://www.refworld.org/docid/57b6e3e44.html> [accessed 1 June 2020]; available at: <https://sustainabledevelopment.un.org/sdg16> [accessed 1 June 2020].

I. Discrimination in law and practice

A. Regulation on Religious Affairs affecting minors

The new policy issued as Regulations on Religious Affairs, which came into force in February 2018, states that “*religion is dangerous for minors, and they are prohibited from participating in any religion-related activities, “so as to help them establish a correct worldview, outlook on life, and system of values and form a healthy mind.”*”⁶

There are approximately 300,000,000 youth under the age of 18 in China. Every Chinese child is endowed with the inalienable and sacrosanct right of religious freedom. As the former special rapporteur on religious freedom stressed, “Every individual child is a rights holder in his or her own capacity as recognized in Article 14 of the Convention on the Rights of the Child.”⁷ It is their birthright.

In China no child is allowed in church, nor are they allowed to participate in any religious activities. Furthermore, the anti-religion sentiment extends to children housed in facilities, run by religious organizations, religious summer camps or any quasi-religious activity. To further its singular ideological stance the CCP also transforms schools into political re-education camps for its anti-religion indoctrination.

The Open Doors Report, on religious persecution in China predicts that “*we will lose the next generation of Christians. This is China’s war on children.*” The net effect of this onerous government policy is to wipe out all faith belief in China’s next generation.⁸

II. The Effects of Discrimination

The comprehensive 2019 ChinaAid Annual Report specifically recounts and documents the widespread CCP campaign of destruction of churches, persecution of christians, and disruption of religious activities. The examples below only represent a small fraction of the entirety of abu-

⁶Revised regulation on religious affairs via a decree signed by Premier Li Keqiang and released by the State Council on Sept 7 2017, available at: http://www.gov.cn/zhengce/content/2017-09/07/content_5223282.htm?from=timeline [accessed 1 June 2020].

⁷ United Nations, Office of the High Commissioner on Human Rights, *Children also have the right to freedom of religion or belief, and that must be protected*, 23 October 2015, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16647&LangID=E> [accessed 28 May 2020].

⁸“We Will Lose the next Generation of Christians’: Inside China’s War on Youth.” *Open Doors USA*, 15 Jan. 2020, www.opendoorsusa.org/christian-persecution/stories/we-will-lose-the-next-generation-of-christians-inside-chinas-war-on-youth/.

ses. The effects of the discrimination of the Chinese authorities against Christians has resulted in the destruction of places of worship, arbitrary arrest of Christians, destroying and censoring of religious texts and including the banishment of Christians from their residents.⁹

The discrimination of Christians in the laws and statements from government officials has allowed police and other enforcement authorities to take indiscriminate actions against Christians.

A. Forced evictions of Christians and arbitrary administrative penalties

In late September 2019, school security agents forced out a large group of Christians co-renting apartments on the campus of Xiamen University, by changing the locks on their apartments and damaging doorbells they also warned neighbors against opening doors for them. ChinaAid also reported how Beijing-based Christian rights defense lawyer Ni Yulan suffered multiple lease terminations due to police pressure on her landlords.¹⁰

On June 26, the Tongshan District Ethnic and Religious Affairs Bureau issued an administrative penalty notice to landlords Li Peng and Li Deming, claiming that the five units they purchased in Building No. 5 of Wanda Plaza had been provided to Fang Xiaojun and Ma since 2018 to accommodate house churches. Per the notice, Li Peng and Li Deming are given a warning and a fine of 100,000 yuan [\$14,302.26 USD].¹¹

B. Enforced disappearances and arbitrary arrests

- *Church leaders and lay believers detained, seized, and sentenced on fabricated criminal charges and some forced into “disappearance.”*¹²
- *Persecuting church pastors and their families for practicing the faith.*¹³

C. State Destruction of Places of Worship

⁹ China Aid Association USA, *2019 Annual Report: Chinese Government Persecution of Churches and Christians in Mainland China*, February 28, 2020. available at: https://drive.google.com/file/d/1OE9Y3_JzPW5KofjoaaQi-D72Zbv2BPnsm/view [accessed 1 June 2020].

¹⁰ *Ibid.*, p. 33.

¹¹ *Ibid.*, p. 23.

¹² China Aid Association USA, *2019 Annual Report: Chinese Government Persecution of Churches and Christians in Mainland China*, February 28, 2020. *supra* note 9, p.18.

¹³ *Ibid.*, p. 23.

- *Churches demolished by force or faced demotion in Shaanxi, Hubei, Inner Mongolia, Jiangxi, Tianjin, Anhui, Hebei, Henan, and Jiangsu.*¹⁴
- *By September 2018, the crosses of most churches in Henan province have been demolished. The total number exceeds 7,000.*¹⁵
- *Forcibly outlawing and shutting down churches, ordering churches to stop meeting, searching and ruining church assets, and forcibly repossessing church properties.*¹⁶
- *Forced cross demolitions in Jiangxi, Jiangsu, Henan, Hubei, Shandong, and Guizhou.*¹⁷

D. State Surveillance of houses of worship and parishioners

- *The governments in Wenzhou and Shaoxing, Zhejiang, conducted various inspections on religious activity sites and believers' identification.*¹⁸
- *Deeming illegal teaching children Christian hymns at home.*¹⁹
- *Foreign literary classics in newly published textbooks stripped of religious terms including God and the Bible.*²⁰
- *Churches, believers, and general public strictly prohibited from celebrating Christmas*²¹

E. Specific Incidents of Governmental Discrimination and Deprivation of Chinese Children's Right to Religious Freedom

¹⁴ *Ibid*, at p. 11.

¹⁵ *Ibid.*, p. 40.

¹⁶ *Ibid.*, p. 13.

¹⁷ *Ibid.*, p. 17.

¹⁸ *Ibid.*, p. 40.

¹⁹ *Ibid.*, p. 23.

²⁰ *Ibid.*, p. 29.

²¹ *Ibid.*, 29.

- In the first half of 2018, a kindergarten independently operated by Beijing Agape Church and a kindergarten founded by Xunsiding Church in Fujian Province were forcibly closed down by authorities.²²
- In April of 2018, UCAN China reports that a priest in Hebei Province, stated that local authorities demanded that signs, “*Minors are Prohibited from Entering*” were posted all over China.” This practice is also being reported in the Catholic churches in the Dioceses of Kaifeng and Anyang in Henan. The Henan government also directed agents to extricate minors who attended services in the Catholic churches.²³
- May 1, 2018, the pro-government Henan Province Catholic Patriotic Association, gave notice that any training activities for minors, including summer and winter camps, as well as participation of minors in religious services, should be immediately suspended. Churches that do not comply would be closed forthwith.²⁴
- Spring 2018- “*Minors Are Prohibited From Entering*” were posted at many sites for religious activities throughout China. *UCAN China* report that a priest in Hebei Province, said that local authorities demand that the warning signs be posted in the underground churches as well. Otherwise, the churches would be shut down. A Catholic priest said that warning signs are also posted in the churches of Xinjiang.²⁵
- On April 1st Easter, during a Catholic church mass in the diocese of Zhengzhou, Henan Province, the local authorities rushed into the church and forcibly drove out the minors. Afterward, every Sunday, police cars are parked outside of church and at least three enforcement officers guarding there, forbidding the churchgoers to take their children into the church. Even young children carried by parents are prohibited.²⁶
- In September 2018, in Henan Province, the Department of Education anti-religion propaganda machine now extends as a condition of graduation opportunities. Students must pass a test demonstrating their anti-religious knowledge in order to graduate. At Shangqui Institute

²²GangUses, Feng. “CCP Stifles Faith in the Cradle.” *Bitter Winter*, 9 Feb. 2019, bitterwinter.org/ccp-closes-religious-schools/ [accessed 1 June 2020].

²³Bitter Winter. “Minors Banned from Participating in Religious Activities in China.” *Bitter Winter*, 6 Mar. 2019, bitterwinter.org/minors-banned-from-participating-in-religious-activities-in-china/. [accessed 1 June 2020].

²⁴*Ibid.*

²⁵Religions & Christianity in Today's China, Vol. VIII, 2018, available at: http://www.china-zentrum.de/fileadmin/downloads/rctc/2018-2/RCTC_2018-2_Complete_Issue_01.pdf [accessed 1 June 2020].

²⁶Bitter Winter. “Minors Banned from Participating in Religious Activities in China.” *Bitter Winter*, 6 Mar. 2019, *supra* note 23.

of Technology, students were threatened by expulsion if they were exposed for having religious beliefs.²⁷

- The government has also forcibly and arbitrarily shut down kindergartens and primary schools sponsored and managed by house churches throughout mainland China.²⁸
- October 2018, *World Watch Monitor*, a religious persecution watchdog, reported that “hundreds of Christian children in Zhejiang province have been asked to fill out a form stating that they did not follow a religion and “shamed” for their faith. According to *World Watch Monitor*, over 300 children from two high schools in the region, known for its strong Christian presence, were handed a “questionnaire in class about faith.”²⁹
- *On April 17, children’s Bibles and books were confiscated by government agents from Beixishang Church in Jiaozuo, Xinxiang Parish, Henan.*³⁰
- Christians hindered from homeschooling their children.³¹
- Early May 2019, the State Bureau of Religious Affairs sent a supervisory team to Shandong province, reportedly to implement the religious policies that had been implemented in Zhejiang and Henan provinces, including forcing the demolition of crosses, forbidding children under 18 to enter churches, banning training centers in churches, and removing all Christian symbols from churches.³²
- August 2019-The Bethany Home for Children with Disabilities, located in Taiyuan, Shanxi, was founded by a Catholic nun in 1997 and has housed over 100 children. The Xiaodian District Civil Affairs Bureau unexpectedly visited Bethany Home and notified its staff that the children were to be sent to state-run orphanages because they were suspected of “illegally adopting children.” The authorities removed all the children from the only home they ever knew.³³

²⁷Jiang. “Students Who Fail Anti-Religion Test May Not Graduate.” *Bitter Winter*, 5 Dec. 2018, bitterwinter.org/students-who-fail-anti-religion-test-may-not-graduate/. [accessed 1 June 2020].

²⁸Bitter Winter. “Minors Banned from Participating in Religious Activities in China.” *Bitter Winter*, 6 Mar. 2019, *supra* note 23.

²⁹Gospel Herald. “Chinese Christian Students Forced to Deny Faith, Face ‘Shaming’ for Beliefs: Persecution Watchdog.” *Breaking Christian News: World, Business, and More | The Gospel Herald*, 9 Oct. 2018, www.gospelherald.com/articles/71868/20181009/chinese-christian-students-forced-deny-faith-face-shaming-beliefs-persecution.htm. [accessed 1 June 2020].

³⁰China Aid Association USA, 2019 Annual Report: Chinese Government Persecution of Churches and Christians in Mainland China, February 28, 2020.*supra* note 9, p. 51.

³¹ *Ibid.*, p. 32.

³² *Ibid.*

³³“Shanxi Authorities Remove Children from Catholic Orphanage.” ChinaAid, www.chinaaid.org/2019/09/shanxi-authorities-remove-children-from.html. [accessed 1 June 2020].

- Many schools in Wenzhou started to collect information on students' religious beliefs, which involved three steps: 1) identify students whose parents are Catholics or Christians; 2) identify the parents' names, home addresses, and their employers; 3) visit these parents at their homes to ask them to give up their religious beliefs. Zhongxin Elementary School in Pingyang County, Wenzhou, for example, screened students about their religious beliefs and asked parents to reveal their religious beliefs. Some authorities pressured the parents to give up their religious beliefs through their employers.³⁴
- In August 2019, *China Aid* and *Open Doors* reported that in Shangrao, more than 40 churches hung a slogan that reads, "No underage people allowed in church."³⁵
- The CCP now requires students to sign a form that states, "*I will adhere to the correct political direction, advocate science, promote atheism and oppose theism.*"³⁶
- In August of 2019, throughout dioceses in China, churches are receiving warnings to prohibit holding summer camps from Communist authorities. The purpose of this prohibition is to further disconnect children from any attachment to the Church, even recreational.³⁷
- On March 18, 2019, in Beijing, President Xi Jinping urged the importance of cultivating generations that will support the CCP leadership and the Chinese socialist system. This must start with schools, he said, to make young people the successors of communism, with teachers doing everything to prevent the spread of "false ideas and thoughts." Thus, China schools and kindergartens are implementing that the young Chinese generation grow with the "right ideas and thoughts" of communism and atheism.³⁸
- In March 2019, measures are implemented to force students to report on any religious persons. Over 20 plainclothes police officers arrived at the grade six classroom of a primary school in Beijing's Fangshan district to question each student about whether any of their family members are religious. Officers even tried to obtain the information by bribing the children, promising 500 RMB (about \$75) as a payoff. The government is instructing children to snitch on their family and friends and accept bribes for reporting.³⁹

³⁴ China Aid Association USA, 2019 Annual Report: Chinese Government Persecution of Churches and Christians in Mainland China, February 28, 2020. *supra* note 9., p. 50.

³⁵ *Ibid.*

³⁶ Junying, Piao. "Students in China Are Forced to Sign Away Their Religious Commitments " MercatorNet." MercatorNet, 1 May 2020, [mercatornet.com/students-in-china-are-forced-to-sign-away-their-religious-beliefs/24041/](https://www.mercatornet.com/students-in-china-are-forced-to-sign-away-their-religious-beliefs/24041/). [accessed 1 June 2020].

³⁷ "Catholics in Fear as Chinese Authorities Ban Religious Education - UCA News." Ucanews.com, www.ucanews.com/news/catholics-in-fear-as-chinese-authorities-ban-religious-education/85786. [accessed 1 June 2020].

³⁸ "Xi Stresses Ideological and Political Education in Schools." Xinhua, www.xinhuanet.com/english/2019-03/18/c_137905379.htm. [accessed 1 June 2020].

³⁹ "The Grooming of Chinese Atheists Starts in Kindergartens." STELLA DEL MATTINO, 9 May 2019, en.msa-it.org/freedom-news20190509/. [accessed 1 June 2020].

- In early April 2019, the Suiyang District Education and Sports Bureau in Shangqiu city, in the central province of Henan, ordered primary and secondary schools to hold *signing events*, which pledge to stay away from religion. Other signing ceremonies, were held in all 18 schools and kindergartens in Gaoxin, which warned that any student who believes in God would be expelled. Teachers and students were forced to sign their names on a large propaganda banner promising not to enter a religious venue. Then, the banner was hung on the outer facade of the school.⁴⁰
- *Early Rain Covenant Church member's adopted children taken away from parents.*⁴¹
The global community recognizes that the free practice of religion is a basic human right with qualitative advantages and improved strengths for children. Tragically, religion is undergoing a demolition and destruction as absolute, visible, and widespread as the government's arbitrary razing of churches.

III. Best Practices and how to realise SDG 16.

The intent of the UN Sustainable Development Goal 16 seeks to improve the quality of life for children through a variety of initiatives. The free practice of religious rights enhances life outcomes for children. When children are arbitrarily and brutally denied the opportunity to participate in religious activities by government fiat, they suffer needless life consequences and trauma, the same goes for their right to non-practice.

As has been shown the Chinese government restrictions of a fundamental human right - the right to hold a religion or belief - is untenable, as children and adults alike will always seek to learn more and follow their convictions and conscience. Criminalising a fundamental human right has and undoubtedly will result in breaches. The result, being violence and arbitrary arrests and penalties directed towards the discriminated religious community. It has also been shown to result in state-sponsored violence against children.

At this moment in history, the children of China are cruelly victimized and traumatized by the military-like destruction of their religious legacy and family heritage by the indiscriminate demolition of their houses of worship. As Special Rapporteur for Religious Freedom, it is incumbent to seek redress for the children of China, who are entitled to this hallowed right to freely practice religion.

⁴⁰LuUses, Xin. "The Grooming of Chinese Atheists Starts in Kindergartens (Video)." Bitter Winter, 8 May 2019, bitterwinter.org/the-grooming-of-chinese-atheists-starts-in-kindergartens/. [accessed 1 June 2020].

⁴¹ China Aid Association USA, 2019 Annual Report: Chinese Government Persecution of Churches and Christians in Mainland China, February 28, 2020. *supra* note 9, p. 52.