

# October 2020 Report: China Bans Faith for All Children



An overview of The People's Republic of China's violations of the United Nations Convention on the Rights of the Child with regards to Freedom of Religion or Belief, as well as linguistic and cultural rights.



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The Chinese Communist Party’s persecution policies violate international obligations and norms regarding children’s rights to religious freedom.

## **Executive Summary**

In 2013, the Committee on the Rights of the Child raised the alarm regarding the People’s Republic of China’s breach of the Convention on the Rights of the Child article 14. The Committee recommended the government of China to “take all necessary measures” to “effectively guarantee the right of freedom of thought, conscience and religion for those under 18,” highlighting specifically the Uyghur and Tibetan children, as well as children of Falun Gong practitioners. Since then, however, China has effectively extended its restriction on the right to religion or belief and freedom of expression to all youth under the age of 18.<sup>1</sup> Following the implementation of the Regulations on Religious Affairs in 2018, provincial governments have banned minors from attending any religious-based activities, prohibited religious curriculum in schools, engaged in campaigns to discourage children from religious conviction, harassed families, and have even similarly cracked down on the cultural and linguistic expressions and practices of religious minorities throughout the nation. These newly introduced restrictions blatantly disregard the Committee’s recommendations and the rights the mechanism seeks to protect, as well as demonstrate China’s lack of commitment to its obligations under international treaties to protect children’s rights.

This report will offer a comprehensive analysis of the various ways in which children of religious conviction in China are deprived of their rights to freedom of belief at the hands of the oppressive Chinese Communist Party and municipal governments across the country.

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<sup>1</sup> UN Committee on the Rights of the Child, *Concluding observations on the combined third and fourth periodic reports of China*, 4 October 2013, CRC/C/CHN/CO/3-4, para. 42.

## A. Christian children

### *i. Christian children are punished, threatened, excluded, and rebuked for their families 'and their own religious affiliation.*

In addition to being banned from attending church and holding religious beliefs/attending religious events in general, children have been encouraged by local government officials to report their parents if they engage in religious activity or worship.<sup>2</sup> Moreover, the contradiction between receiving anti-religious reprimanding and warnings in school and in public, and being a child to religious parents "leaves many children confused and sometimes angry with their Christian parents and brings parents in the difficult situation of having to defend themselves almost constantly. For converts, members of their wider family will try to influence the education of their children."<sup>3</sup>

In early 2019, Wang Xinguang, a deacon at Three-Self Church in Shangrao, Jiangxi Province, received warnings from municipal government officials that, because he was a registered Party member, he was expected to give up his religious beliefs and represent the communist and atheist ideologies touted by the government. If he chose to continue engaging in Christian worship and religious activities, he would be revoked his Party membership; moreover, "his children would also be implicated. In the future, they would be unable to join the army, and their employment prospects would be affected."<sup>4</sup>

In August 2019, 20-year-old David Guan wrote a prayer letter in which he recalled his childhood as a Christian, and the persecution his family suffered for their religion. He remembered officers taking his father away for interrogation when Guan was just three or four years old and how government officials often harassed his family. At school as well, teachers encouraged other young students to not associate with or befriend him, and they would also pressure him to give up his faith. In 2013, Guan shared how officials threatened his safety as a means to "force my parents to give up their faith and to give up their service at the church."<sup>5</sup>

The action of using children as leverage to attempt to force Christian parents to renounce their religion is a common tactic employed by Chinese government officials. On July 31,

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<sup>2</sup> Open Doors World Watch Research, *China: Country Dossier*, February 2020.

<sup>3</sup> *ibid.*

<sup>4</sup> Piao Junying, "You Shall Have No God Before Marx and Lenin", *Bitter Winter*, 22 January 2019.

<sup>5</sup> China Aid, "Christian man writes letter regarding family's persecution", 27 August 2019.

2019, mother Shi Minglei wrote a letter recounting the incidents of the week earlier- on July 22, Shi was followed and abducted by police officers and transported to an office where she was interrogated regarding information she had no knowledge of.<sup>6</sup> Unable to answer these questions, police assumed she was lying and so they brought Shi's 3-year-old daughter to the office to be questioned alongside her mother. Although eventually released, Shi claims her daughter remains troubled and "terrified" about the incident and its implications for future harassment.

In March 2020, Chinese Christian mother Fan Ruzhen was brought to court after she repeatedly opted out of enrolling her child in secular, public education and instead choosing Christian schooling.<sup>7</sup> Despite multiple threats from government authorities that they would withhold her government-issued subsistence paychecks should she continue to educate her child in Christianity, she continued to resist their demands and continued to be repeatedly harassed and threatened. March 2020 is the month of her most recent court hearing, although she was brought to court for the first time in December 2019.

In July 2020, International Christian Concern hosted an online event to coincide with the release of their new report on religious persecution in China- during this event, Liao Qiang- a member of the Early Rain Covenant Church [ERCC] and who has since sought refuge in Taiwan- explains that ERCC families that have adopted children have been threatened that authorities will send the adopted children away to reindoctrination camps, and in some cases Chinese officials have abducted these adopted children and forcibly returned them to their biological families as a form of retribution towards ERCC members.<sup>8</sup> Liao explains that he left China for Taiwan after his daughter Ren Ruiting was being monitored by police, stating "That's when I knew it was no longer safe for us here, and that my children were most in danger."<sup>9</sup> Similar situations of removal of four adopted children from the home of ERCC members Pei Wenju and Jing Jianan's home were also reported by ICC.

In May 2018, 13-year-old Wang Chenyang (pseudonym) of Zhucheng, Shandong Province, was restricted from attending his school's Children's Day festival performance because he was a Christian. Wang reported that after finalizing the rehearsal on the day of their performance, the school's principal informed the class that any student who has any religious affiliation is prohibited from participating in the performance.<sup>10</sup>

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<sup>6</sup> China Aid, "Mother recounts 'horrible' threats to three-year-old, husband's arrest", 31 July 2019.

<sup>7</sup> China Aid, "Mother faces court for choosing Christian schooling", 20 March 2020.

<sup>8</sup> Leah MarieAnn Klett, "China seizes children from Christian parents, threatens to send kids to re-education camps", *The Christian Post*, 26 July 2020.

<sup>9</sup> China Aid, "Associated Press: Christian family details crackdown on church in China", 8 July 2019.

<sup>10</sup> Bitter Winter, "Young Christian Banned from Celebration in School", 27 May 2018.

In April 2018, Zhang Meng (pseudonym) was summoned to her college student son's school, where she was informed that the municipal Public Security Bureau had found out that she and her son, Li Chao (pseudonym) were participating members of the Church of the Almighty God.<sup>11</sup> Both mother and son were threatened that if they did not stop their religious activities and provide the Security Bureau with information on the religious sect, Li Chao would be cornered, physically beaten, and arrested should he return to school. Fearing the likelihood of these threats coming to fruition, Zhang Meng and Li Chao have escaped the area to avoid imminent persecution.

In June 2018, another university student and member of the Church of the Almighty God, Zhao Tingting (pseudonym) was attending class at her school in Jinzhou City, Liaoning Province, when a handful of police officers interrupted the class and arrested Tingting without warning.<sup>12</sup> She was taken to her dorm by the police, who confiscated some of her belongings and cellphone, interrogated her on her religious affiliation, attempted to coerce her into revealing other Church members, and was accused of "using a *xie jiao* (heterodox teachings) to harm society" before being transported to a local detention center. She was released a month later in July, and she was told that she must sign a letter confirming that she renounced her affiliation with Church and religion, and because she refused to do so, she was expelled by her school.

*ii. Christian children under the age of 18 years are prohibited from attending religious worship services and events.*

Since 2017, numerous news articles have reported a concerning new trend in which the government prohibits children under the age of 18 from entering and attending church services and religious events such as Christian summer camps; related incidents have occurred throughout multiple provinces: Henan, Xinjiang, Jiangsu, and Zhejiang.<sup>13</sup> It is no coincidence, according to World Watch Monitor, that the provinces in which such restrictions are imposed are known to have relatively high levels of Christians in the population. Individuals have taken photographs of the notices that have been appearing on church doors throughout the nation.

In two images circulated via international media, two separate signs can be seen which provide an example of the rhetoric used to restrict religious activity to minors. The first

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<sup>11</sup> Jiang Tao, "University Student Suspended for Believing in Almighty God", *Bitter Winter*, 1 August 2018.

<sup>12</sup> Piao Junying, "University Student Forced to Drop Out Because of Her Faith", *Bitter Winter*, 5 August 2018.

<sup>13</sup> World Watch Monitor, "China bans children- and their teachers- from churches", 8 September 2017.

of which states that such restrictions are “to protect the health and safety of teenagers during the hot summer holidays”<sup>14</sup> and the second prohibiting any affiliates of the Henan Catholic Patriotic Association and the Henan Commission for Church Affairs to, “organize activities of any form to disseminate religious education for minors.”<sup>15</sup>

World Watch Monitor reports that similar notices have been found in Fuzhou, Fujian Province, which state “it is forbidden to force or tempt juveniles to believe in any religion and it is also forbidden to conduct religious activities in non-registered religious venues without approval.”<sup>16</sup> Bitter Winter explains that this new era of restrictions on minors attending religious services and activities was initiated as a direct result of the Regulations on Religious Affairs, which, although being initially signed in late 2017, only came into force by early February 2018; directly after this decree was implemented, local government authorities have embarked on a campaign “from extensive anti-religious propaganda on school campuses to crackdowns on church-organized Sunday schools and summer camps.”<sup>17</sup>

***iii. Christian children are prohibited from receiving religious education and face persecution for revealing their religious affiliation in school.***

Similar to the notices appearing on church doors throughout multiple Chinese provinces, multiple media outlets have reported that notices have been erected on schools and campuses that explain that “faith-related activities, information, and symbols” are forbidden.<sup>18</sup> One district in Wenzhou, Zhejiang Province, received a notice from the government stating that “minors receiving religious education and formation too early in churches would seriously affect the normal implementation of the education system,”<sup>19</sup> exhibiting the CCP’s concerns that the growing influence of religion in China could become an increasingly popular narrative combatting the atheist “pro-CCP” and “pro-nationalism” narrative ingrained in Chinese children through traditional education.

According to one school director, “If too many people turn to religion, then no one will believe in the Communist Party...therefore, dynamic ideological control is crucial for the CCP.”<sup>20</sup> Another rhetoric that the government uses is that children should not hold

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<sup>14</sup> World Watch Monitor, “China bans children- and their teachers- from churches,” *supra note*

<sup>15</sup> Wang Zhicheng, “Henan, church banned for children under 18: 'taking legs from under the Christian community's growth among young people”, *AsiaNews.it*, 17 April 2018.

<sup>16</sup> World Watch Monitor, “China bans children- and their teachers- from churches,” *supra note 2*.

<sup>17</sup> Zhou Xiaolu, “Bans on Minors’ Religious Activities Enforced Throughout China”, *Bitter Winter*, 25 October 2019.

<sup>18</sup> Tang Wanming, “State Ensures that Children Stay off Religion on Holidays”, *Bitter Winter*, 25 August 2019.

<sup>19</sup> UCAnews, “Chinese authorities ban children going to churches”, 30 August 2017.

<sup>20</sup> Tang Zhe, “China’s Schools Pledge to Do Away with Religion”, *Bitter Winter*, 4 February 2020.

religious convictions “because they are unable to think independently, as they are at a critical stage of development, both physically and mentally, which is crucial for establishing correct outlook on the world, life, and values.”<sup>21</sup>

Another method to prevent religious rhetoric from ‘infiltrating’ secular schools is by forcing teachers to sign away their freedom to attend religious services; in Zhejiang Province, teachers have reported that the government has been requesting they sign a letter “pledging to hold no religious beliefs” and specifically that they make no efforts to engage in evangelist activity within schools.<sup>22</sup> In Yueqing, a county in Wenzhou, Zhejiang Province, teachers have been ordered to “adhere to the correct political direction, promote atheism, firmly establish a Marxist religious outlook, not believe in any religion, and not teach any religious knowledge to students.”<sup>23</sup>

Some colleges and secondary education institutions disseminate “university students religious knowledge card” which briefly outlines eight restrictions on religious freedom, including “the spreading of religion; the establishing of religious venues and the holding [of] religious activities; the establishing of religious groups and organizations; and the forbiddance of using modern technology to communicate religious ideas and activities.”<sup>24</sup>

Parents in Wenzhou have even reported that their family received video messages from their children’s teachers urging the families to not bring their children with them to church, as local education boards have been warned that government investigation teams are likely to conduct inspections to see how many students are attending church with their families.<sup>25</sup> Parents have also received letters from their children’s schools which they must sign to ensure that their children will not be attending “religious venues for scripture study classes or other theological training.”<sup>26</sup>

In January 2019, Fujian’s Xunsiding Church kindergarten was ambushed by a hoard of armed police officers and government authorities, who demolished the school and prevented teachers and parents of students of the kindergarten from leaving their homes to contest the oppressive act. In May 2018, Xunsiding kindergarten, known colloquially as “Wheat School,” was forcibly shut down after they “received a notice issued by the departments of religion and education accusing the kindergarten of not being authorized

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<sup>21</sup> *ibid.*

<sup>22</sup> Yang Fan & Qiao Long, “China Makes Teachers, Medical Professionals Pledge Not to Follow Any Religion”, *Radio Free Asia*, 26 September 2018.

<sup>23</sup> *ibid.*

<sup>24</sup> Jiang Tao, “‘Religious Bans’ Sweep Across Universities”, *Bitter Winter*, 10 January 2019.

<sup>25</sup> World Watch Monitor, “China bans children- and their teachers- from churches,” *supra note 2*.

<sup>26</sup> Tang Wanming, “State Ensures that Children Stay off Religion on Holidays”, *supra note 10*.

to engage in early childhood education. To protest the shutdown of the kindergarten, many parents took their children to sing and pray at the entrance of the kindergarten.<sup>27</sup>

***iv. Christian children and their teachers are forced into anti-religious and pro-atheist indoctrination excursions and programs.***

In March 2019, President Xi Jinping at a Beijing conference made the statement that it is “essential to gradually open and upgrade ideological and political theory courses in primary, secondary and tertiary schools, which is an important guarantee for training future generations who are well-prepared to join the socialist cause.”<sup>28</sup> Directly following President Xi’s statement, schools across the mainland began programs to send their students on “red” study excursions to enforce patriotic education and teach about China’s “revolutionary heroes.”

In October the same year, over 1,000 middle and high schools students in Feng, Shaanxi Province, were dressed up in Red Army-reminiscent uniforms, carried Chinese national and army flags, and were transported to Yan'an in a four-day trip called “Inherit the Red Gene and be brave to be the new generation of the times.”<sup>29</sup> During this trip, students watched pro-communism stage plays, visited veteran memorials, and learned about the victories of communism throughout the 20<sup>th</sup> century. Students in schools across China are required to attend these school trips, pay with their own money, and draft essays upon their return reflecting on what they have learned. One middle school student explained that very few of his classmates wanted to go on the trip, but they were told by their teacher that if they failed to do so, they would not receive their graduation documentation. One student said:

“During the trip, the teacher asked us to swear allegiance to the Party. When we recited ‘fight for communism all my life, be ready at all times to sacrifice everything for the Party and the people, and never betray the Party,’ I was quite confused: What should I sacrifice for the Party and the people?”<sup>30</sup>

In February 2019, at an elementary school in Tangshan City, Lunan District, Hebei Province, students were required to recite the Core Socialist Values, and student leaders were required to give speeches in which they condemn religion and illustrate

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<sup>27</sup> China Aid, "Church kindergarten forcibly demolished", 26 January 2019.

<sup>28</sup> Wang Yong, "'Red' Study Trips for Children to Further Indoctrinate Them", *Bitter Winter*, 27 December 2019.

<sup>29</sup> *ibid.*

<sup>30</sup> *ibid.*

propaganda posters condemning *xie jiao* and religion.<sup>31</sup> Another Hebei Province school's principal describes the current educational curriculum supported and enforced by the CCP consists of "Party-loving, country-loving, anti-religious propaganda." One child explained that, even though he was a strong believer in God as the Creator, he was too afraid to explain that on an anti-religion survey.

At a primary school in Anyang, students must watch a pro-CCP news show every day during their instruction and write a reflection on the content, most notably praising President Xi Jinping. They are also required to use an app called Xi Study Strong Nation which disseminates President Xi's statements regarding education. "Students who do not complete this task are required to run 50 laps around the school's playground as punishment."<sup>32</sup> At the beginning of the 2019 school year in Fuyang District, Zhejiang Province, notices were distributed stating that schools and instructors were to "promote atheist ideology during the morning reading class." Also, "some local students reported that their teacher showed them images related to Christianity, Islam, and Buddhism during their morning self-study class and told them not to believe in any religion."

**v. Christian families are wary of private worship as a result of the government's multi-faceted crackdown on religion.**

As a result of the persecution and harassment that Christian children face in school, as well as the overbearing restrictions on them attending worship services, many children have found it in their best interest to practice their faith within the confines of their home due to safety concerns. However, even this arena is extremely dangerous, as house churches have come under major scrutiny by the CCP within the past two years, and the government has encouraged and incentivized Chinese citizens, as a duty to the Party, to keep close watch over their families 'and neighbors 'actions and report any 'suspicious 'religious activity, creating a general climate of mistrust and paranoia.

As recently as April 2020, during the COVID-19 pandemic, the local government of Nenjiang announced that it would give an RMB 5,000 (USD \$700) reward to citizens that inform officials of possible illegal religious activity.<sup>33</sup> In some locations across Chinam the Public Security Bureau has divided the communities into "grids" and designated an administrator to each grid to monitor the activities of each grid to monitor the activities of each grid's families and citizens. One anonymous grid administrator explains:

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<sup>31</sup> Shen Xinran, "China Continues to Spread Communism Across College Campuses", *Bitter Winter*, 25 March 2019.

<sup>32</sup> Li Guang, "Obedient 'Red Successors' Cultivated from Young Age", *Bitter Winter*, 10 October 2019.

<sup>33</sup> Catholic News Agency, "Coronavirus brings crackdown on house churches in China", *The Catholic World Report*, 3 April 2020.

"Key targets of supervision include persons who have been released from prison after completing their sentences and religious believers. In particular, members of The Church of the Almighty God [CAG] must be identified, monitored, and reported. We must know when members of such households leave and return home, and, in particular, ensure strict monitoring during 'sensitive days' [anniversaries of historical and controversial events such as the Tiananmen Square Massacre]. A Falun Gong practitioner lives in my neighborhood. She doesn't know it, but more people besides myself, sometimes police officers, are watching over her on some days."<sup>34</sup>

One Shandong Province Dongying City grid administrator explains that local officials gave him a cellphone with a special application that he was required to use to take pictures and recordings of illegal activities, most notably "unlicensed gatherings of believers." Many grid administrators, in addition to monetary incentives, are also sometimes required to meet reporting quotas, and can face serious punishments should they forget to patrol their grid, miss meetings, or fail to report on "dissidents" such as Christians and Falun Gong practitioners.

This program of constant surveillance makes it difficult for Christian families and children to worship within the confines of their own home, as the punishments and implications give rise to fear-mongering and self-censorship.

## B. Uyghur Children

### *i. Uyghur children are discouraged and prevented from religious practice, and therefore deprived of their religious and cultural heritage.*

In mid-October 2016, the Chinese Communist Party published a set of religious regulations for Xinjiang that would be implemented starting in November and that would present criminal charges on parents and guardians that "organise, lure or force minors into attending religious activities" or "abet, coerce, attract, or tolerate minors' participation in terrorism, extremism, and underground scripture studies."<sup>35</sup> Other such prohibited acts for Uyghur students includes wearing religious clothing- such as

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<sup>34</sup> Ye Ling, "'Big Brother's' Helpers Planted in Each Community to Serve the Regime", *Bitter Winter*, 15 September 2019.

<sup>35</sup> Kavitha Surana, "China Tells Citizens to Inform on Parents Who 'Lure' Kids into Religion", *Foreign Policy*, 12 October 2016.

headscarves- and participating in fasting for Ramadan.<sup>36</sup> It is no coincidence that in the same breath the Chinese government prohibits both religious activities and extremist beliefs- the CCP views these two concepts as synonymous, as Uyghurs are often viewed as extremists and separatists for their history with independence movements.

Neighbors and peers are authorized to report to public security officials any Uyghur family in which parents are permitting or encouraging their children to take part in their religious beliefs. Moreover, these new regulations require schools and teachers to discourage Uyghur students from participating in religious practice and foster an educational environment that “seeks the truth, refuses ignorance (and) opposes superstition.”<sup>37</sup> Those children who refuse the restrictions placed upon their religion are liable to being sent to designated ‘schools’ to ‘receive rectification.’

“China already has a Prevention of Juvenile Delinquency Law dating back to 2012 that places criminal responsibility on the shoulders of parents, teachers and other responsible adults, should a minor become involved in crime. It makes no mention of religion. Now, the Xinjiang Uyghur Autonomous Region government has amended its regional version of the law to include religious activities, which are assumed to be linked to ‘separatism, extremism and terrorism,’ in the list of criminal acts a child may be drawn into.”<sup>38</sup>

One Aksu, Xinjiang government official has informed Radio Free Asia’s Uyghur service that if a minor under the age of 18 years prays, takes part in fasting, practices or studies religion, or visits underground houses of worship, they will be charged with committing a crime. The official’s excuse- namely, the CCP’s justification- is that underage children and adolescents are not at a mature age, have no “sound judgement” or “sense of self control”, and could be easily manipulated into practicing a faith unwittingly.

These new regulations do not necessarily indicate a shift in repression; Uyghur children have been discouraged from religious practice for years- these rules simply act to codify the repression. As early as 2014, in Hotan, Kashgar, and Aksu prefectures of Xinjiang, government officials started discouraging parents in their municipality from bringing their children with them to any religious events. Authorities have heavily fined families and parents who allowed or encouraged their children to study the Quran, but this new law is the first to punish the children directly.<sup>39</sup>

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<sup>36</sup> South China Morning Post, [“China’s new rules for Xinjiang ban parents from encouraging or forcing children into religion”](#), 12 October 2016.

Kavitha Surana, [“China Tells Citizens to Inform on Parents Who ‘Lure’ Kids into Religion”](#), *Foreign Policy*, 12 October 2016.

<sup>37</sup> Reuters, [“China targets parents in new religion rules for Xinjiang”](#), 11 October 2016.

<sup>38</sup> Radio Free Asia, [“China’s new law targets Muslim children for ‘correction’”](#), 21 October 2016.

<sup>39</sup> *ibid.*

Regulations preventing encouragement of religious practice of children in Xinjiang have also placed the burden on teachers and school employees to pledge that they will not hold or encourage religious activities for their students lest they be terminated from their jobs. Dilxat Raxit of the World Uyghur Congress explains that, while this law is extremely discriminatory and postulates punishment for religious worship among minors, that this does not mean that Xinjiang residents are likely to follow the new rules. In fact, "This policy is a provocation that will spark a further resistance and lead to more unrest in the region."<sup>40</sup>

As a result of the threat of persecution and punishment for religious affiliation, Uyghur children have been forced to abandon their religious and cultural heritage. In schools across Xinjiang, Uyghur and other minority children are actively discouraged from praying or fasting for Ramadan, and those students that do not comply face great risks, increasingly so in recent years. One Uyghur woman named Gulzire, who grew up in Yining, Xinjiang, explains that in the early 2000s, Uyghur students like herself were discouraged from taking part in their religious activities during school. Students were told by their teachers "not to fast because they needed good nutrition to prepare for their public exams...To discourage fasting, teachers would go into the classrooms to check on students." Gulzire remembers one teacher forcing her to show her lunch to prove that she was not fasting. "But she said the restriction was not very strictly enforced back then, and some still managed to fast secretly."<sup>41</sup>

However, following inter-ethnic conflict that took place in 2009 in Urumqi, Xinjiang and that led to 200 deaths, the Chinese government had cracked down on Uyghurs as a means of "stoking tension." As a result, Uyghur children faced stricter rebukes for observing religious traditions, and in April 2017, "the government reportedly published a list of prohibited names, most of which were Islamic in origin, and required all children under 16 with those names to change them."<sup>42</sup>

## *ii. Uyghur children become victims of intergenerational separation.*

As estimates of the number of Uyghurs in prison continue to rise to upwards of 1 to 2 million, news outlets spend less time discussing the secondary effects experienced by inmates' children. The reality is that Uyghur children, whose parents are unjustly imprisoned on account of their religion- Muslim or Christian- also suffer persecution throughout their daily lives.

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<sup>40</sup> *ibid.*

<sup>41</sup> Amnesty International, "Forgive my children for not fasting"-Ramadan in Xinjiang", 3 May 2019.

<sup>42</sup> *ibid.*

“Government documents provide clear evidence that there are large numbers of children with one or both parents in some form of internment. These documents specifically refer to ‘couples where both partners are detained in re-education’ (夫妻双方被收教), or ‘couples where both parents are in vocational training center’ (夫妻双方在教培中心). They also testify to the fact that this has developed into a concrete and urgent social issue....In addition, the government has issued propaganda piece that argue that the children of detained parents derive significant benefits from this separation.”<sup>43</sup>

Campaign for Uyghurs estimates that there are upwards of 500,000 Uyghur children in state-run orphanages in Xinjiang as a result of their parents ’arrests, and that this constitutes an act of genocide through “forcibly transferring children of the group” in Article 2 of the U.N. Genocide Convention. Among these Uyghur children are 6-month-olds that are still supposed to be breastfeeding, and videos on social media show children torn away from their mothers as infants, now unable to recognize them as children which shows that China’s project was successful.<sup>44</sup>

Another problematic point is that leaked Xinjiang government documents reveal that there is no specific or lawful procedure for confiscating children and transferring them to state-run schools: “They do not indicate whose consent is needed, which government agencies make decisions about removal to state institutions, or whether there are procedures for determining consent or challenges to such determinations.”

The Article 9 of UN Convention on the Rights of the Child (CRC) states that separation of children from their families and subsequent transfer of children is only permissible when “such separation is necessary for the best interests of the child,” and that such separation is usually reserved for child neglect or abuse cases.<sup>45</sup> Moreover, separation of children from their parents, guardians, and family, according to Human Rights Watch, should be a “temporary,” “a last resort,” and “for the shortest possible duration.”<sup>46</sup>

Human Rights Watch in 2019 conducted a survey of five families from Xinjiang that now live outside of China and have lost contact with their children. One Uyghur father,

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<sup>43</sup> Adrian Zenz, “Break Their Roots: Evidence for China’s Parent-Child Separation Campaign in Xinjiang”, *Journal of Political Risk*, Vol. 7, No. 7, July 2019.

<sup>44</sup> Campaign for Uyghurs, China’s Genocide in East Turkistan: The Genocide of Uyghurs by Definition of the United Nations Convention on Genocide Prevention, July 2020.

<sup>45</sup> UN General Assembly, Convention on the Rights of the Child, 20 November 1989, United Nations, Treaty Series, vol. 1577.

<sup>46</sup> Human Rights Watch, “China: Xinjiang Children Separated from Families,” *supra note 37*.

Abdurahman Tohti, explained that he hasn't talked to or seen his 4-year-old son and 3-year-old daughter since his wife was arrested in August 2016. He woefully expresses that "I miss my children, my wife. I want them back very much. I fear if I ever meet my children again in my lifetime, they wouldn't know who I am, and they would've been assimilated as Chinese and think that I'm their enemy."<sup>47</sup>

Dilnur, a Uyghur mother that now resides in Canada, reflected on the emotional trauma she experiences as a result of being separated from her 8-year-old daughter and 6-year-old son in April 2017. She explained that whenever she saw propaganda videos of Uyghur children learning in 'school', she would frantically search for any presence of her children or hint to their whereabouts, only to turn up no answers. Dilnur explains that "every time when I see a child of my children's age on the street, I start to cry. My eyes hurt terribly from too much crying."<sup>48</sup>

Another Uyghur man, Mahmutjan, explained that after leaving Xinjiang to prepare the arrival of his family to Turkey, his youngest daughter, aged 7, was abruptly taken by government officials and transported to a "boarding facility" where she remained until she was very ill and released to Mahmutjan's brother. Mahmujan remembered looking at photos of his daughter after she was released from the boarding school, in which she appears very thin and sickly. He lamented that the separation and lack of contact troubles him as well has his wife, who is "broken psychologically."<sup>49</sup>

Abdul Aziz, a Uyghur from Hotan that now lives in Turkey, revealed that, following his wife's detention in Xinjiang, he has not heard from his three youngest children, aged 6 years, 5 years, and 2 years. Aziz's father has passed away, his mother is in Istanbul, and he has been able to reach his brothers, his only other relatives that remain in Xinjiang. Aziz explained that he's desperate to find his brothers and his children.

Bitter Winter reveals the story of one 80-year-old Uyghur woman explaining the major stress she feels of being the sole guardian of her four young grandchildren alone after her husband- the breadwinner- was transported to a detention center. Another 25-year old Uyghur woman is resigned to take care of her younger siblings and her mother after all of her relatives were sent to prison camps in 2017. Two children aged 5 and 6 years old have been passed from family member to family member as their guardians continue to be detained.<sup>50</sup> One Uyghur man recalls seeing his daughter for the first time since his

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<sup>47</sup> Human Rights Watch, "China: Xinjiang Children Separated from Families", 15 September 2019.

<sup>48</sup> *ibid.*

<sup>49</sup> *ibid.*

<sup>50</sup> Chang Xin, "With Breadwinners Locked in Camps, Families Struggle to Survive", *Bitter Winter*, 31 March 2020.

detention six months prior, and how he was so shocked to hear her explain with clarity “father, your eyes are so big.” At the time he was arrested, the only words she could say were ‘mommy’ and ‘daddy.’<sup>51</sup>

Bole, a city in Xinjiang Province, is one of the major destinations for Uyghur orphan children from the ages of seven to seventeen who have week by week lose more family members as they are shipped off to detention centers for their ethnic and religious identity. One source reported of these orphanages:

“There are a lot more kids like these, but the welfare institution doesn’t have room for them. They can’t take any more in. The children are suffering from emotional instability, and some are displaying disturbing tendencies, like trying to swallow fish bones or drink laundry detergent to kill themselves. Some children have asked if the welfare system was a prison.”<sup>52</sup>

### *iii. Orphaned ‘Uyghur children are transported to boarding schools for re-indoctrination.*

For Uyghur children that are separated from their parents and transferred to state-run boarding schools, they are often met with coerced re-indoctrination, poor living conditions, and mental health issues as a result of separation and isolation.<sup>53</sup>

The CCP attempts to portray the education services as altruistic- all boarding and schooling fees covered by the government - however, Uyghur students face a plethora of restrictions and even human rights violations within these schools.<sup>54</sup> Students are forced to abandon their cultural heritage and language and learn Mandarin as well as patriotic ideals; religious worship is strictly prohibited; Uyghur dormitories are segregated from Han student dorms; they face persistent monitoring and surveillance by school-appointed security guards; students are not able to travel outside of campus freely; food and water supplies are extremely limited and starvation is an unfortunate reality.<sup>55</sup>

These ‘boarding schools’ are eerily reminiscent of the detention camps that Uyghur adults are sent to; barbed-wire fence surround the school property, security officers are

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<sup>51</sup> Li Zaili, “Uyghur Children Deprived of Parental Love”, *Bitter Winter*, 26 November 2018.

<sup>52</sup> Bitter Winter, “Uyghur Children ‘Orphaned’ After Their Parents Were Sent to Camps”, 7 July 2018.

<sup>53</sup> Adrian Zenz, “Break Their Roots: Evidence for China’s Parent-Child Separation Campaign in Xinjiang,” *Journal of Political Risk*, Vol. 7, No. 7, July 2019, *supra note* 33.

<sup>54</sup> Li Ping, “Xinjiang Children Sent to Inland Schools for ‘Sinicization’”, *Bitter Winter*, 12 October 2019.

<sup>55</sup> *ibid.*

vigilantly searching around every corner, CCTVs are located on building walls, and propaganda posters with pro-CCP epithets such as “I’m Chinese; I love my country” and “Always follow the Party” are always within eyesight.<sup>56</sup> Moreover, one Chinese government source even publicly states ”Vocational Skills Education Training Centers wash clean the brains of people who became bewitched by the extreme religious ideologies of the ‘three forces’. (职业技能教育培训中心把宗教极端思想从那些受到“三股势力”蛊惑的人的头脑中清除出去).”<sup>57</sup>

Moreover, boarding school conditions threaten the health and safety of these Uyghur and ethnic minority children. In many instances, these students are not provided with suitable clothing and sanitation capabilities, showing up to classes in thin, dirty clothing unfit for winter climates and smelling of body odor.<sup>58</sup> One Kashgar teacher reveals that her students had dirty, unwashed faces, torn and tattered clothing, broken or missing shoes, and that they generally ”looked miserable.”<sup>59</sup>

The reality is that they are miserable- many of these young, emotionally vulnerable children suffer from behavioral changes and depression as a result of their abrupt separation from family and placement into prison-like educational institutions. Once happy and energetic children become bitter, depressed, and sometimes even emotionless and withdrawn. One Xinjiang teacher reflects on the transformation of 9-year-old Uyghur schoolgirl Gulina from a hard-working and optimistic child to a perpetually glum, thin, and easily distracted child: “She is in bad spirits. When I asked he if she was sick, she just shook her head.”<sup>60</sup> Gulina only appears to be happy on the days before she leaves the school to visit her parents.

Contrary to the CCP’s claims that boarding schools are able to make students more educated and more determined to succeed in Chinese society, the majority of Uyghur and ethnic minority students face similar situations to Gulina. Despite that living in boarding school facilities presents children with more time to study and revise, but lack of motivation as well as emotional distress often causes academic performance to deteriorate. As explained by one teacher, “students live in this climate of terror from an early age, which leads to mental and psychological distortion.”<sup>61</sup>

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<sup>56</sup> Chang Xin, ”Video: Uyghur Children Indoctrinated in Camps”, *Bitter Winter*, 26 January 2019.

<sup>57</sup> Adrian Zenz, ”Break Their Roots: Evidence for China’s Parent-Child Separation Campaign in Xinjiang,” *Journal of Political Risk*, Vol. 7, No. 7, July 2019, *supra note* 33.

<sup>58</sup> Rashida Yosufzai, ”Cultural genocide”: China accused of separating and indoctrinating children of interned parents, SBS News, 7 June 2019.

<sup>59</sup> Li Zaili, ”Hanification”: Uyghur Children Cut off from Their Roots”, *Bitter Winter*, 23 March 2019.

<sup>60</sup> Xiang Yi, ”True Colors of China’s Boarding Schools for Uyghur Children”, *Bitter Winter*, 9 March 2020.

<sup>61</sup> *ibid.*

Such mental distortion is exacerbated by the fact that children as young as three years old can be- and have been since 2016- forcibly enrolled in preschools before they have even the fundamental basic knowledge of their own language and culture. Even nurseries are known to take children from 0 to 2 years old.

#### ***iv. Many Uyghur children end up in Turkey's school system***

In many instances, Uyghur families flee persecution in China to Turkey only to face imminent separation. At least one parent or guardian of a Uyghur family usually travels to Turkey with their children, only to be detained upon their return to China during their attempt to gather the rest of the family members. Without their parents to care for them, Uyghur children are often welcomed into homes of other Uyghur families in Turkey; unfortunately, however, these families cannot care for the children in the long-term, and thus the children are once again transferred to boarding schools where they join the hundreds of other Uyghur students whose families have been arrested and unable to return.

Workers at Oku Uygur, an Istanbul boarding school, have reported that they often serve as parental figures to the Uyghur students. One man, 29-year-old Mohammad Izzatullah, explains that many of the children "don't hear good news about their missing parents, so they cope by isolating themselves and shutting down. I try to keep them busy. It's better for their mental health."<sup>62</sup> Izzatullah is referred to as 'uncle' or 'big brother' by the Uyghur boys and acts as a listener to the children's consistent worries about their families' wellbeing.

For many Uyghur children, Turkish boarding schools are the closest thing they have to a sense of belonging and home in an unfamiliar country without family. In 2014, 5-year-old Nurzat was sent to Egypt by his parents amidst a major crackdown on Uyghur families in Xinjiang Province. In Egypt, Nurzat lived with distant relatives, where he suffered from extreme stomach aches and constantly called his parents to tell them he wished to go home. After becoming relatively assimilated in Egypt, Nurzat was uprooted again when police officials visited his family's restaurant and began detaining Uyghurs indiscriminately. Nurzat and another family member flew then to Turkey in 2017, where he now lives in a Kazakh, Uzbek, and Uyghur neighborhood. Nurzat explained that his neighborhood is reminiscent of his own back in Xinjiang, and that he feels more at piece

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<sup>62</sup> Joanna Kakissis, "'Somewhere Like Home': Uighur Kids Find A Haven At Boarding School In Turkey", *NPR*, 15 March 2020.

being surrounded by familiars; however, the constant reminder of his father's arrest keeps him in a state of mental disarray and anxiety-induced stomach pain.<sup>63</sup>

Another teacher, 30-year-old Kalbigul, explained that she teaches the children about their Uyghur heritage, their language, and attempts to be a cheerful presence in a time of turbulence: "Speaking our language together makes the children feel like they are somewhere like home. It also makes them miss everything they have lost....Some of the children ask me, 'Do we have to say goodbye to our parents and our homeland forever?'"<sup>64</sup> Inevitably, there are some instances in which Uyghur children receive news that their parents or family members back in China have died in police custody. For these children, concerns turn to what their own future will hold now that their status has changed to orphans in a foreign country without family to return to.<sup>65</sup>

Displaced Uyghur families in Turkey, however, are becoming increasingly concerned about how long Turkey's hospitality will last, especially considering the nation's economic collaboration with China. In 2018, following a large \$3.6-billion-dollar loan from Beijing to Ankara, a new dangerous trend has threatened the safety of Uyghurs in their new home. Uyghur families have reported receiving phone calls from Chinese agents and authorities "threatening family members still in Xinjiang if they did not stop campaigning against the ruling Communist party's policies."<sup>66</sup> Other Uyghur families have reported facing threats of deportation to China.

Turkey has been recognized as a safe haven for Uyghur diaspora communities and homeless and/or orphaned Uyghur children, but this reputation may change in coming years to a state of intolerance for the refugees.

## C. Tibetan Buddhist Children

### *i. Tibetan Buddhist children are prohibited from participating in religious education and activities*

Throughout various regions in Tibet, municipal governments have prohibited Tibetan Buddhist children from taking part in religious, Buddhist-centered curriculum during their

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<sup>63</sup> *ibid.*

<sup>64</sup> *ibid.*

<sup>65</sup> Durrie Bouscaren, "In Turkey, a boarding school cares for Uighur children separated from their parents", *The World*, 20 November 2019.

<sup>66</sup> Bethan McKernan, "'I miss my homeland': fearful Uighurs celebrate Eid in exile in Turkey", *The Guardian*, 24 May 2020.

school instruction time. Simultaneously, under direction from the governments as well as Tibet's educational department, schools have issued new rules that forbid Tibetan Buddhist children from attending religious events during their summer vacation from school. Interestingly, justifications by government officials for leveraging such blatant repression of religious and educational freedom as well as cultural identity are that similar regulations had been implemented throughout Uyghur communities in Xinjiang.<sup>67</sup>

In 2018, the Nangchen County Party Committee United Front Department issued a set of regulations to crackdown on Tibetan Buddhist education, notably those run by Buddhist monks:

"As the winter break for primary and middle schools approaches, the situation of monasteries in each place holding their own Tibetan language study classes has emerged. To be on the alert for such dangers, as a priority and with a strong sense of duty, each town and township must take it as their main responsibility to improve monastery(-based) forces, and rectify those causing harm throughout....Grasping damaging contradictions early on, issues must be dealt with by the monasteries, pacifying them at grassroots level, so as to uphold the harmonious stability of the religious sphere in our country."<sup>68</sup>

This introduction paints Tibetan Buddhist education as 'dangerous' and with the potential to cause harm 'without further addressing these disparaging claims. It is obvious that the reason minority religious education is considered 'dangerous' and 'damaging' is simply because it includes curriculum that contradicts China's pro-communism, pro-atheist, and patriotic narratives. According to Human Rights Watch, "the language of the Nangchen ban indicates that officials suspect the purposes of the classes are for the monks to pass on religious or Tibetan nationalist ideas to the children."<sup>69</sup>

The Nangchen regulations also prohibit any and all educational classes being held by monasteries "who follow their own wishes and do not listen to advice." They consider that the ideological education of parents and children, "must be improved, so as to reduce the strength of opposition in society."<sup>70</sup> This clearly breaches Article 14 of the Convention of the Rights of the Child in that it fails to recognize children as individual rights holders.

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<sup>67</sup> Tibetan Review, "[China cites education law to ban Tibetan children from religious devotion](#)", 26 July 2018.

<sup>68</sup> UF Dept document no.121 (2018), "[Nangchen County Party Committee United Front Department](#)".

<sup>69</sup> Human Rights Watch, "[China](#)" Tibetan Children Banned from Classes", 30 January 2019.

<sup>70</sup> *ibid.*

The Nangchen regulations mark the first direct regulation document from the Communist Party's United Front Work Department towards Tibetan Buddhists for the purpose of repressing religious freedom, whereas in other provinces directives had been issued by schools or education bureaus under the pressure of government superiors' influence.<sup>71</sup> In May 2017, Jebumgang Primary School in Lhasa, Tibet, issued a notice to students 'parents in which they request that parents disallow their children to take part in "superstitious or religious activity."<sup>72</sup> A year later in May 2018, a kindergarten in Chambdo, Tibet, released a notice to parents stating that "if your children miss any days of school, and are later found to have been secretly taken to a monastery or religious festival, your family will be reported directly to the city education bureau." Similar notices and regulations have been issued by myriad schools throughout Tibet.<sup>73</sup>

Another noteworthy fact regarding the Nangchen regulations is that in addition to classes with religious curriculum, classes teaching the Tibetan language have also been prohibited- this restriction is in response to the resurgence of Tibetan language learning in the province, which the Communist Party views as a form of "political dissent."<sup>74</sup>

To complement these harsh restrictions on Tibetan Buddhist children's religious and educational activities, punishments have been threatened against parents who do not follow the strict new guidelines. In some counties, such consequences include revocation of government welfare and subsidies.<sup>75</sup> These punishments are not arbitrary, however, as scholars have found that since 2009- when China began forcefully moving Tibetan families into new areas- "more and more Tibetans are dependent on the government for their livelihoods."<sup>76</sup>

To conclude, Free Tibet and Tibet Watch reveal that restrictions on religious education of Tibetan Buddhist children constitute a violation of children's rights under the United Nations Convention of the Rights of the Child, which China ratified in March 1992:

"The right of Tibetan children to freedom of religious belief is explicitly protected by Article 14 of the Convention. However, evidence gathered by Tibet Watch

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<sup>71</sup> Human Rights Watch, "China: Tibetan Children Banned from Classes", 30 January 2019.

<sup>72</sup> *ibid.*

<sup>73</sup> *ibid.*

<sup>74</sup> *ibid.*

<sup>75</sup> Ben Halder, "China Weaponizes Education to Control Tibet", Ozy, 15 October 2019.

<sup>76</sup> *ibid.*

indicates that far from respecting this right, China engages in state-sponsored persecution of religion and religious education; ...places restrictions on the publication and distribution of religious texts and on religious ceremonies and events. Furthermore, the rights of Tibetan parents to determine the wellbeing and future of their children, as well as provide direction to the child in the exercise of their right to freedom of thought and religion, as provided for by the Convention, are severely restricted.”<sup>77</sup>

***ii. Tibetan Buddhist children are required to study Chinese language as a replacement for Tibetan language.***

Approximately since 2000, local government officials in the Tibet Autonomous Region began preparing for a gradual shift away from Tibetan language learning and towards “Chinese-medium teaching” in elementary schools. Such methods of educational transitioning varied across provinces, but in some Tibetan cities by the year 2001, children were being taught Chinese language as early as first grade. By 2010, China’s provinces began to start the formal process of “bilingual education”- “Model 1” would emphasize classroom use of minority language and “Model 2” would emphasize classroom use of Chinese as the nation’s language. In the specific case of Tibet, public records “imply that the only requirement is extra classes for Tibetans to learn Chinese and that individual schools can choose the medium of instruction. In practice, however, there appears to be considerable pressure to shift to Chinese and Model 2.”<sup>78</sup> Reports show that in elementary, middle, and high schools in Tibet’s urban areas were teaching Chinese as the primary language, with a minor focus on Tibetan.

In 2016, however, the Lhasa Education Bureau confirmed that Chinese was being used as the primary language of instruction in the majority of elementary schools in the counties of Lhasa, including rural communities. “This was the first known direct admission by the government of a shift to Chinese-medium teaching in some classes within rural TAR primary schools.”<sup>79</sup> Statistics show that the TAR government anticipates that by 2020, 80% of Tibetan children would be attending at least 2 years of kindergarten where they will encounter bilingual instruction. By 2017, all 81,000 Tibetan children were experiencing this type of education. However, many Tibetans have expressed concern that their language will be lost as a result of Chinese educational policy.

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<sup>77</sup> Free Tibet and Tibet Watch, *Growing up under China’s occupation: the plight of Tibet’s children*.

<sup>78</sup> Human Rights Watch, *China’s “Bilingual Education” Policy in Tibet*, March 2020.

<sup>79</sup> *ibid.*

One teacher explained that many Tibetan teachers have felt a “strong urgency” to teach Tibetan language to their students as a means of preserving the culture, but that they lack the instructional materials to do so. Even Tibetan children have started to become disillusioned with their own language because they feel that it will not serve them in their life; older Tibetans, however, have lamented that their grandchildren are not even able to speak to them and are losing their heritage.

“Global evidence shows that children’s educational development is adversely affected, particularly in the case of minority and indigenous children, when they are not taught in their mother-tongue in the early years of education. Mother-tongue policy experts agree that children who have grasped foundational skills and literacy in their own mother-tongue are better placed to learn in a second or foreign language.”<sup>80</sup>

A 2017 documentary about a Shanghai high school for Tibetans revealed the reality that often, Chinese language classes are complemented by “political thinking course, which include lessons extolling the values of atheism and the backwardness of religion – including Tibetan Buddhism.” A Tibetan individual from Lhasa revealed in an interview with Human Rights Watch that “If it [Chinese policy of teaching Chinese to young Tibetan children] succeeds, it is not difficult to foresee that Tibetan religion, culture, consciousness and identity will become Sinicized.”<sup>81</sup>

### *iii. Tibetan Buddhist teenagers are arbitrarily detained and tortured for their or their parents’ activism.*

Tibetan Buddhist children have historically been very active peaceful demonstrators and protestors that call for Tibetan freedom, and they have faced severe repercussions from the Chinese government for their fearless advocacy. Tibet Watch has recorded numerous instances in which children were rounded up, arrested, imprisoned, and/or required to participation in “re-education through labor” (劳教).<sup>82</sup> In the overwhelming majority of the cases, children’s right to due process were violated, as they were held for prolonged periods of time often without permission to receive visits from family members or legal counsel.

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<sup>80</sup> *ibid.*

<sup>81</sup> *ibid.*

<sup>82</sup> *ibid.*

Even though China's Criminal Procedure Law of 2012 states that family members of the detainee must be notified of the arrest within 24 hours, and that within 48 hours the location of the detainee also be revealed, these stipulations are often overlooked. Moreover, the law permits Chinese authorities to detain anyone suspected of threatening national security or engaging in terrorism; however, China's very broad and inconsistent definition of these crimes provides them with the ability to indiscriminately detain advocates and peaceful protestors, which is often the case with Tibetan Buddhist children.

Tibet Watch's interviews with former Tibetan children who were detained revealed that children often face the same human rights violations and torture as their adult counterparts: physical assault with blunt weapons, psychological torture and manipulation, forced maneuvering into stressful positions, starvation, and sleep deprivation were reported among many of the surveyed child victims.

In 2012, 17-year-old Jigme Dolma engaged in peaceful resistance by disseminating Tibetan Buddhist fliers throughout Kandze County while shouting in support of returning the Dalai Lama and releasing prisoners of conscience.<sup>83</sup> Not even ten minutes into her protest, she was swiftly arrested by Chinese authorities and placed in detention, where she was not allowed to contact her family members until a week after her initial arrest. In late August 2012, Dolma was charged with "Splitting China" and sentenced to three years in prison for her activities.

Also in 2012, two young Tibetan Buddhist monks, Lobsang Jangchub and Lobsang Tsultrim, aged 17 and 19 respectively, were detained and imprisoned incommunicado for five months before being officially charged with cooperating with another Tibetan monk that self-immolated not long before. Jangchub's and Tsultrim's families were informed of their sentences but have not had contact with them since.

In 2008, 16-year-old girl Tsomo along with her uncle rode a motorcycle throughout their country distributing Tibetan Buddhist fliers. Similar to Jigme Dolma, she was quickly subdued and arrested by Chinese officials and taken to a local detention center, where she suffered extreme torture. Tsomo's extremities and limbs were severely beaten to the point where she couldn't stand, and she was kicked in random places all over her body. For three days, Tsomo was endlessly interrogated and threatened with death should she refuse to cooperate, before she was transported to an official prison where she was imprisoned for a year and a half until her sudden release in September 2009. Reflecting

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<sup>83</sup> *ibid.*

on her horrors in Chinese police custody, Tsomo explains that “I still dream of them beating me and sometimes I find it difficult to breath[e], as I imagine that the black cover is still on my head.”<sup>84</sup>

Children of Tibetan Buddhist activists have also faced harassment and persecution for their parents’ activities. When conducting ambushes on the homes of Tibetan activists, police officials will often arrest the whole family, including young children. In the case of one young girl, following her father’s pro-Dalai Lama speech in Lithang County, she was interrogated and monitored by school police. In 2011, Tsering Kyi, the wife of imprisoned activist Kesang Jinpa and mother to the couple’s 3-year-old child and 9-month-old infant was arbitrarily detained, leaving her children essentially orphaned for a few days until Kyi was released.

***iv. Tibetan Buddhist teenagers have self-immolated for the sake of promoting Tibetan self-determination and the return of the Dalai Lama.***

In some rare drastic cases, Tibetan Buddhist teenagers have engaged in self-immolation as a form of protest against China’s authority over the province. In November 2012, three teenagers all between the ages of 15 and 16 years set themselves on fire near the Ngaba County Public Security Bureau office, while yelling about granting freedom to Tibet. The youngest of the three teenagers, 15-year-old Dorjee, died immediately as a result of his injuries, and the other two sustained serious bodily injuries as well.<sup>85</sup>

According to International Campaign for Tibet, 156 Tibetans have self-immolated since 2009, 26 (17%) of whom were 18 years or younger.<sup>86</sup> Of those whose stories are known, below are the names and ages:

- Lobsang Damchoe – aged 17 – engaged in self-immolation along with his teenage cousin; younger brother of Tibetan nun who self-immolated; deceased<sup>87</sup>

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<sup>84</sup> *ibid.*

<sup>85</sup> *ibid.*

<sup>86</sup> International Campaign for Tibet, *Self-Immolation Fact Sheet*, 2 December 2019.

<sup>87</sup> International Campaign for Tibet, “Two Tibetan teenage relatives self-immolate in Ngaba”, 28 August 2012.

- Dorjee Kyab – 16 – engaged in self-immolation while calling for the return of the Dalai Lama and calling for Tibetan independence; survived<sup>88</sup>
- Samdrup – 16 – engaged in self-immolation with Dorjee Kyab and Dorjee; survived<sup>89</sup>
- Dorjee – 15 – engaged in self-immolation with Dorjee Kyab and Samdrup; deceased<sup>90</sup>
- Sungdue Kyab – 17 – father of two-year-old child survived self-immolation but had both legs amputated<sup>91</sup>
- Wangchen Kyi – 17 – self-immolated while calling for “the long life of the Dalai Lama and of the Tibetan people”; deceased<sup>92</sup>
- Rinchen – 17 – engaged in self-immolation “in protest against the Chinese government in Dzoegye township, Ngaba county”; deceased
- Chagdor Kyab – 16 – self-immolated while shouting “Tibet wants freedom” and “Let His Holiness the Dalai Lama come back to Tibet”; status unknown<sup>93</sup>

**v. 11th Panchen Lama Gedhun Choekyi Nyima was disappeared at the age of 6 in 1995.**

Gedhun Choekyi Nyima- son of a doctor and a nurse- was chosen by the Dalai Lama on May 14, 1995 to be the 11<sup>th</sup> Panchen Lama, to the dismay of the Chinese government officials, who “had been hoping that the Panchen Lama would be identified without the involvement of the Dalai Lama, who had left Tibet in 1959 and set up a Tibetan government in exile in northern India.”<sup>94</sup> Three days later, Gedhun was abducted by Chinese authorities along with his family on May 17, 1995, at the age of six. Since his kidnapping, the whereabouts of Gedhun and his family has remained unknown, although Chinese officials insist that he is well and living a normal life.

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<sup>88</sup> International Campaign for Tibet, “Tibetan self-immolations escalate in number on eve of China’s Party Congress; Tibetans gather en masse in Rebkong”, 8 November 2012.

<sup>89</sup> *ibid.*

<sup>90</sup> *ibid.*

<sup>91</sup> International Campaign for Tibet, “Tibetan who survived self-immolation sent home with legs amputated; Tibetans accused of ‘murder’ of self-immolator sentenced”, 17 December 2014.

<sup>92</sup> International Campaign for Tibet, “Three Tibetans self-immolate in two days during important Buddhist anniversary: images of troops in Lhasa as Tibetans pray”, 10 December 2012.

<sup>93</sup> Radio Free Asia, “Tibetan Teenager Stages Self-Immolation Protest in Gansu”, 7 May 2017.

<sup>94</sup> BBC News, “Is this the face of a man held captive since the age of six?”, 27 April 2019.

The Chinese government has taken the liberty of choosing a new 11<sup>th</sup> Panchen Lama, Gyaltsen Norbu, further invading into the cultural and religious self-determination of Tibetan Buddhism.<sup>95</sup>

Because Gedhun is over 50 years younger than the current Dalai Lama, his responsibility as Panchen Lama would have been to choose the Dalai Lama's legitimate successor; that Gedhun was disappeared and that the Chinese government selected its own candidate as Panchen Lama is concerning, as this new China-chosen leader may be goaded into choosing for the next Dalai Lama leadership an individual that is preferable to the Chinese government rather than the Tibetan Buddhists.

## D. Falun Gong Children

Falun Gong is a spiritual practice with moral, spiritual, and physical instruction and practices that was introduced during the 1980's "qigong" movement. In July 1999, the Chinese government officially initiated its formal crackdown on Falun Gong in response to practitioners' political activism and growing influence. Falun Gong are arbitrarily arrested and similar to Uyghurs, often times placed into political re indoctrination centers. Further, they are subject to physical violence, extrajudicial killing, and organ harvesting.

### *i. Falun Gong children are expelled from and face persecution in school if their own or their parents' spiritual belief is revealed.*

It has been revealed by the Falun Dafa Association and even notable Chinese human rights lawyer Gao Zhisheng- currently disappeared- that children of Falun Gong practitioners have had to maintain their families 'spiritual affiliation a secret for fear of being expelled from school or being harassed by classmates. In fact, some schoolchildren have been encouraged and sometimes even coerced to slander and defame their peers who are outed as Falun Gong members.<sup>96</sup>

One girl, named Yisha, grew up as the child of a Falun Gong practitioner during the time in which the Chinese government launched its crackdown on Falun Gong. She recalled

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<sup>95</sup> Sophie Richardson, "25 Years After 'Disappearing' Tibetan Panchen Lama, China Is No Nearer to Its Goal", *Human Rights Watch*, 15 May 2020.

<sup>96</sup> Falun Dafa Information Center, *Persecution of family and children*.  
Gao Zhisheng, *Open Letter to the United States Congress*, 12 September 2007.

that a girl she had considered her best friend had shown up to class one day and teased that “Yisha’s mom should be arrested.”<sup>97</sup> She also explains that in the 5<sup>th</sup> grade, one of the chapters of her classes taught that Falun Gong is a cult, that Falun Gong children self-immolate, and that all Falun Gong practitioners who are parents should be turned in.

Yisha also remembered that in middle school, the last question on her Politics course’s final examination required students to answer that they either support or reject Falun Gong; Yisha, who was sure that if she indicated that she supported she would be interrogated and face punishment, left the question blank, at which point a classmate told her: “You are such a nerd...such an easy question...it’s like free points for you...why would you skip it?”

Another girl, Vivian, was 13 when she started practicing Falun Gong in the footsteps of her mother in 1999, the same year that the persecution would start. When her boarding school classmates found out about her and her family’s affiliation with Falun Gong, they had begun to follow in the footsteps of the Chinese government’s persecution of Falun Gong and bullied her relentlessly:

“I went to a private middle school, so I lived in a dorm room. We were on the 8<sup>th</sup> floor, and I had an upper bunk. One night when I was sleeping, two girls climbed up to my bed. They threw off my quilt, grabbed my collar, and forced me to sit up. They slapped my face to wake me up. I didn’t know what was going on. They cursed at me and said that I’m crazy, I shouldn’t be alive, I need to commit suicide, things like that. They forced me to the ground and opened the window. I remember it was very chilly, and they pushed my head out of the window and said, ‘Jump. You jump from here. You should not live.’ I was just 13 or 14 years old.”<sup>98</sup>

Vivian clarifies that this incessant bullying had not occurred when she originally joined the middle school, suggesting that the harassment she faced on a personal level at the hands of her classmates coincided with the Chinese government’s anti-Falun Gong propaganda and broader persecution tactics.

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<sup>97</sup> Friends of Falun Gong, ["Yisha's Story: I His My Tears to Keep My Mom's Arrest Secret"](#), 30 January 2018.

<sup>98</sup> Friends of Falun Gong, ["Vivian's Story: The Persecution Turned My Friends into Bullies"](#), 3 January 2018.

Serena, the daughter of a Falun Gong practitioner mother, was persecuted at school following her return from a trip with her parents to make an appeal calling for the release from prison of all Falun Gong practitioners. They participated in what is remembered as the April 25 Incident of 1999, when Falun Gong members across China did the same thing, visiting the Appeals Office of the State Council in Beijing to file the collective appeal. Serena and her parents were arrested and forcibly returned to their county, where neighbors knew of their activities. In third grade at the time, Serena returned to school but was summoned to the principal's office where she was criticized for being "anti-government" and "anti-communism."<sup>99</sup> Serena was forced to sing patriotic and anti-Falun Gong songs in her school choir.

Lori, who was 16 years old in 2002, recalled that in high school she had been encouraged to apply to join the Chinese Communist Party. During her interview, she was asked what her opinions about Falun Gong were; being a young practitioner herself, she responded that she felt that the principles of "truthfulness, compassion, and forbearance" were positive. Initially, her interviewers were stunned into silence, before they continued with the interview. Lori dismissed the event, but her mother received a call later that day telling her that the city filed a complaint with Lori's school regarding her "misbehavior" during the interview, and that this complaint would be placed into her file. Lori explains that every Chinese citizen has this file, which potential employers and school headmasters can access to determine who to accept for positions- "Basically, no college or company would dare to have me once it was recorded in my file that I supported Falun Gong."<sup>100</sup> After much begging on her mother's part, the city officials decided to refrain from placing her complaint in her lifetime file.

Danshan was an elementary student when her mother was initially detained in 2000. Throughout the next handful of years, her mother was transferred between various detention centers, and Danshan began to experience increased persecution in school. In elementary school, Danshan was asked by a teacher to sign a document for a charity, but later found out from a friend that the document was actually a promise to not practice Falun Gong, and that her teacher likely lied to her because of her family's affiliation with the spiritual practice. In middle and high school, Danshan was forced by teachers to stay after the school day alone to clean the classrooms, and she eventually escaped to safety to the United States in 2012, where she has remained since.<sup>101</sup>

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<sup>99</sup> Friends of Falun Gong, "[Serena's Story: The Chinese Regime Labeled Me 'anti-government' in 3rd Grade](#)", 15 December 2017.

<sup>100</sup> Friends of Falun Gong, "[Lori's Story: Brainwashing in China's Schools](#)", 29 June 2019.

<sup>101</sup> Friends of Falun Gong, "[Danshan's Story: For Years, Mother Suffered in a Labor Camp](#)", 11 February 2017.

## *ii. Falun Gong children often face separation from their parents and are occasionally left unattended*

As a result of the Chinese Communist Party's campaign of rounding up and imprisoning Falun Gong practitioners, Falun Gong children often find themselves orphaned and separated from their parents and relatives. Often, as a result, these children- similarly to Uyghur children- face mental problems and even suffer from shock following the sudden withdrawal of their parents 'presence in their lives.<sup>102</sup>

Gao Zhisheng, in his open letter to the US Congress in 2007, stated that his daughter had on multiple occasions witnessed homeless Falun Gong children roaming the streets and "lingering at the gate of her school" following their parents 'arrest.<sup>103</sup> Gao's daughter explained that she had felt a sense of comfort when these children had offered their sympathies at her father's imprisonment- even in a time of their own devastation, these orphaned and homeless Falun Gong children were selfless enough to console Gao's daughter.

Yisha describes the terror she felt as a child at the beginning of the Falun Gong persecution in 1999, constantly fearing that her Falun Gong mother would disappear before her eyes:

"As a young girl, I could also feel the persecution's pressure on my family. I feared I would lose my mom anywhere at any time...if she came back home later than usual, it terrified me. I always stood in front of the window looking at the entrance of my residential community, hoping she was not arrested and would come home soon. If she was too late, I would cry by the window thinking about the worst case scenario."<sup>104</sup>

Living her entire child and adolescence in fear that her mother would be arbitrarily detained, her fears came to fruition when Yisha was about 17 or 18 years old and preparing to take the China's national college entrance examination. After texting her mom early in the morning and receiving no reply, Yisha was left to stew in uncertainty and anxiety the entire day until she was informed by her mother's colleague that her mother had been arrested and her home searched.

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<sup>102</sup> Falun Dafa Information Center, *Persecution of family and children*, *supra* note 83.83.

<sup>103</sup> Gao Zhisheng, *Open Letter to the United States Congress*, 12 September 2007.

<sup>104</sup> Friends of Falun Gong, "Yisha's Story: I Hid My Tears to Keep My Mom's Arrest Secret", 30 January 2018, *supra* note 84.

In a 2007 Refugee Review Tribunal hearing in Australia, the Tribunal discussed the various forms of persecution levied against Falun Gong children. The Tribunal had gathered and analyzed reports by the Global Mission to Rescue Persecuted Falun Gong Practitioners (GMRPFGP), which revealed the following egregious incidents of forced separation of Falun Gong children from their parents:

- “A five-year old girl, fatherless and separated from her mother, was cared for by her grandmother who eventually fell ill and died.”<sup>105</sup>
- “A three-month old girl ‘had’ to leave her mother when her grandmother took her to her hometown in 2001. Her mother subsequently died and she has never seen her father said to be in exile. She lives with her grandparents;”<sup>106</sup>
- “A four-year-old girl was said to have been taken by the police while her mother was under arrest. Her father was said to have been ‘forced into homelessness.’”<sup>107</sup>
- One four-month-old boy was left abandoned in a cardboard box following the sudden arrest of both of his parents. The boy allegedly starved to death.<sup>108</sup>

## Conclusion

It is evident from the above information and testimonies that the People’s Republic of China is failing to meet its obligations under Convention on the Rights of the Child listed in the following articles<sup>109</sup>:

### Article 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, when needed, within the framework of international co-operation.

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<sup>105</sup> Refugee Review Tribunal Australia, *RRT Research Response Number CHN31384*, 19 February 2007.

<sup>106</sup> *ibid.*

<sup>107</sup> *ibid.*

<sup>108</sup> *ibid.*

Honghua Yang, “Falun Gong appeals to Hu to stop the persecution before Hu’s visit”, *Epoch Times*, 8 September 2005.

<sup>109</sup> UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations, Treaty Series, vol. 1577

## Article 5

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a matter consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

## Article 9

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child.
3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.

## Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.
2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.

## Article 29

1. States Parties agree that the education of the child shall be directed to:
  - (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
  - (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
  - (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of the sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

## Article 30

In those states in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language.

## **Recommendations**

Jubilee Campaign makes the following recommendations to the People's Republic of China:

1. Immediately repeal or amend the 2017 Regulations on Religious Affairs as it places restrictions on religious freedom in article 4 and 44 that go beyond those permitted in Article 18 of the International of the International Covenant on Civil and Political Rights and Article 14 of the Convention of the Rights of the Child.
2. Immediately cease all practices that pressure children to deny their religion or belief in schools and other institutions.
3. Immediately cease all practices that infringe upon the free and peaceful expression of one's linguistic, religious, and cultural heritage.
4. Launch an investigation into breaches of freedom of religion and belief and restrictions on cultural and linguistic rights, and the effect that such action has on children.
5. Respect the recommendations related to freedom of religion and belief given by the Committee on the Rights of the Child and begin implementing them.