

# CHINA BANS FAITH FOR ALL CHILDREN

A SHADOW COMMUNICATION TO THE UNITED  
NATIONS COMMITTEE ON THE RIGHTS OF THE CHILD

BY:



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Jubilee Campaign promotes the human rights and religious liberty of ethnic and religious minorities; advocates the release of prisoners of conscience imprisoned on account of their faith; advocates for and assists refugees fleeing religious based persecution; and protects and promotes the dignity and safety of children from bodily harm and sexual exploitation. Jubilee Campaign holds special consultative status with ECOSOC at the United Nations.

## **A Vital Voice for Those Suffering in Silence**

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## I. Executive Summary

November 20, 2020 marks World Children's Day as well as the 31<sup>st</sup> anniversary of the signing into force of the United Nations Convention on the Rights of the Child. 31 years ago, the world's leaders in human rights made a commitment to promote and protect the inalienable rights of children, one of the largest and most vulnerable global communities.<sup>1</sup> Such rights recognize that children are inherently deserving of every aspect of human dignity in all spheres of influence, in all countries, regardless of context.

Despite taking steps within the past decades to eradicate poverty, eliminate trafficking, and expand health care to include all segments of the child population, China's policies have made it increasingly aware that these improvements in child rights do not equally extend to members of ethnic and religious minority child groups, which are more likely to fall into poverty, experience higher mortality rates and less access to health care, and are denied educational rights and equality.<sup>2</sup> Moreover, the government of China has opted to favor some rights while disregarding other fundamental rights such as those listed in articles 14 and 29 of the Convention of the Rights of the Child. In practice, China has denied the inherent right of the child to freedom of religion or belief.

The following shadow complaint comprehensively explains the ways in which Christian, Uyghur, Falun Gong, and Tibetan Buddhist children have been persecuted for their families' and their own religious or spiritual affiliations, in contravention of numerous articles of the Convention on the Rights of the Child, which China is signatory to. In addition to including statistics and reports by human rights and religious freedom organizations and news sources, this complaint will highlight the testimonies and personal stories of individuals who have survived religious persecution as children in the People's Republic of China and who now bravely recount their stories as adults.

In 2012, China celebrated the 20<sup>th</sup> anniversary of its ratification of the Convention on the Rights of the Child. State Councilor and Chair of the National Working Committee for Children and Women, Liu Yan Dong, stated:

“During the 20 years since China ratified the CRC, the work for China's children has made historic achievements, and China has basically achieved the United Nations Millennium Development Goals as well as the goals of the UN General Assembly Special Session on Children. On behalf of the Government of China, I would like to

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<sup>1</sup> Child Rights International Network, “[Children in Vulnerable Situations](#)”.

<sup>2</sup> Humanium, “[Children of China: Realizing Children's Rights in China](#)”.

express sincere thanks to UNICEF and all the other international organizations and friends who care and support China's children.”<sup>3</sup>

It is reprehensible that now, almost a decade later, China's children have witnessed a deterioration of their personal rights and a perceivable gap in equality. The international human rights community laments that religious minority children in China are persecuted and denied their rights, having committed no crime other than peacefully holding beliefs. This shadow complaint serves as to call upon China to meet its obligations as a state signatory of the Convention on the Rights of the Child to ensure that every child- regardless of religious, ethnic, cultural, linguistic, or other background- is guaranteed his or her right to freedom of religion or belief. As the UN Secretary General emphasized at the 30th anniversary of the Convention on the Rights of the Child, the Convention exists to uphold every right for every child. This complaint will serve as a global push for China to engage in child's rights implementation that must be observable and sustainable in order for the world to congratulate China in its coming anniversaries of its ratification of the CRC.

Finally, as a state signatory to the Convention, China was obligated to submit a State Party report in March 2019, and in the coming month, China will be two years too late in submitting its report to the Committee. In light of China's failure or reluctance to maintain its mandatory reporting status, this shadow complaint seeks to offer updated and relevant information on how China is derogating from its obligations to ensure that every child has the right to freedom of thought, conscience and religion, as enshrined in the Convention.

## **II. The Petitioners**

**D. G.** is a 21-year-old Christian from China who experienced religious persecution as a child in China as a result of his faith and his father's work as a traveling pastor. D.'s persecution spanned through at least five years of his childhood and adolescent years. He has since sought refuge and relocated to the United States.

**E. L.** is an 18-year-old Christian from China who experienced persecution as a child in China as a result of his father's leadership in a church. E.'s father was sentenced to over two years in prison for his religious affiliation and work, a period during which E. suffered harassment as the son of an imprisoned Christian. E. is currently a university student in the United States.

**X. X.** is 18-year-olds and the daughter of two Falun Gong practitioners. As a child, she was ostracized and persecuted for her and her family's spiritual practice. Her father was imprisoned for eight years for his beliefs and leadership as a Falun Gong member, and her mother was constantly away advocating for his release. Xinyang's father was eventually released from prison, but they were only able to spend thirteen days together as a family before he passed away from the injuries he sustained in police custody.

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<sup>3</sup> UNICEF, [“China marks 20th Anniversary of its ratification of the Convention on the Rights of the Child”](#), 20 November 2012.

**A. E.** is a Uyghur who was born and raised in the Xinjiang Uyghur Autonomous Region of China. As a Uyghur and son of a prominent Uyghur journalist, he faced persecution. In school, he and other Uyghur students were forced to sign pledges that they would not practice their religion. At the age of 18, A. came to the United States as a college student, and he later learned that his father and mother were placed in Chinese concentration camps. A. now advocates for his father's release.

### **III. The Respondent**

The respondent signed the United Nations Convention on the Rights of the Child on 29 August 1990 and ratified it on 2 March 1992. While the respondent has not ratified the Optional Protocol to the Convention on the Rights of the Child, this document will serve as a shadow report/complaint to the Committee on the Rights of the Child.

As China is now a member of the Human Rights Council, it has an obligation to uphold human rights. The quality of its membership will influence the Council's impact. This shadow complaint will also serve as an example to what would formally be submitted as a communication to the Committee if the respondent was to ratify the Optional Protocol.

### **IV. International legislation and documentation protecting religious freedom and rights relevant to this complaint**

#### **A. Convention on the Rights of the Child**

##### 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.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

##### Article 20

1. A child temporarily or permanently deprived of his or her family environment, or in whose best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.
2. States Parties shall in accordance with their national laws ensure alternative care for such a child.
3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

#### Article 29

1. States Parties agree that the education of the child shall be directed to:  
  
(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of 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 practise his or her own religion, or to use his or her own language.

### **B. International Convention on the Elimination of All Forms of Racial Discrimination**

#### Article 5

In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

- (vii) The right to freedom of thought, conscience and religion;

## C. International Covenant on Economic, Social and Cultural Rights

### Article 13

1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.
2. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.

## D. International Covenant on Civil and Political Rights

### Article 18

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.
3. Freedom to manifest one's own religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.
4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

### Article 27

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of



their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.

## E. Universal Declaration of Human Rights

### Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

## F. United Nations Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief

### Article 1

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have a religion or whatever belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
2. No one shall be subject to coercion which would impair his freedom to have a religion or belief of his choice.
3. Freedom to manifest one's religion or belief may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others.

### Article 2

1. No one shall be subject to discrimination by any State, institution, group of persons, or person on the grounds of religion or belief.
2. For the purposes of the current Declaration, the expression 'intolerance and discrimination based on religion or belief' means any distinction, exclusion, restriction or preference based on religion or belief and having as its purpose or as its effect nullification or impairment of the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis.

### Article 3

Discrimination between human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter of the United Nations, and shall be condemned as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and enunciated in detail in the International Covenants on Human Rights, and as an obstacle to friendly and peaceful relations between nations.

#### Article 4

1. The parents or, as the case may be, the legal guardians of the child have the right to organize the life within the family in accordance with their religion or belief and bearing in mind the moral education in which they believe the child should be brought up.
2. Every child shall enjoy the right to have access to education in the matter of religion or belief in accordance with the wishes of his parents or, as the case may be, legal guardians, and shall not be compelled to receive teaching on religion or belief against the wishes of his parents or legal guardians, the best interests of the child being the guiding principle.
3. The child shall be protected from any form of discrimination on the ground of religion or belief. He shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood, respect for freedom of religion or belief of others, and in full consciousness that his energy and talents should be devoted to the service of his fellow men.
4. In the case of a child who is not under the care either of his parents or of legal guardians, due account shall be taken of their expressed wishes or of any other proof of their wishes in the matter of religion or belief, the best interests of the child being the guiding principle.
5. Practices of a religion or belief in which a child is brought up must not be injurious to his physical or mental health or to his full development, taking into account article 1, paragraph 3, of the present Declaration.

#### Article 6

In accordance with article 1 of the present Declaration, and subject to the provisions of article 1, paragraph 3, the right to freedom of thought, conscience, religion or belief shall include, inter alia, the following freedoms:

- (a) To worship or to assemble in connection with a religion or belief, and to establish and maintain places for these purposes;

- (b) To establish and maintain appropriate charitable or humanitarian institutions;
- (c) To make, acquire and use to an adequate extent the necessary articles and materials related to the rites or customs of a religion or belief;
- (d) To write, issue and disseminate relevant publications in these areas;
- (e) To teach a religion or belief in places suitable for these purposes;
- (f) To solicit and receive voluntary financial and other contributions from individuals and institutions;
- (g) To train, appoint, elect or designate by succession appropriate leaders called for by the requirements and standards of any religion or belief;
- (h) To observe days of rest and to celebrate holidays and ceremonies in accordance with the precepts of one's religion or belief;
- (i) To establish and maintain communications with individuals and communities in matters of religion or belief at the national and international levels.

#### Article 7

The rights and freedoms set forth in the present Declaration shall be accorded in national legislation in such a manner that everyone shall be able to avail himself of such rights and freedoms in practice.

#### Article 8

Nothing in the present Declaration shall be construed as restricting or derogating from any right defined in the Universal Declaration of Human Rights and the International Covenants on Human Rights.

## **V. Domestic Chinese legislation on religion**

### **A. Constitution of the People's Republic of China<sup>4</sup>**

#### Article 36

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<sup>4</sup> World Intellectual Property Organization, *The Constitution law of People's Republic of China*.

(1) Citizens of the People's Republic of China enjoy freedom of religious belief.

(2) No state organ, public organization, or individual may compel citizens to believe in, or not to believe in, any religion; nor may they discriminate against citizens who believe in, or do not believe in, any religion.

(3) The state protects normal religious activities. No one may make use of religion to engage in activities that disrupt public order, impair the health of citizens or interfere with the educational system of the state.

(4) Religious bodies and religious affairs are not subject to any foreign domination.

## B. Criminal Law of the People's Republic of China<sup>5</sup>

### Article 251

Any functionary of a State organ who unlawfully deprives a citizen of his or her freedom of religious belief or infringes upon the customs and habits of an ethnic group, if the circumstances are serious, shall be sentenced to fixed-term imprisonment of not more than two years or criminal detention.

## C. Revised Regulations on Religious Affairs<sup>6</sup>

### Chapter 1

*Article 1:* These Regulations are formulated in accordance with the Constitution and relevant laws so as to ensure citizens' freedom of religious belief, maintain harmony among and between religions, maintain social harmony, regulate the administration of religious affairs, and increase the level of legal[ization] in work on religion.

*Article 2:* Citizens have the freedom of religious belief. No organization or individual may compel citizens to believe in, or not to believe in, any religion; nor may they discriminate against citizens who believe in any religion (hereinafter referred to as religious citizens) or citizens who do not believe in any religion (hereinafter referred to as non-religious citizens).

*Article 4:* The State, in accordance with the law, protects normal religious activities, actively guides religion to fit in with socialist society, and safeguards the lawful rights and interests of religious groups, religious schools, religious activity sites and religious citizens.

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<sup>5</sup> International Labour Organization, *Criminal Law of the People's Republic of China*.

<sup>6</sup> China Law Translate, *Religious Affairs Regulations 2017*, 7 September 2017.

## D. Law of the People's Republic of China on Regional National Autonomy<sup>7</sup>

*Article 11:* The organs of self-government of national autonomous areas shall guarantee the freedom of religious belief to citizens of the various nationalities.

No State organ, public organization or individual may compel citizens to believe in, or not to believe in, any religion, nor may they discriminate against citizens who believe in, or do not believe in, any religion.

The State shall protect normal religious activities.

## E. Chinese domestic law does more to restrict religious freedom than to promote or protect it.

While the Criminal Law of the People's Republic of China and the Revised Regulations on Religious Affairs appear to promote and protect citizens' right to freedom of religion, in reality, they only pay lip service to religious freedom and instead present more restrictions than legal protections. For example, the Criminal Law, while it lays out provisions ensuring religious freedom in Article 251, also states the following:

“Article 300: Whoever forms or uses superstitious sects or secret societies or weird religious organizations or uses superstition to undermine the implementation of the laws and administrative rules and regulations of the State shall be sentenced to fixed-term imprisonment of not less than three years but not more than seven years; if the circumstances are especially serious, he shall be sentenced to fixed-term imprisonment of not less than seven years.”<sup>8</sup>

No further explanation is provided regarding what constitutes ‘superstitious’, ‘secret societies’, or ‘weird religious organizations’, meaning that the government can classify any religious/spiritual group as such without the group meeting a specific set of criteria, and can therefore also criminalize such religious/spiritual groups and punish their practitioners.

It is also imperative to note that while Article 1 and Article 2 of the Revised Regulations on Religious Affairs state that all Chinese citizens are guaranteed the right to freedom of religion, the majority of the remaining seventy-five Articles pose obstacles and barriers to free religious practice, worship, teaching, and observance, thus completely contradicting its claims of religious freedom. Below are just a select few of such articles:

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<sup>7</sup> Standing Committee of the National People's Congress, *Law of the People's Republic of China on Regional National Autonomy (2001 Amendment) [Effective]*, CLI.1.34941, 28 February 2001.

<sup>8</sup> International Labour Organization, *supra* note 5.

Article 5: All religions shall adhere to the principle of independence and self-governance; religious groups, religious schools, and religious activity sites and religious affairs, are not to be controlled by foreign forces.

Article 16: Religious schools are to carry out designated systems for verification of teachers' qualifications, review of titles, and giving of degrees; with specific measures separately formulated by the department of religious affairs under the State Council.

Article 18: Religious groups and temples, Taoist temples, mosques, and churches (hereinafter temples and churches), carrying out religious education and training to cultivate religious professionals where the training period is 3 months or more, shall all report for review and approval to the religious affairs departments of local people's governments at the districted city level or higher.

Article 27: Religious affairs departments shall conduct oversight and inspections of religious activity sites' compliance with laws, regulations, and rules; the establishment and implementation of site management systems; the modification of registration matters; as well as religious activities and activities involving foreign entities. Religious activity sites shall accept oversight and inspections from religious affairs departments.

Article 41: Non-religious groups, non-religious schools, non-religious activity sites, or non-designated temporary activity sites must not hold religious activities, must not accept religious donations.

Article 45: Religious groups, religious schools, and churches and temples may, in accordance with the relevant national provisions, compile and distribute internal religious informational publications. Religious publications for public distribution are to be handled in accordance with the relevant national provisions on the administration of publications.

Article 47: Engagement in internet religious information services shall be upon the review and consent of the religious affairs department for a people's governments at the provincial level or above, and handle it in accordance with the relevant state provisions on internet information services management.

Article 69: Where a religious activities site is established without authorization, or where a religious activity site that has had its registration revoked or registration certificate cancelled continues to carry out religious activities, or where a religious school is established without authorization, the religious affairs department, together with the relevant departments are to shut it down and confiscate the unlawful or illegal assets if any; where the unlawful gains or illegal assets cannot be determined, a fine of up to 50,000 yuan is imposed; the illegal houses or structures, if any, shall be disposed of by the planning and construction departments in accordance with law; and where there is conduct violation of public security management, a public security administrative sanction is [to] be imposed in accordance with the law:

Where a non-religious group, non-religious school, non-religious activity site, or site not designated for temporary activities organizes or holds religious activities or accepts religious donations, the religious affairs department, together with the departments for public security, civil affairs, construction, education, culture, tourism, cultural artifacts, and so forth, will order it to discontinue the activities and will confiscate the unlawful gains and illegal assets, if any; and may give a fine of between one and three times the value of unlawful gains; where it is not possible to determine the unlawful gains, a fine of up to 50,000 RMB is given; and where a crime is constituted, criminal responsibility is pursued in accordance with law.

Article 70: Where, without authorization, religious citizens are organized to leave the mainland to participate in religious trainings, meetings, the hajj or other such activities, or religious education and training is carried out without authorization, the religious affairs department, together with the relevant departments, is to order it to discontinue the activities, may impose a concurrent fine of between 20,000 and 200,000 yuan, and is to confiscate the unlawful gains, if any; where a crime is constituted, criminal responsibility is pursued in accordance with law.

According to Article 53 of the Law of the People's Republic of China on Regional Autonomy, local governments in autonomous areas are encouraged to promote education that teaches religious tolerance and plurality, though such a provision is preceded by language that imposes exceeding regulations on what must be taught:

“Article 53: The organ of self-government of a national autonomous area shall promote the civic virtues of love of the motherland, of the people, of labor, of science and of socialism and conduct education among the citizens of the various nationalities in the area in patriotism, communism and State policies concerning the nationalities. The cadres and masses of the various nationalities must be educated to trust, learn from and help one another and to respect the spoken and written languages, folkways and customs and religious beliefs of one another in a joint effort to safeguard the unification of the country and the unity of all the nationalities.”<sup>9</sup>

China continues to push the false narrative that freedom of religion is a valued and protected human right that is exercisable by all citizens; however, its legislations and regulations do more to curtail and complicate religious affairs than to offer legal protections to those engaged in a faith or belief system. The vocabulary used in the Regulations on Religious Affairs appears to convey that China seeks to control virtually every aspect of religion, decelerate the [intuitive]proliferation of religion.

In summary, as explained by Dr. Ping Xiong, “One of the main characteristics of China law relating to freedom of religion is that it is administrative in nature.”<sup>10</sup> Taking into account all of China's legislation regarding religion- including the articles of the Revised Regulations on Religious Affairs that were not addressed in this complaint in the interest of brevity- , it is

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<sup>9</sup> Standing Committee of the National People's Congress, *supra* note 7.

<sup>10</sup> Ping Xiong, PhD., *Freedom of Religion in China under the Current Legal Framework and Foreign Religious Bodies*, 2012.

reasonable to say that the government controls the following aspects: registration and recognition of a religion; construction of religious sites; oversight of taxation and donations; approval of religious organization personnel; approval of religious celebrations and festivities; approval of religious education; monitoring of religious activities and worship; oversight of missionary work; approval of religious travel; review of assets and finances.<sup>11</sup>

## VI. China's Notable Trends in Religious Persecution

### A. Statistics and Rankings

China officially recognizes five religions: Buddhism, Taoism, Islam, Protestantism, and Catholicism. However, only such religious groups that apply and register through specific paths are permitted to practice and hold worship sessions. Despite constitutional protections of religious freedom and the legal recognition of five religions, even those that are under these 'protected' titles have experienced increasing restrictions, persecution, and anti-religion sentiment. Christians, Uyghur Muslims, non-Uyghur Muslims, Tibetan Buddhists, and Falun Gong practitioners have all reported experiencing discrimination in various sectors (i.e., employment, education, business, housing sectors)<sup>12</sup>, arbitrary arrest and prolonged detention<sup>13</sup>, closure and demolition of houses of worship<sup>14</sup>, discrimination and anti-religion sentiment, as well as many other human rights and religious freedom violations.

Freedom House, which annually rates every country in the world in terms of their protection of political rights and civil liberties, currently scores China at 10/100 freedom points, labeling it as "not free." China is 1 of only 18 of the 210 nations [Freedom House classifies some autonomous regions as independent countries] that scored 10 points or below.<sup>15</sup> For the indicator "Are individuals free to practice and express their religious faith or nonbelief in public and private?", Freedom House awards China 0 out of 4 points.<sup>16</sup> Every year, Freedom House raises in its reports the egregious violations of religious freedom in China, notably the mass incarceration and imprisonment of Uyghurs.

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<sup>11</sup> *ibid.*

China Law Translate, *supra* note 6.

<sup>12</sup> United States Department of State, *China (Includes Tibet, Xinjiang, Hong Kong, and Macau) 2019 International Religious Freedom Report*, June 2020.

<sup>13</sup> Maya Wang, "More Evidence of China's Horrific Abuses in Xinjiang", *Human Rights Watch*, 20 February 2020.

Olivia Enos, "Chinese Pastor Sentenced to 9 Years in Prison Amid Renewed Persecution", *The Heritage Foundation*, 2 January 2020.

Human Rights Watch, "Relentless: Detention and Prosecution of Tibetans under China's 'Stability Maintenance' Campaign", 22 May 2016.

<sup>14</sup> Leah MarieAnn Klett, "China demolishes church, removes crosses as Christians worship at home", *The Christian Post*, 21 March 2020.

Helen Davidson, "Thousands of Xinjiang mosques destroyed or damaged, report finds", *The Guardian*, 25 September 2020.

Shen Xinran, "Hundreds of Policemen Sent to Demolish Buddhist Temples", *Bitter Winter*, 2 July 2020.

<sup>15</sup> Freedom House, *Countries and Territories*.

<sup>16</sup> Freedom House, *Freedom in the World 2020: China*.



Open Doors in its 2021 *World Watch List*<sup>17</sup> (WWL) which ranks countries on their persecution of Christian citizens, classifies China as the 17<sup>th</sup> most dangerous nation for Christian believers, [whereas it ranked the 23<sup>rd</sup> most dangerous in 2020<sup>18</sup> and 27<sup>th</sup> most dangerous in 2019<sup>19</sup>]. Open Doors' WWL only includes nations that have scored more than 41 total points on the persecution scale in six categories: private life, family life, community life, national life, church life, and violence. According to Open Doors, China scored 74/100 persecution points; in private life (12.6 points), family life (9.7 points), community life (12.0 points), national life (13.2 points), church life (15.4 points), and violence (11.1 points).<sup>20</sup> For indicator 6.2, "How many churches or Christian buildings (schools, hospitals, cemeteries, etc.) have been attacked, damaged, bombed, looted, destroyed, burned down, closed or confiscated for faith-related reasons?", China ranks first with 3,088 such recorded incidents. For indicator 6.3, "How many Christians have been detained without trial for faith-related reasons?", China ranks first with 1,000 such recorded incidents. For indicator 6.5, "How many Christians have been abducted for faith-related reasons?", China ranks 9<sup>th</sup> with 10 such recorded incidents.<sup>21</sup>

In July 2019, Pew Research Center released its 10th annual report regarding global trends on governments' restrictions on religion, titled *A Closer Look at How Religious Restrictions Have Risen Around the World*.<sup>22</sup> In this report, Pew exhibits China as one of the countries that has most evidently increased its restrictions on religion and ranks China 4th in the top ten list of "countries with most restrictive laws and policies toward religious freedom" and 2nd in the top ten list of "countries with most limits on religious activities of religious groups and individuals." China is also ranked 6th in the top ten list of "countries with high levels of government harassment of religious groups." In November 2020, Pew Research Center released its 11<sup>th</sup> annual report on global religious persecution titled *In 2018, Government Restrictions on Religion Reach Highest Level Globally in More Than a Decade*.<sup>23</sup> In this report, Pew reveals that China as of 2018 has the highest score on the Government Restrictions Index, as well as the highest score China has ever had historically, at 9.3 out of 10 points.

Cato Institute ranks China the 129th 'most free' nation, with 5.92 points (out of 10) for personal freedom, 6.21 points (out of 10) for economic freedom, and 6.07 points (out of 10) for human freedom. China ranks the least free out of the East Asia nations (China, Hong Kong, Taiwan, Japan, South Korea, Mongolia) in terms of personal freedom, economic freedom, and human freedom. Cato Institute rates China's "freedom of religion" at 0 points out of 10, and "harassment and physical hostilities" towards religious communities at 7.5 points out of 10.<sup>24</sup>

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<sup>17</sup> Open Doors World Watch Research, *WWL 2021*, January 2021.

<sup>18</sup> Open Doors World Watch Research, *WWL 2020*, January 2020.

<sup>19</sup> Open Doors World Watch Research, *World Watch List 2019 Compilation*, January 2019.

<sup>20</sup> Open Doors World Watch Research, *WWL 2021*, January 2021.

<sup>21</sup> *Ibid.*

<sup>22</sup> Pew Research Center, *A Closer Look at How Religious Restrictions Have Risen Around the World*, 15 July 2019.

<sup>23</sup> Samirah Majumdar & Virginia Villa, *In 2018, Government Restrictions on Religion Reach Highest Level Globally in More Than a Decade*, Pew Research Center, 10 November 2020.

<sup>24</sup> Cato Institute & Fraser Institute, *The Human Freedom Index 2020: A Global Measurement of Personal, Civil, and Economic Freedom*, 2020.

In Aid to the Church in Need's *Religious Freedom in the World 2018* report<sup>25</sup>, on a scale of three categories (green = unclassified, yellow = discrimination, red = persecution), China is labeled with a red marker, and the report determines that, in China, the "predominant violator" of religious freedom is the state (as opposed to non-state actors).

## B. Christianity

Christianity is one of the largest and swiftest growing religions within China. Its first ever appearance in China occurred in the 7th century during the Tang Dynasty, but it wasn't until the late 1500s and early 1600s that Christianity became rooted in the nation as a result of Jesuit missionary work.<sup>26</sup> By the 1800s, Christianity had already generated a reasonable following in China, and it remained a steady force until the first signs of major persecution which appeared during the establishment of the People's Republic of China in 1949 by the Chinese Communist Party. CCP leaders, including Mao, began to promote atheism and discourage religion. During the Cultural Revolution from 1966 to 1976, religious persecution escalated to include demolition and destruction of Christian churches and the imprisonment of Christian believers and leaders, both of which forced many of the nation's Christians to begin worshiping in secret.

Christianity experienced a major boom in the 1980s with President Deng Xiaoping's opening-up policy and following the 1989 Tiananmen Square crackdown, after which many of the democratic activists turned to faith. The growth of Christianity in China has faced major suppression in recent years, especially under the leadership of President Xi Jinping. Rivaling the persecution of the Cultural Revolution, since the early 2010s, both unregistered and state-approved churches have been destroyed, Christian worship interrupted, Christian believers harassed and arrested, all due to the CCP's perception of Christianity as a "potential threat to national security, social harmony, and core interests"<sup>27</sup>, namely atheism, socialism, and patriotism. As a result, China continues its campaign to *sinicize*<sup>28</sup> Christianity, or change its core beliefs and texts to align more with the nation's ideals of socialism. Discussed below are some of the noteworthy persecution trends against Christianity in China.

In March 2013, Zhejiang Province initiated a project called "Three Rectifications and One Demolition", by which crosses were removed from thousands of churches and tens of churches were demolished entirely, the majority of which were Protestant, though some were Catholic sites. In mid-2016 at the end of the campaign, approximately 1,500 churches had their crosses removed, and no fewer than 20 churches were dismantled by Chinese authorities.<sup>29</sup> Demolition

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<sup>25</sup> Aid to the Church in Need, *Religious Freedom in the World 2018*, 2018.

<sup>26</sup> Eleanor Albert, "[Christianity in China](#)", *Council on Foreign Relations*, 11 October 2018.

<sup>27</sup> *ibid.*

<sup>28</sup> *Sinicization* or *Sinification* refer to the process by which communities that are not Han-Chinese, or communities that are deemed non-Chinese, are brought under the influence of Han Chinese culture and societal norms. Sinicization of religion refers to the process by which religious communities and leaders are forced to embrace and promote state-sponsored socialism, patriotism, nationalism, and CCP leadership, even when such ideologies are inconsistent with the tenets of faith. (Lusanne Movement, "[The Sinicization of Religion in China](#)", September 2019).

<sup>29</sup> Sarah Cook, *The Battle for China's Spirit: Religious Revival, Repression, and Resistance under Xi Jinping*, Freedom House, February 2017.

of churches is not confined to just Zhejiang Province, however. In January 2018, Chinese authorities demolished one of the nation's largest evangelical churches, the Golden Lampstand Church in Shanxi Province. Images circulated on the internet show the church's steeples falling to the ground and clouds of dust and debris.<sup>30</sup> Throughout 2019 and 2020 in Jiangsu Province's Lianyungang and Suqian cities, over 70 Protestant churches were shut down, emptied, and sold for secular purposes.<sup>31</sup>

In December 2018, Chinese government authorities stormed Early Rain Covenant Church and arrested approximately 100 leaders, members, and worshippers.<sup>32</sup> The Early Rain Covenant Church was targeted due to its growing popularity as one of the largest house churches in China. Despite that many of the original arrested individuals have since been released, Pastor Wang Yi has remained detained and was officially sentenced on 30 December 2019 to nine years in prison and deprivation of political rights for "subversion of state power" and conducting an "illegal business."<sup>33</sup> Pastor Wang Yi's story – perhaps one of the most high-profile arrests of a Chinese pastor– is just one example of the myriad incidents in which church services are raided and Christian leaders are imprisoned.

Also in December 2018, it was announced that China had finalized an agreement with the Vatican. Though the exact contents of the agreement have remained secret, it is evident that its provisions provide the Chinese Communist Party with more authority over the designation of Chinese bishops. Just prior to the agreement, there was a total of 100 Catholic bishops in China, 30 of which were not recognized by the Chinese government. Following the agreement, the majority of those 30 disappeared without any information being released to the world regarding their whereabouts.<sup>34</sup> Seven bishops were appointed by the Chinese government without prior papal approval, thus calling into question the legitimacy of such appointments, as well as their implications on the sustainability of religious freedom for China's Catholic community.

In 2019, Chairman of the Chinese People's Political Consultative Conference announced that the government would be initiating a campaign to rewrite the bible so that it reflects core socialist ideology.<sup>35</sup> Moreover, textbooks and stories with mentions of Christianity or the Bible are being re-written to censor such religious content.<sup>36</sup>

## C. Islam

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<sup>30</sup> Russell Goldman, "Chinese Police Dynamite Christian Megachurch", *The New York Times*, 12 January 2018.

<sup>31</sup> UCA News, "Churches shut, demolished and ordered to be sold in China", 13 November 2020.

<sup>32</sup> Amnesty International, "China: 'Appalling' jail sentence for outspoken pastor makes mockery of religious freedoms", 30 December 2019.

<sup>33</sup> Chinacourt.gov.cn, "The defendant Wang Yi was charged with subversion of state power and the crime of illegal business operations were publicly sentenced", 30 December 2019.

<sup>34</sup> Paul Mariani, "The Extremely High Stakes of the China-Vatican Deal", *The Jesuit Review*, 7 December 2018.

<sup>35</sup> Xin Lu, "'Sinicizing' the Bible: Jesus, Apparently, Was a Socialist", *Bitter Winter*, 18 June 2019.

<sup>36</sup> Wang Zhicheng, "Beijing erases 'God', 'Bible' and 'Christ' from kids text books", *Asia News*, 1 August 2019.

Approximately 20 million Chinese citizens- 1.5 per cent of the entire national population- identify as Muslims, and they come from different ethnic, linguistic, and cultural backgrounds. The largest two Muslim populations in China include the Hui Muslims - who speak the Chinese language - and Uyghur Muslims - who speak Uyghur, a Turkic language, and have a distinct culture.<sup>37</sup> Smaller ethnic and predominantly Muslim populations in China also include: Kazakh, Dongxiang, Kyrgyz, Salar, Tajik, Uzbek, Bonan, and Tatar peoples.<sup>38</sup>

Islam first entered China as early as the 7th century Tang Dynasty, during which China fostered a strong trade relationship with pre-Islamic Arabia and Muslim traders settled in China during their travels. The Yuan Dynasty of the 13th century saw the peak of Muslim influence in China, as Mongols took power across the nation. For the next few hundred years, Muslim influence remained powerful in China, and concurrently, Uyghur Muslims in Xinjiang experienced a period of “Turkicization and Islamization” which made them a distinct minority demographic.<sup>39</sup>

During the Ming Dynasty from 1368 to 1644, Han Chinese rulers began to place some restrictions on the manifestation of Muslim worship and culture, such as prohibiting certain hairstyles, dress, and language. Some Muslims within persecuted groups intermarried with Han Chinese individuals, adopting their culture and names, thus becoming the Sinicized Muslims, the ancestors of the Hui.<sup>40</sup> At the same time, Uyghur and other Turkic Muslims resisted assimilation attempts and carved out their own identities.

The Cultural Revolution, similar to its crackdown on Christianity, also ushered in a new era of heightening persecution of China’s Muslims; mosques were desecrated and demolished, copies of the Qur’an were burned and destroyed, and Muslims were forbidden from embarking on *hajj*.<sup>41</sup> After a brief period of lax policies towards China’s Muslims following Mao Zedong’s death, tensions arose again following 9/11 and instances of ethnic violence between Han Chinese and Uyghurs in Ürümqi in 2009. Discussed below are the most notable persecution trends against Uyghurs in China.

Since 2017, China has engaged in a campaign to predictively police and arbitrarily detain upwards of one million Uyghur Muslims in internment camps located throughout Xinjiang on account of their ethnic and religious background. Uyghurs who are found engaging in behaviors perceived as potentially ‘extremist’ - but in reality are just manifestations of their religion and culture (i.e., growing beards, wearing hijabs, reading the Qur’an, and attending worship at mosques) - are rounded up and interned in what China claims are “vocational training centers” where they supposedly receive education and job training.<sup>42</sup> In reality, Uyghurs

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<sup>37</sup> Heather Clydesdale, “Exploring Islam in China”, *China Learning Initiatives*.

<sup>38</sup> Jo Smith Finley, *Islam in China*, *Oxford Bibliographies*, 30 November 2015.

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

<sup>40</sup> Wee Kek Koon, “A brief history of Islam in China – including a moment of prominence”, *South China Morning Post*, 11 May 2020.

<sup>41</sup> *hajj* is the traditional Muslim pilgrimage to Mecca, which takes place annually.

<sup>42</sup> Isobel Cockerell, “China’s oppression of Xinjiang’s Uyghurs: a visual history”, *Coda*, 11 March 2020.

experience “prison-like conditions”, physical and sexual abuse, 24/7 surveillance, sleep deprivation, forced abortion and sterilization.<sup>43</sup>

Outside of the camps, Uyghurs are monitored through biometric data gathering and police checkpoints where identification documentation and mobile phones are scanned:

“The government also collects and stores citizens’ biometric data through a required program advertised as Physicals for All. Much of that information is collected into a massive database, known as the Integrated Joint Operations Platform, which then uses artificial intelligence to create lists of so-called suspicious people. Classified Chinese government documents released by the International Consortium of Investigative Journalists (ICIJ) in November 2019 revealed that more than fifteen thousand Xinjiang residents were placed in detention centers during a seven-day period in June 2017 after being flagged by the algorithm. The Chinese government called the leaked documents ‘pure fabrication’ and maintained that the camps are education and training centers.”<sup>44</sup>

In 2020, following noteworthy exposés on the CCP’s persecution of Uyghur and Turkic Muslims in Xinjiang, including Dr. Adrien Zenz’s groundbreaking report *Sterilization, IUDs, and Mandatory Birth Control: The CCP’s Campaign to Suppress Uyghur Birthrate in Xinjiang*<sup>45</sup>, numerous governments around the world have started to designate – or consider designating – China’s persecution of Uyghurs as genocide, especially with regards to birth prevention, which is listed in Article II of the UN Genocide Convention.<sup>46</sup>

On 19 January 2021, United States Secretary of State Michael Pompeo (2018 – 2021) formally determined that the CCP has committed crimes against humanity and genocide against Muslim Uyghurs and Xinjiang’s other ethnic and religious minority groups, and he asserted that he believes that “this genocide is ongoing, and that we are witnessing the systematic attempt to destroy Uyghurs by the Chinese party-state”.<sup>47</sup> Months earlier in October 2020, the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development of Canada’s House of Commons found that it is “persuaded that the actions of the Chinese Communist Party constitute genocide”.<sup>48</sup>

In the United Kingdom, the parliament is currently debating the inclusion of a genocide-related amendment to the Trade Bill; the bill’s overall purpose, in essence, is to manage the implementation of trade agreements between the United Kingdom and other nations. The

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<sup>43</sup> Lindsay Maizland, “China’s Repression of Uighurs in Xinjiang”, *Council on Foreign Relations*, 30 June 2020.

<sup>44</sup> *ibid.*

<sup>45</sup> Adrian Zenz, *Sterilizations, IUDs, and Mandatory Birth Control: The CCP’s Campaign to Suppress Uyghur Birthrates in Xinjiang*, June 2020.

<sup>46</sup> UN General Assembly, *Convention on the Prevention and Punishment of the Crime of Genocide*, 9 December 1948, United Nations, Treaty Series, vol. 78, p. 277.

<sup>47</sup> Michael R. Pompeo, Secretary of State (2018 – 2021), *Determination of the Secretary of State on Atrocities in Xinjiang*, 19 January 2021.

<sup>48</sup> Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development, *Statement by the Subcommittee on International Human Rights Concerning the Human Right Situation of Uyghurs and other Turkic Muslims in Xinjiang, China*, Canada House of Commons, 21 October 2020.

genocide amendment would ensure that trade agreements would be nullified if the High Court of England and Wales “makes a preliminary determination that they should be revoked on the ground that another signatory to the relevant agreement has committed genocide”.<sup>49</sup> While broad in language, the genocide amendment was introduced to specifically target China for its persecution of Uyghurs.

## D. Tibetan Buddhism

Tibetan Buddhism was introduced to China in the 7th Century under the leadership of the first king of Tibet, Songtsen Gampo. Gampo had invited numerous Buddhist scholars and teachers to visit Tibet and spread Buddhism among the people. In the 700s, King Trison Detsen invited mystics Shantarakshita- an abbot of an Indian Buddhist monastic college Nalanda- and Padmasambhava to set up the first Buddhist monastery in Tibet.<sup>50</sup> Throughout the 10th century, more Buddhist teachers from India migrated into Tibet and more Tibetan scholars visited India to learn at Buddhist schools.

Major tensions rose towards Tibetan Buddhists following the 1959 uprising against Chinese authority in the Tibetan region. This uprising came in response to the Chinese military forces’ entry into regions such as Kham and Amdo, Eastern Tibet, where they engaged in human rights violations. From 1959 onwards - and especially during the Cultural Revolution - thousands of Tibetan Buddhist monasteries and convents were destroyed, and upwards of 500,000 monks and nuns were forced out of their homes and “tortured, killed, imprisoned, or forced to disrobe.”<sup>51</sup>

The end of the Cultural Revolution and the introduction of a new national constitution with protections for religious freedom ushered in a resurgence of Tibetan Buddhist practice and worship. Throughout the 1980s, monks and nuns actively worshipped and even began demonstrating to support the Dalai Lama as well as Tibetan independence, human rights, and democracy. Such increase in political activism drew a reactionary response from the Chinese government, and during a 2008 democratic protest which drew the participation of 300 Tibetan Buddhist monks, Chinese forces imprisoned and tortured some 6,800 protestors and killed an estimated 227.<sup>52</sup>

Following the 2008 incident, Tibetan Buddhists have become the subject of momentous surveillance and regulation. Starting in October 2011, CCP authorities were stationed at hundreds of monasteries and convents and by 2015, many were “assuming control themselves over internal affairs such as the admission and teaching of monks and nuns, the number of monks that can stay in a monastery and also ruling on spiritual matters such as

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<sup>49</sup> Bill 239 2019-21 (Lords Amendments), *Lords Amendments to the Trade Bill*, 18 January 2021.

<sup>50</sup> Tibetpedia, “Tibetan Buddhism”, 27 May 2016.

Tricycle: Buddhism for Beginners, “What is the history of Tibetan Buddhism?”.

<sup>51</sup> Ronald Schwartz, “Religious Persecution in Tibet”.

<sup>52</sup> Free Tibet, *Beyond Belief: Religious Freedom in Tibet*. 2016.

reincarnation.”<sup>53</sup> In 2013, a monk leader, Thardhod Gyaltsen, was arrested in Driru County and sentenced to 18 years in prison for owning images of the Dalai Lama and voice recordings of his religious sermons.

In February 2018, the Tibetan Autonomous Region Security Bureau published its *Notice of the Tibet Autonomous Region Public Security Department on Reporting Leads on Crimes and Violations by Underworld Forces*, in which any of the following were classified as acts of “organized crime”: “participating in separatist activities” such as criticizing or protesting China’s aggressive policies in Tibet; advocacy regarding “protecting the ‘mother tongue’”; “illegally soliciting donations”; “using religion...to interfere in grassroots-level administrative affairs or...education”; the involvement of religion or traditional religious leaders in resolving disputes; and speaking on behalf of the Tibetan Buddhist community.<sup>54</sup>

Also, in response to the brutal crackdown of the CCP on Tibetan Buddhism starting in 2008 and escalating over the past decade, more and more Tibetan Buddhist young adults and teenagers have engaged in self-immolation as a form of social protest against China’s persecution and overbearing control. Since 2009, it is estimated that over 150 Tibetans have self-immolated, the majority of such individuals having died as a result of their related injuries.<sup>55</sup>

## E. Falun Gong

Falun Gong is one of the newest and fastest growing spiritual practices in China. During the mid- to late- 1980s and the early 1990s, the Chinese public became enraptured by *qigong* (literal translation: ‘energy work’) practices that combined breathing and meditation exercises with spiritual teaching. By 1999, at the height of its influence, Falun Gong captured the participation of some 70 to 100 million Chinese citizens, equal to approximately 1 in every 13 people.<sup>56</sup>

The Chinese government early on perceived Falun Gong to be a threat to the supremacy of the Party, and in 1996, Falun Gong’s main text, *Zhuan Fulan*, was prohibited. By June 1999, the President of China, Jiang Zemin, initiated a campaign to outlaw the practice of Falun Gong, disseminate anti-Falun Gong propaganda, label the *qigong* as an ‘evil cult’, and established the 610 Office, which was the primary security agency of the CCP responsible for conducting and overseeing such persecution.<sup>57</sup> Since 1999, thousands of Chinese citizens have been forced to sign documents promising to not follow Falun Gong, millions of practitioners have been detained or disappeared, and yet, the spiritual practice has survived.<sup>58</sup>

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<sup>53</sup> *ibid.*

<sup>54</sup> Human Rights Watch, *‘Illegal Organizations’: China’s Crackdown on Tibetan Social Groups*, 2018.

<sup>55</sup> International Campaign for Tibet, *“Self-Immolations”*.

<sup>56</sup> Falun Info, *“The Rise and Resilience of Falun Gong”*.

<sup>57</sup> *ibid.*

<sup>58</sup> Sarah Cook, *Falun Gong: Religious Freedom in China*, Freedom House, 2017.

Perhaps one of the most reprehensible current human rights atrocities taking place in China is the system of forced organ harvesting which is being carried out on unwilling Falun Gong practitioners, usually prisoners. In 2019, the Independent Tribunal into Forced Organ Harvesting from Prisoners of Conscience in China confirmed “beyond doubt” that such a practice exists.<sup>59</sup> For years, the international human rights community observed that the rate of organ transplants and supply of readily available organs in China was suspiciously high, that one may need to wait only hours or days to receive an organ, and that the voluntary organ donation system was established well after the rise in organ transplant rates in China. With these observations considered, as well as the testimonies of Falun Gong individuals who were subjected to blood tests and medical examinations, the China Tribunal confirmed what was already known to be true: Falun Gong practitioners are being subjected to forced organ harvesting.<sup>60</sup>

## **VII. The respondent’s persecution policies violate international and domestic legislation, obligations, and norms regarding children’s rights to religious freedom.**

### **A. Christian children**

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

Local government officials have pressured Christian children to report their parents if they engage in religious activity or worship.<sup>61</sup> Moreover, the contradiction between receiving anti-religious reprimanding in school 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.”

In early 2019, municipal government officials warned Wang Xinguang, a deacon at Three-Self Church in Shangrao, Jiangxi Province, that because he was a registered Communist 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, his Party membership would be revoked; 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>62</sup>

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<sup>59</sup> Independent Tribunal into Forced Organ Harvesting from Prisoners of Conscience in China, *Final Judgement & Summary – 2019*, 2019.

<sup>60</sup> Benedict Rogers, “The Nightmare of Human Organ Harvesting in China”, *The Wall Street Journal*, 5 February 2019. Olivia Goldhill, “China is accused of harvesting tens of thousands of organs to serve a thriving global market”, *Quartz*, 27 September 2019.

<sup>61</sup> Open Doors World Watch Research, *China: Country Dossier*, February 2020.

<sup>62</sup> Piao Junying, “You Shall Have No God Before Marx and Lenin”, *Bitter Winter*, 22 January 2019.



In August 2019, 20-year-old David Guan wrote a public prayer letter in which he recalled his childhood as a Christian and the persecution his family suffered for their faith. Guan remembered officers taking his father away for interrogation when he 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>63</sup>

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, 2019, a Christian mother named 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>64</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 chose Christian schooling.<sup>65</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 therefore continued to be repeatedly harassed and threatened. March 2020 was 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] 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 re-indoctrination camps. 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>66</sup> Liao explains that he left China for Taiwan after his daughter Ren Ruiting was 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>67</sup> Similar situations

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<sup>63</sup> ChinaAid, “[Christian man writes letter regarding family’s persecution](#)”, 27 August 2019.

<sup>64</sup> China Aid, “[Mother recounts ‘horrible’ threats to three-year-old, husband’s arrest](#)”, 31 July 2019.

<sup>65</sup> China Aid, “[Mother faces court for choosing Christian schooling](#)”, 20 March 2020.

<sup>66</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>67</sup> China Aid, “[Associated Press: Christian family details crackdown on church in China](#)”, 8 July 2019.

of removal of four adopted children from the home of ERCC members Pei Wenju and Jing Jianan 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 had any religious affiliation was prohibited from participating in the performance.<sup>68</sup>

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>69</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 upon 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>70</sup> She was taken to her dorm by the police, who confiscated some of her belongings and cellphone, interrogated her about her religious affiliation, attempted to coerce her into identifying 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; because she refused to do so, she was expelled by her school.

In April 2019, Chinese authorities ambushed a gathering at an unregistered Catholic church in Inner Mongolia Autonomous Region and confiscated church documents listing the names of children who had received their First Communion. Officers at the local Religious Affairs Bureau tracked down these children's homes, where they confiscated religious materials.<sup>71</sup>

In August 2020, around 60 children gathered at Life Church in Henan Province's Zhumadian City to participate in social activities. During the gathering, police officers interrupted and began confiscating Bibles and religious texts, arresting preachers and church leaders on the grounds that they had hosted a religious activity for minors. Additionally, police called the parents of the children and demanded them to come to the church prepared with their

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<sup>68</sup> Bitter Winter, "[Young Christian Banned from Celebration in School](#)", 27 May 2018.

<sup>69</sup> Jiang Tao, "[University Student Suspended for Believing in Almighty God](#)", *Bitter Winter*, 1 August 2018.

<sup>70</sup> Piao Junying, "[University Student Forced to Drop Out Because of Her Faith](#)", *Bitter Winter*, 5 August 2018.

<sup>71</sup> Li Guang, "[Minors Intimidated to Stay Away from Religion](#)", *Bitter Winter*, 3 November 2020.

household and national identification documents. These parents upon arrival were forced to sign statements renouncing Christianity. During the ambush, many of the children began to yell and cry; one of the children recalled that “officers were slamming a table to make us stop crying and dragged outside one boy who wouldn’t.”<sup>72</sup>

Also in August, government officials conducted a similar raid on Great Praise Church in Gushi County, Xinyang City, Henan Province. Two officials entered the church abruptly and began to take down the names and personal information of nine young Christians; one witness stated that “the children worried that the police would harass them in their schools.”<sup>73</sup> Authorities also emptied out the entire church building, confiscating desks, musical instruments, and religious items.

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

Since 2017, numerous reports have exposed a concerning trend in which children under the age of 18 are prohibited 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>74</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, two separate signs can be seen which provide an example of the rhetoric used to restrict religious activity to minors. The first of which states that such restrictions are “to protect the health and safety of teenagers during the hot summer holidays”<sup>75</sup> and the second disallows 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>76</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>77</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 Revised Regulations on Religious Affairs, which were initially signed in late 2017 and came into force by early February 2018. Directly after this decree was implemented, local government authorities embarked on a campaign

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<sup>72</sup> *Ibid.*

<sup>73</sup> Li Xiao, “House Churches Suppressed Across China”, *Bitter Winter*, 31 October 2020.

<sup>74</sup> World Watch Monitor, “China bans children- and their teachers- from churches”, 8 September 2017.

<sup>75</sup> World Watch Monitor, “China bans children- and their teachers- from churches”, 8 September 2017.

<sup>76</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>77</sup> World Watch Monitor, “China bans children- and their teachers- from churches”.

“from extensive anti-religious propaganda on school campuses to crackdowns on church-organized Sunday schools and summer camps.”<sup>78</sup>

In August 2020, a group of 40 young Christians and their families, all of whom were members of Xunsiding Church, had gathered at a beach to participate in religious family bonding, including singing hymns together, spiritual storytelling, and other “parent-child activities.” Authorities from the religious affairs bureau arrived and forcibly dissolved the gathering, as well as took pictures of the Christian families in attendance.<sup>79</sup>

In February 2021, Chinese government officials fined Christian man Niu Guobao for hosting a Christmas gathering for some 40 participants, 20 of whom were children. In addition to facing charges of “organizing an illegal religious gathering” and “possession of Christian calendars and unauthorized religious books”, Niu was also charged with hosting religious activities for minors. Authorities fined Niu 160,000 yuan (≈ USD \$24,777) for his various charges.<sup>80</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>81</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>82</sup> This statement exhibits the CCP’s concerns that the growing influence of religion in China could become an increasingly popular narrative combatting the atheist, nationalist, and pro-CCP 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>83</sup> Another rhetoric that the government uses is that children should not hold 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>84</sup>

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<sup>78</sup> Zhou Xiaolu, “Bans on Minors’ Religious Activities Enforced Throughout China”, *Bitter Winter*, 25 October 2019.

<sup>79</sup> ChinaAid, “CCP fines hotel for allowing Christians to hold religious activities”, 25 October 2020.

<sup>80</sup> Christian Daily, “China’s Communist Government Fines Chinese Christian Nearly \$25,000 For Christmas Celebration”, 2 February 2021.

<sup>81</sup> Tang Wanming, “State Ensures that Children Stay off Religion on Holidays”, *Bitter Winter*, 25 August 2019.

<sup>82</sup> UCAnews, “Chinese authorities ban children going to churches”, 30 August 2017.

<sup>83</sup> Tang Zhe, “China’s Schools Pledge to Do Away with Religion”, *Bitter Winter*, 4 February 2020.

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

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>85</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>86</sup>

Some colleges and secondary education institutions disseminate a “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>87</sup>

Parents in Wenzhou have even reported receiving video messages from their children’s teachers urging the families to not bring their children with them to church, as local education boards had been warned that government investigation teams were likely to conduct inspections to see how many students were attending church with their families.<sup>88</sup> Parents also received letters from their children’s schools which they were required to sign ensuring that their children would not be attending “religious venues for scripture study classes or other theological training.”<sup>89</sup>

In January 2019, Fujian’s Xunsiding Church kindergarten was ambushed by a hoard of armed police officers and government authorities who dismantled the school and prevented teachers and parents of students from leaving their homes to contest the demolition. 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 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>90</sup>

In December 2020, Bitter Winter received reports from China that multiple schools had been encouraged to teach their students that Christmas should not be celebrated and that gifts should not be exchanged.<sup>91</sup> Similarly, a fifth grade teacher in Liaoning Province explained that all references to religious holidays had been edited out of newer versions of her school’s

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<sup>85</sup> Yang Fan & Qiao Long, “China Makes Teachers, Medical Professionals Pledge Not to Follow Any Religion”, *Radio Free Asia*, 26 September 2018.

<sup>86</sup> *ibid.*

<sup>87</sup> Jiang Tao, “‘Religious Bans’ Sweep Across Universities”, *Bitter Winter*, 10 January 2019.

<sup>88</sup> World Watch Monitor, “China bans children- and their teachers- from churches”, 8 September 2017.

<sup>89</sup> Tang Wanming, “State Ensures that Children Stay off Religion on Holidays”.

<sup>90</sup> China Aid, “Church kindergarten forcibly demolished”, 26 January 2019.

<sup>91</sup> Massimo Introvigne, “Christmas, Get Out of China!” – But Not Before Bringing CCP a Lot of Money”, *Bitter Winter*, 28 December 2020.

textbooks. One of the older books included a text discussing the Easter holiday and celebratory traditions, but it had been replaced with a section on English instead.<sup>92</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>93</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 school students in Feng, Shaanxi Province, 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>94</sup> During this trip, students watched pro-communist stage plays, visited veteran memorials, and learned about the victories of communism throughout the 20th 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>95</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 propaganda posters condemning *xie jiao* and religion.<sup>96</sup> Another Hebei Province school’s principal describes the current educational curriculum supported and enforced by the CCP as consisting 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 admit that on an anti-religion survey.

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<sup>92</sup> Lu Xiaojing, “Schools and Kindergartens Ordered to ‘De-Westernize’”, *Bitter Winter*, 3 November 2020.

<sup>93</sup> Wang Yong, “‘Red’ Study Trips for Children to Further Indoctrinate Them”, *Bitter Winter*, 27 December 2019.

<sup>94</sup> *ibid.*

<sup>95</sup> *ibid.*

<sup>96</sup> Shen Xinran, “China Continues to Spread Communism Across College Campuses”, *Bitter Winter*, 25 March 2019.

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 and praise 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>97</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>98</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's families and citizens. One anonymous grid administrator explains:

"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>99</sup>

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<sup>97</sup> Li Guang, "Obedient 'Red Successors' Cultivated from Young Age", *Bitter Winter*, 10 October 2019.

<sup>98</sup> Catholic News Agency, "Coronavirus brings crackdown on house churches in China", *The Catholic World Report*, 3 April 2020.

<sup>99</sup> Ye Ling, "Big Brother's' Helpers Planted in Each Community to Serve the Regime", *Bitter Winter*, 15 September 2019.

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, notably “unlicensed gatherings of believers.” Many grid administrators, in addition to being granted 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 fearmongering 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 specifically for Xinjiang which would be implemented starting in November of that year and which would present criminal charges for 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>100</sup> Prohibited acts for Uyghur students include wearing religious clothing- such as headscarves- and participating in fasting for Ramadan.<sup>101</sup> It is no coincidence that the Chinese government prohibits both religious activities and extremist beliefs in the same provision- the CCP conflates these two concepts, and Uyghur Muslims are often mistakenly generalized and stereotyped as extremists and separatists for their history with independence movements.

Neighbors and peers are authorized to report to public security officials any Uyghur parents or guardians who 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 to foster an educational environment that “seeks the truth, refuses ignorance (and) opposes superstition.”<sup>102</sup> Those children who refuse the restrictions placed upon their spiritual activities are liable to being sent to designated ‘schools’ to ‘receive rectification.’

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<sup>100</sup> Kavitha Surana, “China Tells Citizens to Inform on Parents Who ‘Lure’ Kids into Religion”, *Foreign Policy*, 12 October 2016.

<sup>101</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>102</sup> Reuters, “China targets parents in new religion rules for Xinjiang”, 11 October 2016.



“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>103</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 reasoning - namely, the CCP’s justification - is that underage children and adolescents are not mature enough, lack “sound judgement” and a “sense of self control”, and could therefore 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 persecution. 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. Some families who allowed or encouraged their children to study the Quran have been heavily fined, “but the new law is the first to target the children themselves for punishment.”<sup>104</sup>

Regulations discouraging religious practice among 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>105</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

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<sup>103</sup> Radio Free Asia, “[China’s new law targets Muslim children for ‘correction’](#)”, 21 October 2016.

<sup>104</sup> *ibid.*

<sup>105</sup> *ibid.*

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>106</sup>

However, following inter-ethnic conflict that broke out in 2009 in Urumqi, Xinjiang and that led to 200 deaths, the Chinese government 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>107</sup>

## *ii. Uyghur children become victims of familial 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, also suffer in their daily lives.

“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’ (夫妻双方在教学中心). They also testify to the fact that this has developed into a concrete and urgent social issue....In addition, the government has issued propaganda pieces that argue that the children of detained parents derive significant benefits from this separation.”<sup>108</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’ imprisonment, and that this constitutes an act of genocide through “forcibly transferring children of the group”, as stated in Article II of the UN Genocide Convention. Among these Uyghur children are 6-month-olds that are supposed to be breastfeeding, and “videos on social media which show children torn away from their mothers as infants unable to recognize them [now] as children shows that China’s project was successful.”<sup>109</sup>

Another problematic point is that leaked Xinjiang government documents reveal that there is no specified legal procedure for confiscating children and transferring them to state-run schools: “They do not indicate whose consent is needed, which government agencies make decisions

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<sup>106</sup> Amnesty International, “‘Forgive my children for not fasting’-Ramadan in Xinjiang”, 3 May 2019.

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

<sup>108</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>109</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.

about removal to state institutions, or whether there are procedures for determining consent or challenges to such determinations.”

Article 9 of UN Convention on the Rights of the Child 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. Moreover, separation of children from their parents, guardians, and family, according to Human Rights Watch, should be “temporary,” “a last resort,” and “for the shortest possible duration.”<sup>110</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, 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>111</sup>

Dilnur, a Uyghur mother that now resides in Canada, reflected on the emotional trauma she experienced 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 hints to their whereabouts in the videos, only to turn up with 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>112</sup>

Another Uyghur man, Mahmutjan, explained that after leaving Xinjiang to prepare for 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. Mahmutjan remembered looking at photos of his daughter taken after she was released from the boarding school and in which she appears very thin and sickly. He lamented that the separation and lack of contact troubles him as well as his wife, who is “broken psychologically.”<sup>113</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 unable 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.

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<sup>110</sup> Human Rights Watch, “[China: Xinjiang Children Separated from Families](#)”, 15 September 2019.

<sup>111</sup> *ibid.*

<sup>112</sup> *ibid.*

<sup>113</sup> *ibid.*

Bitter Winter reveals the story of one 80-year-old Uyghur woman explaining the major stress she feels as a result of becoming the sole guardian of her four young grandchildren 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>114</sup> One Uyghur man recalls seeing his daughter for the first time since his detention six months prior, and how he was so shocked to hear her state with clarity “father, your eyes are so big.” At the time he was arrested, the only words his daughter could say were ‘mommy’ and ‘daddy.’<sup>115</sup>

Bole, a city in Xinjiang Province, is one of the major destinations for Uyghur orphan children between the ages of seven and seventeen who have week by week lost more family members as they are shipped off to detention centers as punishment 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>116</sup>

In 2020, Bitter Winter received a testimony from a woman named Inabet, an eyewitness to a community’s loss of Uyghur children:

“She was visibly shaking and tearful as she recounted her latest trip to *Bitter Winter*. It had only been a matter of three months since her last visit and the village had changed beyond recognition. ‘The only people I saw were elderly grandparents caring for toddlers’, she said. She spoke of a massive orphanage that had been built, now full of children whose parents had been taken away to camps. ‘They are building a second,’ she said. ‘But they have no idea who will staff it or how they will feed the children.’”<sup>117</sup>

Another witness, a woman named Roshangul, recalled waking up one morning to loud sounds outside of her apartment. When she looked out the window, she saw cameras pointing towards the building, police cars with sirens, families yelling and screaming. She turned and saw that a room at the front of her apartment complex was filled with hundreds of children. While

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<sup>114</sup> Chang Xin, “With Breadwinners Locked in Camps, Families Struggle to Survive”, *Bitter Winter*, 31 March 2020.

<sup>115</sup> Li Zaili, “Uyghur Children Deprived of Parental Love”, *Bitter Winter*, 26 November 2018.

<sup>116</sup> Bitter Winter, “Uyghur Children ‘Orphaned’ After Their Parents Were Sent to Camps”, 7 July 2018.

<sup>117</sup> Ruth Ingram, “Now They Come for the Uyghur Children: Thousands Sent to Jail-Like Boarding Schools”, *Bitter Winter*, 18 October 2020.

Roshangul was unable to find out what ever happened to these children, it is believed that they were ushered to either boarding schools or orphanages.<sup>118</sup>

### *iii. 'Orphaned' Uyghur children are transported to boarding schools for 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>119</sup>

The CCP attempts to portray the education services as altruistic - all boarding and schooling fees are covered by the government - however, Uyghur students face a plethora of restrictions and even human rights violations within these schools.<sup>120</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 and Han dormitories are segregated; 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>121</sup>

These 'boarding schools' are purposefully reminiscent of the detention camps that Uyghur adults are sent to; barbed-wire fences surround the school property, security officers are 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>122</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>123</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>124</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>125</sup>

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<sup>118</sup> *Ibid.*

<sup>119</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>120</sup> Li Ping, "Xinjiang Children Sent to Inland Schools for 'Sinicization'", *Bitter Winter*, 12 October 2019.

<sup>121</sup> *Ibid.*

<sup>122</sup> Chang Xin, "Video: Uyghur Children Indoctrinated in Camps", *Bitter Winter*, 26 January 2019.

<sup>123</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>124</sup> Rashida Yosufzai, "'Cultural genocide': China accused of separating and indoctrinating children of interned parents", *SBS News*, 7 June 2019.

<sup>125</sup> Li Zaili, "'Hanification': Uyghur Children Cut off from Their Roots", *Bitter Winter*, 23 March 2019.

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 her if she was sick, she just shook her head.” Gulina only appeared to be happy on the days before she left the school to visit her parents.

Contrary to the CCP’s claims that boarding schools are able to educate students and make them 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, lack of motivation as well as emotional distress often cause 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>126</sup>

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 knowledge of their own language and culture. Even nurseries are known to take children between the ages of 0 and 2 years old.

In 2019, The New York Times received the testimony of a Chinese language teacher, Kang Jide, who witnessed the school he taught at being transformed into a full-time boarding school for Uyghur children whose parents had either been imprisoned. He explained that many children never received family visits and even remained on campus during the holidays as they had no one at home to visit. In regards to one of his Uyghur students, a first grade female student whose mother was in detention and whose father has already passed away, he wrote the following:

“The most heartbreaking thing is that the girl is often slumped over on the table alone and crying. When I asked around, I heard that it was because she missed her mother. Sometimes, when they hear the voice [of their detained parents] on the other end of the call, the children will start crying and they hide in a corner because they don’t want me to see. It’s not just the children; the parents on the other end also miss their children of course, so much so that it breaks their hearts and they’re trembling.”<sup>127</sup>

In another noteworthy incident, in October 2020, two Uyghur high school students who were sent to a location in Aksu prefecture, Xinjiang, and who were forced to pick cotton as part of their program died in a dormitory fire. The victims, 16-year-old Nabijan Rozi and another

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<sup>126</sup> *ibid.*

<sup>127</sup> Amy Qin, “In China’s Crackdown on Muslims, Children Have Not Been Spared”, *The New York Times*, 28 December 2019.

unnamed male teenage student, were killed when a fire broke out in their dorm building and quickly spread. Four other Uyghurs were injured as a result of the fire. Rozi's father, who is currently imprisoned in one of Xinjiang's concentration camps, was never informed about his son's untimely death. His mother, however, was informed and subsequently visited by authorities from the Bureau of Education, the Women's Union, and the United Front who acted as "companions" to the grieving family and conducted "'ideological work' to control the family's response and ensure that the news did not spread widely."

"One village cadre suggested that the authorities' silence was motivated by their knowledge that parents were already upset about their children being sent off to labor in Aksu. They were reportedly worried that this incident would become material for 'negative propaganda' if they were to notify the public of the incident and subsequent deaths."<sup>128</sup>

#### *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 for escape. 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>129</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 predominantly Kazakh, Uzbek, and Uyghur neighborhood. Nurzat explained that his neighborhood is reminiscent of his own back in

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<sup>128</sup> Radio Free Asia, "[Two Uyghur Students Dead, Four Injured in Fire at Forced Labor Scheme Dorm](#)", 18 February 2021.

<sup>129</sup> Joanna Kakissis, "['Somewhere Like Home': Uighur Kids Find A Haven At Boarding School In Turkey](#)", *NPR*, 15 March 2020.

Xinjiang, and that he feels more at piece 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>130</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>131</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 they are orphans in a foreign country without a family to return to.<sup>132</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>133</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 nation of intolerance for these persecuted 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 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 vacations. Interestingly, justifications by government officials for leveraging such blatant repression of religious and educational

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<sup>130</sup> *ibid.*

<sup>131</sup> *ibid.*

<sup>132</sup> Durrie Bouscaren, "In Turkey, a boarding school cares for Uighur children separated from their parents", *The World*, 20 November 2019.

<sup>133</sup> Bethan McKernan, "I miss my homeland': fearful Uighurs celebrate Eid in exile in Turkey", *The Guardian*, 24 May 2020.



freedom as well as cultural identity are that similar regulations had been implemented throughout Uyghur communities in Xinjiang.<sup>134</sup>

In 2018, the Nangchen County Party Committee United Front Department issued a set of regulations to crackdown on Tibetan Buddhist education, notably that which was taught 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>135</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>136</sup> The Nangchen regulations also prohibit all educational classes held by monasteries “who follow their own wishes and do not listen to advice.” They assert that the ideological education of parents and children “must be improved, so as to reduce the strength of opposition in society.”<sup>137</sup>

The Nangchen regulations mark the first direct regulation document from the Communist Party’s United Front Work Department towards Tibetan Buddhism for the purpose of repressing religious freedom, whereas in other regions directives had been issued primarily by schools or education bureaus under the pressure of superior Party officials.<sup>138</sup> In May 2017, Jebumgang Primary School in Lhasa, Tibet, issued a notice to students’ parents in which they requested that parents disallow their children to take part in “superstitious or religious activity.”<sup>139</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

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<sup>134</sup> Tibetan Review, “China cites education law to ban Tibetan children from religious devotion”, 26 July 2018.

<sup>135</sup> F Dept document no.121 (2018), Nangchen County Party Committee United Front Department.

<sup>136</sup> Human Rights Watch, “China: Tibetan Children Banned from Classes”, 30 January 2019.

<sup>137</sup> *ibid.*

<sup>138</sup> *ibid.*

<sup>139</sup> *ibid.*

bureau.” Similar notices and regulations have been issued by myriad schools throughout Tibet.<sup>140</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>141</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>142</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>143</sup>

Tibet Watch and Free Tibet 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 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>144</sup>

In Xi’an, the Chanba No. 1 Middle School is undertaking a CCP program titled “assistance partnership to the Tibet Autonomous Region”, through which Tibetan children and adolescents attend boarding school where they live for the duration of the time except weekends and where they regularly watch patriotic Chinese films. Each Tibetan student is assigned a local Han family tasked with “pay[ing] attention to students’ spiritual growth” and educating them about the “correct” way of life. The Han families are strictly prohibited from speaking about Tibetan Buddhism with the students, and any mention of the spiritual practice at school is forbidden.<sup>145</sup>

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<sup>140</sup> *ibid.*

<sup>141</sup> *ibid.*

<sup>142</sup> Ben Halder, “China Weaponizes Education to Control Tibet”, *Ozy*, 15 October 2019.

<sup>143</sup> *ibid.*

<sup>144</sup> Free Tibet and Tibet Watch, *Growing up under China’s occupation: the plight of Tibet’s children*.

<sup>145</sup> Yuan Wei, “Tibetan Youth ‘Sinicized’ Through Education”, *Bitter Winter*, 15 September 2020.

*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>146</sup> Reports show that 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>147</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.

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>148</sup>

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<sup>146</sup> Human Rights Watch, *China’s “Bilingual Education” Policy in Tibet*, March 2020.

<sup>147</sup> *ibid.*

<sup>148</sup> *ibid.*

A 2017 documentary about a Shanghai high school for Tibetans revealed the reality that Chinese language classes are often complemented by “political thinking courses, 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 Mandarin to young Tibetan children] succeeds, it is not difficult to foresee that Tibetan religion, culture, consciousness and identity will become Sinicized.”<sup>149</sup>

*iii. Tibetan Buddhist teenagers are arbitrarily detained and tortured for their or their parents’ religious and political 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 participate in “re-education through labor” (劳教).<sup>150</sup> In the overwhelming majority of the cases, children’s rights 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.

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 – the highest Tibetan Buddhist spiritual figure – and releasing religious and political prisoners of conscience.<sup>151</sup> Not even ten minutes into her protest, she was swiftly arrested by Chinese authorities and placed in detention, where she wasn’t allowed to contact her family members

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<sup>149</sup> *ibid.*

<sup>150</sup> Free Tibet & Tibet Watch, *Growing up under China: occupation: the plight of Tibet’s children.*

<sup>151</sup> *ibid.*

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. Similarly 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; she was then transported to an official prison where she was imprisoned for a year and a half until her sudden release in September 2009. Reflecting 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>152</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 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 injuries as well.<sup>153</sup>

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<sup>152</sup> *ibid.*

<sup>153</sup> *ibid.*

According to International Campaign for Tibet, 156 Tibetans have self-immolated since 2009, 26 (17%) of whom were 18 years or younger.<sup>154</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>155</sup>

Dorjee Kyab – 16 – engaged in self-immolation while calling for the return of the Dalai Lama and calling for Tibetan independence; survived<sup>156</sup>

Samdrup – 16 – engaged in self-immolation with Dorjee Kyab and Dorjee; survived<sup>157</sup>

Dorjee – 15 – engaged in self-immolation with Dorjee Kyab and Samdrup; deceased<sup>158</sup>

Sungdue Kyab – 17 – father of two-year-old child survived self-immolation but had both legs amputated<sup>159</sup>

Wangchen Kyi – 17 – self-immolated while calling for “the long life of the Dalai Lama and of the Tibetan people”; deceased<sup>160</sup>

Rinchen – 17 – engaged in self-immolation “in protest against the Chinese government in Dzoegé 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>161</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 11th 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

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<sup>154</sup> International Campaign for Tibet, [Self-Immolation Fact Sheet](#), 2 December 2019.

<sup>155</sup> International Campaign for Tibet, [“Two Tibetan teenage relatives self-immolate in Ngaba”](#), 28 August 2012.

<sup>156</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>157</sup> *ibid.*

<sup>158</sup> *ibid.*

<sup>159</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>160</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>161</sup> Radio Free Asia, [“Tibetan Teenager Stages Self-Immolation Protest in Gansu”](#), 7 May 2017.

India.”<sup>162</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.

The Chinese government has taken the liberty of choosing a new 11th Panchen Lama, Gyaltsen Norbu, further interfering with the cultural and religious self-determination of Tibetan Buddhism.

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 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 Buddhist community.

## 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 practitioners are arbitrarily arrested and, similar to Uyghurs, are often 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 and religious freedom activist Gao Zhisheng – who is currently under enforced disappearance – that children of Falun Gong practitioners have had to maintain their families’ spiritual affiliation as 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>163</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 that a girl she had considered her best friend had shown up to class one day and teased that “Yisha’s

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<sup>162</sup> BBC News, “[Is this the face of a man held captive since the age of six?](#)”, 27 April 2019.

<sup>163</sup> Falun Dafa Information Center, “[Persecution of family and children](#)”.

Gao Zhisheng, [Open Letter to the United States Congress](#), 12 September 2007.

mom should be arrested.”<sup>164</sup> She also explains that in the 5th 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 the belief she would be interrogated and face punishment, left the question blank, at which point a classmate told her: “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 started. When her boarding school classmates found out about her and her family’s affiliation with Falun Gong, they had begun to bully her relentlessly, and even tried to convince her to commit suicide:

“I went to a private middle school, so I lived in a dorm room. We were on the 8th 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>165</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.

Serena, the daughter of a Falun Gong practitioner, was persecuted at school following her return from a trip with her parents to make an appeal calling for the release of all Falun Gong peaceful practitioners from prison. They participated in what is remembered as the April 25 Incident of 1999, when Falun Gong practitioners 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>166</sup> Serena was forced to sing patriotic and anti-Falun Gong songs in her school choir.

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<sup>164</sup> Friends of Falun Gong, “[Yisha’s Story: I Hid My Tears to Keep My Mom’s Arrest Secret](#)”, 30 January 2018.

<sup>165</sup> Friends of Falun Gong, “[Vivian’s Story: The Persecution Turned My Friends into Bullies](#)”, 3 January 2018.

<sup>166</sup> Friends of Falun Gong, “[Serena’s Story: The Chinese Regime Labeled Me ‘anti-government’ in 3rd Grade](#)”, 15 December 2017.



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 with Party officials, she was asked about her opinions toward Falun Gong; being a young practitioner herself, she responded that she felt that the Falun Gong 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 permanent file. Lori explains that every Chinese citizen has a 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>167</sup> After much begging on her mother’s part, the city officials decided to refrain from placing the complaint in her lifetime file.

Danshan was an elementary student when her mother was initially detained in 2000. Throughout the next few years, Danshan’s 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 – who was likely under instruction by Party officials – 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 to clean the classrooms alone, and she eventually escaped to safety to the United States in 2012, where she has remained since.<sup>168</sup>

*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. 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>169</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>170</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.

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<sup>167</sup> Friends of Falun Gong, “[Lori’s Story: Brainwashing in China’s Schools](#)”, 29 June 2019.

<sup>168</sup> Friends of Falun Gong, “[Danshan’s Story: For Years, Mother Suffered in a Labor Camp](#)”, 11 February 2017.

<sup>169</sup> Falun Dafa Information Center, “[Persecution of family and children](#)”.

<sup>170</sup> Gao Zhisheng, [Open Letter to the United States Congress](#), 12 September 2007.

Yisha describes the terror she felt as a child at the onset of the Falun Gong persecution in 1999, constantly fearing that her 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>171</sup>

Living her entire child and adolescence in fear that her mother would be arbitrarily detained, her worries came to fruition when Yisha was about 17 or 18 years old and preparing to take 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.

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>172</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>173</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>174</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>175</sup>

## E. The Convention

It is evident from the above information and testimonies that the People’s Republic of China is failing to meet its obligations under the Convention on the Rights of the Child listed in the following articles:<sup>176</sup>

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<sup>171</sup> Friends of Falun Gong, “[Yisha’s Story: I Hid My Tears to Keep My Mom’s Arrest Secret](#)”, 30 January 2018.

<sup>172</sup> Refugee Review Tribunal Australia, [RRT Research Response Number CHN31384](#), 19 February 2007.

<sup>173</sup> *ibid.*

<sup>174</sup> *ibid.*

<sup>175</sup> *ibid.*

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

<sup>176</sup> UN General Assembly, [Convention on the Rights of the Child](#), 20 November 1989, United Nations, Treaty Series, vol. 1577.

#### 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.

#### 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.

## **VIII. The respondent is purposefully and willfully spreading socialist and anti-religious propaganda and making inflammatory remarks about religion, all while denying the extent of religious persecution to the outside world.**

### **A. Remarks and written statements made by internal government officials and agencies (within China) have exhibited an anti-religion sentiment.**

In March 2019, China's National People's Congress and the Chinese People's Political Consultative Conference (CPPCC) held their annual 'Two Sessions' in the capital to discuss the Chinese Community Party's policy plans for the year. One major theme of this event was the necessity to "persist in the Party's leadership over religion", "persist in advancing the process of Sinicization [alternatively, 'Chinafication'] of religion", and to "guide religious community to teach religion in accordance with the National Constitution, laws and regulations"<sup>177</sup> 要坚持党对宗教工作的领导... 要充分发挥宗教界人士在推进我国宗教中国化进程中的重要作用... 引导宗教界人士对宗教教义作出符合国家宪法法律法规。<sup>178</sup> The statements and themes of this event are reminiscent of President Xi Jinping's speech from 2016 in which he stressed the following:

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<sup>177</sup> John Dotson, "Propaganda Themes at the CPPCC Stress the 'Sinicization' of Religion", *The Jamestown Foundation*, 9 April 2019.

<sup>178</sup> 新华社, "尤权: 坚持党对宗教工作的领导, 持续推进我国宗教中国化", 中共中央统一战线工作部, 2019年3月20日。  
(translation: Xinhua News Agency, "You Quan: Adhere to the party's leadership of religious work and promote the sinicization of religion in our country", *The United Front Work Department of the CPC Central Committee*, 20 March 2019.

“In line with the reality of religious work, we will continue to enrich and develop socialist religious theories with Chinese characteristics to better guide our country’s religious work practice. An important task for actively guiding religions to adapt to the socialist society is to support our religions in adhering to the direction of sinicization.”<sup>179</sup>

“To handle our country’s religious relations, we must firmly grasp the fundamentals of upholding the party’s leadership, consolidating the party’s ruling position, and strengthening the party’s ruling foundation. We must adhere to the separation of state and religion, insist that religions must not interfere with the implementation of state functions such as administration, justice, and education, and adhere to the government’s laws and regulations. It is necessary to...protect the legitimate rights and interests of religious believers.”<sup>180</sup>

“It is necessary to extensively publicize the party’s theory, principles and policies on religious issues, publicize laws and regulations related to religion, and strengthen public opinion guidance on religious issues.... Communists must be firm Marxist atheists, strictly abide by the party constitution, firm up their ideals and beliefs, keep in mind the party’s purpose, and must never find their own values and beliefs in religion.”<sup>181</sup>

In the same speech that President Xi stresses the importance of religious freedoms and rights for Chinese citizens, he also calls for government jurisdiction over religion, lays out various rules that must be taken in regard to religious manifestation, prohibits religion among Chinese leadership and education, and overall characterizes religion as having a negative impact on the unity and morality of the people and the nation. It is obvious in the statements made by the highest leader of the Chinese Communist Party that the country has enforced a comprehensive policy to undermine religion.

In 2011, a notice issued by the United Front Work Department of the Central Committee of the Communist Party of China and the Ministry of Education included the following remarks:

“Relevant agencies and departments and institutes of higher education in all areas have all conscientiously implemented and carried out the Party Central Committee’s requests, have adhered to the Party’s leadership over institutes of higher education and have adhered to the principle of separations of education and religion. They have remained committed to strengthening and improving the ideological and political education of university students, actively guiding university students to correctly understand and handle religious issues, strictly managing the ideological and cultural

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<sup>179</sup> 新华社, “习近平: 全面提高新形势下宗教工作水平”, 2016年4月23日。 (translation: Xinhua News Agency, “Xi Jinping: Comprehensively improve the level of religious work in the new situation”, 23 April 2016.)

<sup>180</sup> *ibid.*

<sup>181</sup> *ibid.*

battlefields at institutes of higher education and handling according to law foreign use of religion to infiltrate institutes of higher education and campus evangelism.”<sup>182</sup>

“Foreign hostile forces have put even greater emphasis on using religion to infiltrate China to carry out their political plot to westernize and divide China. Foreign forces regard institutes of higher education as key targets for using religion, Christianity in particular, for infiltration. Under the guise of donating funds for education, academic exchanges, studying and teaching in China, extracurricular activities, training, student aid, etc., they market their political ideas and values, roping students into becoming religious believers. Their infiltration activities are growing, their methods of infiltration are diverse, and the intensity of infiltration is increasing.”<sup>183</sup>

As exemplified in the above excerpts, China views religion – and Christianity specifically – as a threat to the atheist and Marxist ideologies that it promotes. The notice makes baseless claims that religious activism and advocacy in China, in particular, missionary work from foreign residents, equates to attempts to destabilize and ruin the nation rather than to spread the good will of Christianity. They further make another unfounded claim that missionary work and on-campus evangelism serve the purpose of forcing Chinese students to follow religion, rather than peacefully promoting religious affiliation. The Communist Party’s official newspaper, *People’s Daily*, in one of its issues in 2017 in regard to Christianity and Buddhism stated that “superstition is thought pollution and spiritual anesthesia that cannot be underestimated and must be thoroughly purged.”<sup>184</sup> Also in 2017, chairman of Huangjinbu’s People’s Congress stated:

“Many poor households have plunged into poverty because of illness in the family. Some resorted to believing in Jesus to cure their illnesses. But we tried to tell them that getting ill is a physical thing and that the people who can really help them are the Communist Party and General Secretary Xi. Many rural people are ignorant. They think God is their saviour...After our cadres’ works, they’ll realise their mistakes and think: we should no longer rely on Jesus, but on the party for help.”<sup>185</sup>

In March 2019, Xu Xiaohong, head of the National Committee of the Three-Self Patriotic Movement of the Protestant Churches in China, stated:

“Anti-China forces in the West are trying to continue to influence China’s social stability and even subvert our country’s political power through Christianity, and it is doomed to fail. For individual black sheep who, under the banner of Christianity, practice in subverting national security, we firmly support the country to bring them to justice. Only

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<sup>182</sup> Washington Post, “China urges universities to guard against foreigners”, 2012.

<sup>183</sup> *ibid.*

<sup>184</sup> Reuters, “Chinese state mouthpiece links ‘superstitious’ religious practices to string of Communist Party corruption scandals”, 12 October 2017.

<sup>185</sup> Nectar Gan, “Want to escape poverty? Replace pictures of Jesus with Xi Jinping. Christian villagers urged”, *South China Morning Post*, 14 November 2017.

by continually drawing on the fine traditions of Chinese culture, can China's Christianity be rooted in the fertile soil of Chinese culture and become a religion recognized by the Chinese themselves.”<sup>186</sup>

In the 1997 *White Paper – Freedom of Religious Belief in China*, which was released during the onset of major state-sponsored religious persecution, and which responded to Uyghur separatist activity in Xinjiang and a few notable terrorist attacks carried out by Uyghur radicals, the Chinese government makes the claim that it intends to prosecute only those individuals who have engaged in religious extremism and terrorism. However, that does not account for the fact that in 2014, nearly 20 years later, it embarked on a “Strike Hard” campaign to predictively police peaceful Uyghurs and imprison such individuals without them having committed crimes or engaged in religious extremism, all under the guise of protecting public security. While it is true that there are some anomaly cases of Uyghur individuals engaging in extremist activity in the past, this does not justify the Chinese government's omnipresent crackdown on virtually an entire ethno-religious minority group; nor does it justify its generalization that such individuals are predisposed to extremism and terrorism. See below the statements made in the 1997 paper:

“Nevertheless, since the 1980s some pernicious organizations have sprung up in certain areas of China, which engage in illegal and even criminal activities under the signboard of religion. Some of the heads of these pseudo-religions distort religious doctrines, create heresies, deceive the masses, refuse to obey the State's laws and decrees, and incite people to overthrow the government. Some pretend to be supernatural beings, and have killed or injured people; others organize promiscuity, or defraud people of money or property. They are a serious danger to the normal life and productive activities of the people. The broad masses of the people and personages of the religious circles detest this phenomenon, and so, in order to safeguard the public interest and the sanctity of the law, and to better protect the people's right to freedom of religious belief and normal religious activities, China's judicial organs punish law-breakers and criminals who severely endanger the society and the public interest in accordance with the law. The punishment of criminals by China's judicial organs in accordance with the law has nothing to do with religious belief. No one in China is punished because of his or her religious belief. But no country that practices the rule of law in the world today would tolerate illegal and criminal activities being carried out under the banner of religion.”<sup>187</sup>

In 2018, Behtiyar Ablimit, a committee member of the Chinese Communist Party in Poskan County, Xinjiang, criticized Uyghur religious traditions and rites as precursors to extremism (without any evidence of such claims), denied the validity and morality of such traditions, demanded a return to secularism of these customs, and effectively contradicted the

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<sup>186</sup> Ben Blanchard, “China official says West using Christianity to ‘subvert’ power”, *Reuters*, 11 March 2019.

<sup>187</sup> Embassy of the People's Republic of China in the United States of America, *White Paper – Freedom of Religious Belief in China*, October 1997.

government's repeated claims that religious and cultural traditions are treated with utmost respect:

“Weddings, funerals, naming, and circumcision are referred to as the ‘four activities’. They are an important part of Uyghur customs and ethnic customs. They are also important occasions that are easily used and manipulated by religious extremist forces. In recent years, with the infiltration and spread of religious extremism, more and more unimaginable so-called ‘religious doctrines’ and unheard ‘customs and customs’ have been mixed into the ‘four activities’ to deceive and confuse the masses...”

“Is it possible to live together and live a happy life by saying ‘Nika’ to get married? Can a funeral be presided over by religious figures to recite scriptures to enter the so-called ‘paradise’? Is it really good for a child to grow up in the future by choosing a name from the Qur’an and letting religious people recite it? As a result, can children become people who are useful to the country and society, and will they be able to honor their ancestors?”

“The practice of reciting ‘Nikka’ at marriage, chanting by name, and chanting at funerals are Muslim religious customs, not Uyghur ethnic customs. Uyghurs are not the same as Muslims, and not all Uyghurs believe in Islam, especially party members. Public officials and students of the state are atheists. They should draw a clear line from all religious activities, and stand clear and firm in the face of big right and wrong, and set an example among the masses.”<sup>188</sup>

In 2019, the public leak of some 400 internal Chinese government documents, collectively titled *The Xinjiang Papers*, explained methods to carry out the predictive policing and mass arbitrary detention of Uyghur Muslims – many of whom are not criminals – as well as how to pacify family members of such detainees. The New York Times reveals that there are some inflammatory remarks included in *The Xinjiang Papers*:

“The guide recommended increasingly firm replies telling the students that their relatives had been ‘infected’ by the ‘virus’ of Islamic radicalism and must be quarantined and cured. Even grandparents and family members who seemed too old to carry out violence could not be spared, officials were directed to say.”

“‘If they don’t undergo study and training, they’ll never thoroughly and fully understand the dangers of religious extremism,’ one answer said, citing the civil war in Syria and the rise of the Islamic State. ‘No matter what age, anyone who has been infected with religious extremism must undergo study.’”

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<sup>188</sup> Asim Kashgarian, “Uighur Couple, Official’s Article Confirm China’s Ban on Islamic Marriage Vow”, *Voice of America*, 1 October 2020.

泽普零距离, “【发声亮剑】以“四项活动”为契机,破除宗教“枷锁”,推进移风易俗”, 2018年12月21日。(translation: Zep Zero Distance, “[Sounding Bright Sword] Taking the ‘four activities’ as an opportunity to break religious ‘yokes’ and promote changes in customs”, 21 October 2018.



“The line that stands out most in the script, however, may be the model answer for how to respond to students who ask of their detained relatives, ‘Did they commit a crime?’ The document instructed officials to acknowledge that they had not. ‘It is just that their thinking has been infected by unhealthy thoughts,’ the script said. ‘Freedom is only possible when this virus in their thinking is eradicated and they are in good health.’”<sup>189</sup>

The above written and verbal statements made by CCP government officials, including President Xi himself, along with other influential leaders in China, makes it abundantly obvious that those that lead China hold overt anti-religious views, and that it takes it upon their own agency to disrupt and restructure religion and, in the process, persecute believers. Law professors Zhang Qianfan and Zhu Yingping, J.S.D., explain:

“This antireligious stance opens doors to local officials’ heedless contempt for, rough treatment of, and misuse of power against religions, contributing to the deterioration of religious and ethnic relations.”<sup>190</sup>

## **B. The government publishes and disseminates harmful or untrue propaganda.**

Merriam-Webster defines propaganda as “ideas, facts, or allegations spread deliberately to further one’s cause or to damage an opposing cause.”<sup>191</sup> In combination with the restrictions that Chinese citizens face in regard to the manifestation of religious belief, they are exposed to countless pieces of propaganda that misrepresent faith, promote atheism, and/or discourage them from participating in religion.

### ***i. The government promotes internal (within China) propaganda that misrepresents or insults religion, and spreads political and socialist propaganda at religious sites.***

In Shandong Province, multiple local Christian churches were forced to display propaganda posters that included Bible verses falsified to emphasize core socialist ideals. The concept of democracy was correlated to Proverbs 15:22: “without counsel purposes are disappointed: but in the multitude of counselors they are established.” The concept of civility was correlated to James 3:17: “But the wisdom that is from above is first pure, then peaceable, gentle, and easy to be entreated, full of mercy and good fruits, without partiality, and without hypocrisy.” The concept of freedom was correlated to Galatians 5:13: “For, brothers, you have been called to liberty; only use not liberty for an occasion to the flesh, but by love serve one another.” And the concept of rule of law was correlated to Matthew 5:17: “Think not that I am come to destroy

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<sup>189</sup> Austin Ramzy & Chris Buckley, “‘Absolutely No Mercy’: Leaked Files Expose How China Organized Mass Detentions of Muslims”, *The New York Times*, 16 November 2019.

<sup>190</sup> Zhang Qianfan & Zhu Yingping, J.S.D., “Religious Freedom and Its Legal Restrictions in China”, *BYU Law Review* 783 (2011).

<sup>191</sup> Merriam-Webster, “propaganda”.

the law, or the prophets: I am not come to destroy, but to fulfill.”<sup>192</sup> In another attempt to draw fallacious connections between Christianity and socialism, a pamphlet titled *Theological Interpretation of the Core Socialist Values* was published by the Office of Theology of the Catholic Archdiocese of Beijing.

In Chengdongbu Village, Shandong Province, the Buddhist statue titled *Holy Spring Guanyin* was ordered to be demolished by the local Communist Party in order to stop the promotion of “feudal or superstitious” religious activities. After village community members refused the order, they decided that, in order to prevent inevitable punishment from the Party – they would have to take action. As a result, they decided that to appease the Party, they would replace the head of the statue – which represented Guanyin – with the head of Confucius.<sup>193</sup> In Qinhuangdao, Hebei Province, a Buddhist temple was instructed to put up a large screen which would broadcast Xi Jinping’s speech at the 19th CCP National Congress.<sup>194</sup>

In Luoning County, Henan Province, government authorities ordered a church to remove its wall display of the Ten Commandments and replace it with a new list of only nine of the original Ten Commandments, the missing commandment being “you shall have no other gods before me.”<sup>195</sup> In Shanxi Province’s Hongdong Province, a Sunday school for kids was forced by government authorities to alter its religious teaching curriculum to exclude all mentions of God; the only remaining original commandments were “you shall not kill,” “you shall not commit adultery”, and “you shall not steal.”<sup>196</sup> In Luoyang City, Henan Province, a church’s Ten Commandments posters were torn down from the walls and replaced with quotes by Xi Jinping, such as one of his statements at a Central United Front Work Department meeting in 2015: “The core socialist values and Chinese culture will help to immerse various religions of China. Support religious community in interpreting thought, doctrines, and teachings in a way that conforms with the needs of the progress of the times.”<sup>197</sup>

In Ji’an, Jiangxi Province, local government officials painted over the name of a Catholic church and replaced it with the phrase, “Follow the Party, Obey the Party, and Be Grateful to the Party.” In addition, authorities raised the Chinese flag, removed a madonna of the Virgin Mary on the walls of the interior, and hung pictures of Xi Jinping.<sup>198</sup> Outside of St. Joseph’s Cathedral in Fuzhou, government officials erected signs with CCP slogans and Confucius teachings. At universities across China, brochures printed with anti-religious themes are distributed to students.<sup>199</sup> At primary schools, signs reading “advocate science, oppose *xie jiao*” are posted on the sides of classroom buildings.<sup>200</sup>

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<sup>192</sup> Xin Lu, “‘Sinicizing’ the Bible: Jesus, Apparently, Was a Socialist”, *Bitter Winter*, 18 June 2019.

<sup>193</sup> Li Mingxuan, “‘Sinicization’ Folly: Confucius Head on a Buddhist Statue”, *Bitter Winter*, 2 May 2019.

<sup>194</sup> Li Guang, “Xi Jinping Thought Invades Religious Venues”, *Bitter Winter*, 18 October 2019.

<sup>195</sup> Jiang Tao, “In China, Moses Delivers Only Nine Commandments”, *Bitter Winter*, 28 December 2018.

<sup>196</sup> Feng Gang, “Shanxi Authorities Censor Sunday School Content”, *Bitter Winter*, 26 November 2018.

<sup>197</sup> Tang Feng, “Xi Jinping’s Quotes Replace the Ten Commandments in Churches”, *Bitter Winter*, 14 September 2019.

<sup>198</sup> Tang Zhe, “Xi Jinping Portraits Replace Catholic Symbols in Churches”, *Bitter Winter*, 25 November 2019.

<sup>199</sup> Jiang Tao, “‘Religious Bans’ Sweep Across Universities”, *Bitter Winter*, 10 January 2019.

<sup>200</sup> Wang Yichi, “Want an Atheist Generation? Start from an Early Age”, *Bitter Winter*, 29 April 2019.

In 2020, it was revealed that the Chinese Communist Party would be engaging in a country-wide program to rewrite religious texts in order to make them compatible with socialist ideals. In a 2019 meeting held by the Committee for Ethnic and Religious Affairs, Chairman of the Chinese People's Political Consultative Conference Wang Yang discussed "making accurate and authoritative interpretations of classical doctrines to keep pace with the times."<sup>201</sup> It is estimated that such a process of translation and re-interpretation may take years, but already some school textbooks have been rewritten to misrepresent Christianity. The CCP-run University of Electronic Science and Technology Press released a textbook that completely fabricates a scene from John 8:3 -11 by stating the following:

"The crowd wanted to stone the woman to death as per their law. But Jesus said, 'Let the one who has never sinned throw the first stone.' Hearing this, they slipped away one by one. When the crowd disappeared, Jesus stoned the sinner to death, saying 'I too am a sinner, But if the law could only be executed by men without blemish, the law would be dead.'"<sup>202</sup>

The actual account of John 8:3 -11 is that when the crowd dispersed, Jesus asks the woman, "Woman, where are they? Has no one condemned you? Then neither do I condemn you. Go now and leave your life of sin."<sup>203</sup> It is important to note that the Bible is not the sole religious text that is in the process of being rewritten, but also the Qur'an, the primary text of Islam revered by Xinjiang's Muslim communities, including the Uyghurs.

Uyghurs themselves have also become the topic of China's internal propaganda. Near a mosque in Kashgar Prefecture, Xinjiang, murals depict Uyghurs engaging in illegal, or 'morally corrupt' activities, such as accessing the internet to download prohibited material, installing private satellite receivers, wearing veils, reading the Qur'an, and engaging in Muslim worship. In some of these images, 'bad' Uyghurs are depicted in black and grey colors, while 'good' Uyghurs who wear Chinese traditional clothing and study the Party's statements are shown in vivid color and with doves surrounding them. One distressing mural shows group of 'bad' Uyghur men being run over by a red tractor.<sup>204</sup>

Even once an individual of religious background is captured, detained, and imprisoned for their faith, they are still subject to daily propaganda. In a video that went viral on the internet in August 2020, a Uyghur man by the name of Merdan Ghappar films his life in a Xinjiang detention camp. Shackled to his bed, he is unable to move about the premises, and in the

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<sup>201</sup> Matthew Taylor King, "[The Gospel According to Xi](#)", *Wall Street Journal*, 4 June 2020.

Ryan Fahey, "[China will rewrite the Bible and the Quran to 'reflect socialist values' amid crackdown on Muslim Uighur minority](#)", *Daily Mail*, 24 December 2019.

<sup>202</sup> Massimo Introvigne, "[CCP Rewriting The Gospel: Jesus Actually 'Killed' The Woman Taken in Adultery](#)", *Bitter Winter*, 24 September 2020.

Union of Catholic Asian News (UCA News), "[Chinese Catholics angry over book claiming Jesus killed sinner](#)", 22 September 2020.

<sup>203</sup> New International Version, [John 8:3-11](#).

<sup>204</sup> BBC News, "[The colourful propaganda of Xinjiang](#)", 12 January 2015.

distance, you can hear the speakers chanting about “the uprightness and purity of Party conduct” and that China’s people must “love China and strive to be the vanguard.”<sup>205</sup>

In *Qiushi* magazine, a 2013 statement by Tibet’s former Chinese Communist Party Secretary Chen Quanguo explains that Tibetan Buddhism is often interwoven with hopes and actions of separatism. While it is true that many Tibetan residents strive for an independent and free Tibet, Chen classifies these individuals as harmful to society and to China’s predominant ideology, and he emphasizes a need for ideological propaganda [note: translated from Mandarin]:

“As an ethnic border region, Tibet is at the forefront of the anti-separatist struggle. At present, the exchanges, mingling and contestation among various ideology and culture have become more frequent, in particular, the hostile forces have colluded with the clique of the fourteenth Dalai Lama, and have considered Tibet as a key area for infiltration and separatist activities and as the main battlefield for sabotaging and causing disturbances....”

“We should establish a contingent of propaganda, ideology and culture, who are loyal to the Party, to the motherland and to the people. We should strengthen the training for cadres for propaganda, ideology and culture, appointing a full-time propaganda committee member for each town. We should put forth an effort to train a group of excellent propaganda cadres, who are politically reliable and who are in complete mastery of their professional work.”<sup>206</sup>

***ii. The government promotes external (outside of China) propaganda and lies to the world about the situation of religious communities in China.***

In response to being questioned at the UN Committee on the Elimination of Racial Discrimination Review about the mass surveillance and detention procedures that are taking place against the Uyghurs in Xinjiang, the Deputy Director of the United Front Work Department’s Xinjiang Bureau, Hu Lianhe, stated that “[t]here is no such thing as re-education centres in Xinjiang.” Rather, “criminals involved in minor offenses” were “assigned to vocational education and employment training centres.”<sup>207</sup>

In 2019, China’s Two State Council Information Office (SCIO), sometimes referred to as the External Propaganda Office, released white papers claiming that CCP policies and programs “remove the malignant tumor of terrorism and extremism that threatens people’s lives and

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<sup>205</sup> Nathan Vanderklippe, “Inside a Uyghur’s ‘quarantine’ room: Video shows shackles, filthy conditions and propaganda”, *The Globe and Mail*, 4 August 2020.

<sup>206</sup> High Peaks Pure Earth, “TAR Party Secretary Chen Quanguo on New Propaganda and Control of Social Media Strategy” [translation], 11 November 2013.

<sup>207</sup> Uyghur Human Rights Project (UHRP), “The Happiest Muslims in the World”, July 2020.

security” and “have prevent[ed] any violation of human rights cause by counterterrorist measures.”<sup>208</sup>

Deputy Director of the XUAR [Xinjiang Uyghur Autonomous Region] Party Committee Foreign Propaganda Bureau, Gheyret Saliyup, claimed that “the happiest Muslims in the world live in Xinjiang” and that radical Uyghur extremists “coordinat[e] with hostile Western forces to wantonly spread rumors, misrepresent, vilify and besmirch Xinjiang in the overseas media.”<sup>209</sup>

At a UN Human Rights Council side event in 2019, Ambassador and Permanent Representative of the People’s Republic of China to the United Nations Office at Geneva, Chen Xu, said that those who condemn China’s human rights record have a “hidden political agenda.” According to Uyghur Human Rights Project (UHRP):

“Visitors have been taken to a select few camps that have been refitted to appear less like prisons than previously. In several instances, watchtowers and razor wire fences were removed from the exterior of designated buildings to make camps appear less menacing months prior to scheduled international visits. For example, at one facility in Kashgar which has been used for tours and appeared in a number of propaganda videos, temporary mats for basketball courts were placed on concrete areas normally inaccessible to detainees in October 2018 before a visit by Global Times editor Hu Xijin later that month. Videos taken by the BBC and Al Jazeera show Uyghur ‘trainees’ engaging in vocational training and cultural activities such as Uyghur dance and music. Using images of smiling internees and footage of Uyghurs, confessing that they have turned away from extremist habits due to ‘vocational training,’ the authorities have created misleading visual images of the true conditions inside the camps.”<sup>210</sup>

In response to the trending hashtag #StillNoInfo which gained traction following Xinjiang Governor Shohrat Zakir’s claims that Xinjiang’s detention camps are voluntary and educational – without providing evidence of such false claims – China released a propaganda video to attempt to mollify the accusations of human rights violations. This video showcased Uyghur girl Aydidar Kahar, who takes a walk through a mall in Xinjiang, dressed head to toe in expensive luxury brand clothing, and claims that her grandmother Rebiya Kadeer – a renowned Uyghur activist in the United States – has been lying about China. Addressing her grandmother, she stated:

“Isn’t the department store and the subway you just saw an epitome of the dramatic changes in Xinjiang? Grandma, you have been defaming Xinjiang. But contrary to what you said, people in Xinjiang are living a decent life. People are well off. We can buy

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<sup>208</sup> *ibid.*

<sup>209</sup> *ibid.*

<sup>210</sup> *ibid.*

products of international brands. Isn't this the new changes of Xinjiang? Isn't this the beautiful Xinjiang that we have dreamt about?"<sup>211</sup>

Aydidar's sister, Kadirye Keyser, stated:

"Grandma, when you left Xinjiang I was a little girl. Back then, I didn't understand what you had done. Now I am a post-graduate student. I learned about your misdeeds. You constantly accuse the Chinese government of engaging in Uyghur cultural genocide. It's totally untrue. Thanks to the government, my classmates and I are benefiting from the favorable policies. We can neither study nor enjoy the great facilities at the school without the government."<sup>212</sup>

Kahar Abdurehim, the oldest son of Rebiya Kadeer, stated:

"Mom, the religion policy in our country is very good. We can go to the mosques to pray at any time. A heating system is in place for the winter and an air conditioner for the summer. We also have places to wash ourselves. We can come here at any time. It's not what you said. The government never oppresses us. If you don't believe me, you can see it in Xinjiang with your own eyes."<sup>213</sup>

In response to the propaganda videos, Rebiya Kadeer tweeted at the Global Times asking why they have not provided her with any information regarding the other 35 missing and detained members of her family, including her two other sons who were imprisoned for their relation to her.

In July 2020, Ambassador of China to Britain, Liu Xiaoming, stated the following in regard to Xinjiang:

"On issues relating to Xinjiang, there are so many fallacies and lies that permeate the Western media. They can well be called 'the lies of the century'. Moreover, some Western countries have been using Xinjiang-related issues to discredit China and interfere in China's internal affairs. Regrettably, the UK is one of them. I would like to take this opportunity to debunk the lies and let facts be known, so as to show you the real Xinjiang."

"First, Xinjiang-related issues have nothing to do with human rights, ethnic groups or religions, but everything to do with fighting violent terrorism, separatism and extremism.

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<sup>211</sup> Erin Handley, "[Safe and sound? China launches propaganda blitz to discredit Uyghur #StillNoInfo campaign](#)", *ABC News*, 17 January 2020.

Global Times [[Twitter post](#)].

<sup>212</sup> *ibid.*

<sup>213</sup> *ibid.*

In face of such grave situation, the Government of Xinjiang Autonomous Region has struck down upon violent terrorist activities in accordance with law and adopted de-radicalisation measures to address the root causes. These measures have been very effective: there has not been a single terrorist attack for more than three years in a row in Xinjiang, and the basic rights of all ethnic groups, especially the rights to life, health and development, are fully safeguarded. Therefore, these measures have won extensive and heartfelt support from people of all ethnic groups in Xinjiang.”

“These measures have also been an important contribution to the global fight against terrorism, and thus won positive response from the international community. Since the end of 2018, more than 1,000 people in over 70 groups, including officials from the United Nations, members of foreign diplomatic corps in China, permanent representatives to the UN and other international organisations in Geneva, journalists and representatives of faith groups, have visited Xinjiang. They represent over 90 countries. They spoke highly of the counter-terrorism and de-radicalisation measures in Xinjiang, saying that these measures are in line with the purposes and principles of the United Nations in striking down upon terrorism and safeguarding basic human rights, and should be fully recognized and shared with other countries.”<sup>214</sup>

During a July 2020 BBC interview on the Andrew Marr Show, Ambassador Liu Xiaoming was shown drone video footage recorded in Xinjiang depicting hundreds of Uyghur men with their facial hair shaven off, kneeling on the ground with blindfolds and blue prison uniforms, and being shuffled into trains that carry them to various factories throughout the nation for compulsory labor. Below is a transcribed account of the interview, during which Ambassador Liu continues to push the false narrative that there is no situation of persecution or arbitrary detention in Xinjiang:<sup>215</sup>

Marr: Let’s look at some very disturbing drone footage widely shared around the world. (plays video). This is almost certainly over northern China, over Xinjiang. Can you tell us what is happening here?

Amb. Liu: I cannot see this video. You know, this is not the first time you showed me. I remember last year you showed me what is happening in Xinjiang. But, let me tell you this: Xinjiang – have you been to Xinjiang yourself?

Marr: No, I never have.

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<sup>214</sup> Embassy of the People’s Republic of China in the United Kingdom of Great Britain and Northern Ireland, “[Ambassador Liu Xiaoming on issues relating to Xinjiang](#)”, 31 July 2020.

<sup>215</sup> Ministry of Foreign Affairs of the People’s Republic of China, “[Ambassador Liu Xiaoming Gives Exclusive Live Interview on BBC’s Andrew Marr Show](#)”, 20 July 2020.  
BBC News, “[China’s ambassador challenged on treatment of Uighurs](#)”, 19 July 2020.

Amb. Liu: Xinjiang is regarded as the most beautiful place in Xinjiang [here he likely meant to say Xinjiang is the most beautiful place in China]. There's a Chinese saying, you do not know–

Marr: Ambassador, that is not beautiful coverage, is it?

Amb. Liu: You know, Xinjiang is – this is exactly what I'm going to tell you. Since 1990s, Xinjiang has completely changed because of thousands of terrorist attacks–

Marr: Well, that was 10 years ago, Can I ask you, why people are kneeling, blindfolded, and shaven, and being led to trains in modern China? What is going on there?

Amb. Liu: I do not know where you get this video tape. Sometimes you need to transfer prisoners, you know, in any country.

Marr: But just what is happening here, Ambassador?

Amb. Liu: I do not know where you got these video clips.

Marr: These have been going around the world. They've been authenticated by western intelligence agencies and by Australian experts who say these are Uyghur people being pushed on the train and taken off to–

Amb. Liu: Let me tell you this. The so-called Western intelligence keep making up false accusations against China. They said one million or more Uyghur have been persecuted. Do you know how many population Xinjiang has? Forty years ago, it was 4, 5 million. Now it's at 11 million people. And people say we have ethnic cleansing. But the population has doubled in 40 years.

Marr: I'm so sorry to interrupt. But according to your own local government's statistics, the population growth in Uyghur jurisdictions in that area has fallen by 84 percent between 2015 and 2018. 84 percent.

Amb. Liu: That's not right. I give you an official figure. I give you this figure as a Chinese ambassador. This is a very authoritative figure. In the past 40 years, the population in Xinjiang increased to double. So there's no so-called restriction of population and there is no so-called forced abortion, and so on.

Marr: But there is a program of forced sterilization being imposed on Uyghur women at the moment. It's gone on for a long time. And people are finally coming out of China and talking about it. And I've got the witness statement from a woman who's on Newsnight, a brave woman who talked about it openly. You can now watch. Here is somebody who went through the forced sterilization program in China.



Amb. Liu: I can easily refute this accusation. There are some small groups of anti-Chinese people working against the interests of China. But the majority of Xinjiang people are happy with what is going on in Xinjiang. In the past three years, there's no single terrorist attack in Xinjiang. Uyghur people enjoy harmonious life and peaceful, harmonious coexistence with people of other ethnic groups. Uyghur people are just one small portion of the Chinese population and even the Muslims in China. The majority of them are living happily, peacefully and harmoniously with other ethnic groups. We have a very successful ethnic policy. We treat every ethnic group as equal.

Marr: Well, let's listen to her, an individual, a Uyghur woman, who said this recently (video played; Uyghur woman discusses painful forced sterilization in detention center).

Amb. Liu: First of all, there's no so-called pervasive, massive, forced sterilization among Uyghur people in China. This is totally against the truth. Secondly, the government policy is strongly opposed to this kind of practice. But I cannot rule out single cases. For any country, single cases exist.

Marr: You cannot rule out the fact that it's happening at all. There is a general view—

Amb. Liu: The general policy is not the government policy, and we treat every ethnic group in China as equal.

Marr: When we see interviews like that and we see people blindfolded and led off to trains to be taken to re-education camps, it reminds people in the West what was going on in the 1930s and 1940s.

Amb. Liu: That's totally wrong. There is no such concentration camp in Xinjiang. I think we discussed that before. With regard to that videotape, I'll get back to you. You know, even if we are in the information age, there are all kinds of fake accusations against China.

Marr: I hear that, but let me remind you what the UN Convention on the Prevention and Punishment of the Crime of Genocide says. It says that genocide is killing people, of course, causing serious bodily or mental harm, deliberately inflicting conditions of life calculated to bring about a group's physical destruction, imposing measures intended to prevent births, and forcibly transferring children to another group. All of those things, it is alleged to have been happening in China and China is going to face accusations at the United Nations about this.

Amb. Liu: This is not true. This is not true. The facts just show the opposite. People in Xinjiang enjoy happy life. They call for order to be restored in Xinjiang. China is strongly opposed to any torture, persecution and discrimination of people of any ethnic group.

This is not the case in China. The policy of the Chinese government is, as I said, every ethnic group in China is treated equal. That's the success story of Chinese ethnic policy.

Marr: Is it any longer possible for the West to deal with the country which is so nationalistic and so much under the thumb of the Communist Party leadership?

Amb. Liu: I do not agree with your description of China. It is not China that becomes 'so aggressive.' People say China is becoming very aggressive. That's totally wrong. China has not changed, It's the Western countries headed by the United States. They started this so-called 'new cold war' on China. They have this sanction, they have this smearing and name-calling. Take what happened with this coronavirus. They still keep calling it 'China virus' and 'Wuhan virus'. It's totally wrong, but we have to make a response. We do not provoke. But once we are provoked, we have to make a response.

Marr: Ambassador, thanks very much indeed for coming to talk to us today. Much appreciated.

Amb. Liu: Thank you.

While Andrew Marr provides statistics, documentation, and even video footage and testimony to illustrate the extent of the persecution of the Uyghurs – notably women – in China, Ambassador Liu is unable to refute such claims and resorts to appealing to his authority as an ambassador rather than providing factual evidence.

China's State Council Information Office, more commonly referred to as the Central Office of Foreign Propaganda<sup>216</sup>, has also released some public reports in response to a September 2020 *Withhold Release Orders* by the US Custom and Border Protection Agency to ban entry of products traced back to Uyghur forced labor in Xinjiang<sup>217</sup> and following a statement by Acting Commissioner Mark Morgan that he condemns China's "systematic abuses against the Uighur people."<sup>218</sup> China's response propaganda – in the form of a white paper – posits the following inflammatory and inaccurate claims to misrepresent Uyghurs and other Xinjiang Muslims as radical and backwards in order to justify what they consider to be the government's efforts to increase employment, but what is actually a state-sponsored campaign of coerced labor:

"The four prefectures in southern Xinjiang, namely, Hotan, Kashgar, Aksu and Kizilsu Kirgiz, in particular have a poor eco-environment, weak economic foundations, and a serious shortfall in employment carrying capacity. They are identified as areas of

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<sup>216</sup> Anne-Marie Brady, "China's Foreign Propaganda Machine", *Wilson Center*, 26 October 2015. Wikipedia, *State Council Information Office*, [last edited 1 October 2020].

<sup>217</sup> Emma Graham-Harrison, "China's white paper on forced labour suggests unease at western pressure", *The Guardian*, 18 September 2020.

<sup>218</sup> Agence France-Presse, "Xinjiang: US to block Chinese 'forced labour' products as EU warns on trade", *The Guardian*, 14 September 2020.

extreme poverty. In addition, terrorists, separatists and religious extremists have long preached that ‘the afterlife is fated’ and that ‘religious teachings are superior to state laws’, inciting the public to resist learning the standard spoken and written Chinese language, reject modern science, and refuse to improve their vocational skills, economic conditions, and the ability to better their own lives. As a result, some local people have outdated ideas; they suffer from poor education and employability, low employment rates and incomes, and have fallen into long-term poverty.”

“Especially since the 18th National Congress of the Communist Party of China (CPC) in 2012, Xinjiang has vigorously implemented employment projects, enhanced vocational training, and expanded employment channels and capacity. Thanks to these efforts, the employment situation in Xinjiang has continued to improve, people’s incomes and quality of life are rising, and their sense of gain, happiness and security has significantly increased.”<sup>219</sup>

China’s global propaganda campaign extends beyond the discussion of just Uyghurs. On the website of the Embassy of the People’s Republic of China in the United States of America, there is an article which characterizes Falun Gong as spreading false claims about the Chinese government<sup>220</sup>:

1. “‘Falun Gong’ is a political group that is utterly anti-China and seeks to undermine China-US relations. From fabricating stories to attack and vilify the Chinese Government and filing unwarranted lawsuits against Chinese Government institutions and officials, harassing the Chinese Embassy and Consulates in the US to engage in anti-China propaganda aimed at undermining China’s stability and overthrowing the Chinese Government, the cult group has sunk further and become a downright anti-China political group.”

The Embassy claims that Falun Gong practitioners that report about the persecution they experienced in China are “fabricating stories” despite the well-known fact that such persecution does exist. In June 2019, the Independent Tribunal into Forced Organ Harvesting from Prisoners of Conscience in China released its March final judgement in which stated the Tribunal concluded beyond reasonable doubt that “in the long-term practice in the PRC of forced organ harvesting it was indeed Falun Gong practitioners who were used as a source – probably the principal source – of organs for forced organ harvesting.”<sup>221</sup> According to The Guardian:

“China’s government says Falun Gong is a cult that has led more than 1,600 followers to their deaths, mostly by encouraging practitioners to use mediation instead of

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<sup>219</sup> The State Council Information Office of the People’s Republic of China, [“Full Text: Employment and Labor Rights in Xinjiang”](#), *China Daily*, September 2020.

<sup>220</sup> Embassy of the People’s Republic of China in the United States of America, [“Facts about the So-called ‘Shen Yun’ Performance by the ‘Falun Gong’”](#), 2 March 2012.

<sup>221</sup> The Independent Tribunal into Forced Organ Harvesting from Prisoners of Conscience in China, [Judgement](#), 1 March 2020.

medicine to cure medical ailments. Officials claim followers have also killed themselves in the belief that they will go to heaven when they die. Falun Gong vehemently disputes the Chinese government's claims, however. It says its teachings forbid all forms of killing, including suicide. The group says the government is running a smear campaign against it and that hundreds of practitioners have died of torture and abuse in police custody during a crackdown on sect members."<sup>222</sup>

Tibet has also been a major topic of false propaganda. In 2014, Free Tibet and New York Times conducted an intensive research process in which they discovered some 100 fake Twitter and Facebook accounts that circulated propaganda about Tibet. These account profiles include Western names and photographs of real people and share articles and tweets that criticize the Dalai Lama and mischaracterize Tibetan citizens as being perfectly content with their lives. Though it was never confirmed whether these social media accounts were created by the Chinese government, the widespread and immediate proliferation of these accounts suggest a state-run propaganda initiative, as well as the fact that the Chinese government has a track record of making internet accounts to monitor and denigrate posts and articles that criticize them. Eventually, many of the hundreds of fake social media accounts were suspended by Twitter and Facebook due to their false nature and suspicious activity.<sup>223</sup>

In New York in 2020, Elmhurst Library in Queens displayed a new series titled *China Today*, which was organized by a correspondent of the Chinese consulate and which portrayed Tibetan citizens and sites incorrectly.<sup>224</sup> One photo in the exhibit shows children holding Tibetan language scrolls, despite that it has been confirmed that schools in the region teach Mandarin as the primary language, and despite that older Tibetan generations have expressed sorrow at their young relatives losing their linguistic culture. In fact, the 2012 decision of Maqu County Tibetan Middle School to entirely cease Tibetan language instruction drove 20-year-old Buddhist Tsering Kyi to self-immolate as a form of protest against China's repressive policies.<sup>225</sup> The year 2011 alone saw 29 similar incidences of self-immolation among Tibetan Buddhist teenagers and young adults.

## **IX. Related Rights and Long-term Negative Effects on Child Victims of Persecution**

### **A. Related Rights in the Convention on the Rights of the Child**

#### **Article 8**

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<sup>222</sup> The Guardian, "[Chinese mass suicide claims rejected](#)", 4 July 2001.

<sup>223</sup> Free Tibet, "[Free Tibet Exposes #ChinaSpam on Twitter](#)", 17 July 2014.

Amar Toor, "[China reportedly uses fake Twitter accounts to spread Tibet propaganda](#)", *The Verge*, 22 July 2014.

<sup>224</sup> Elizabeth Kim & Annie Todd, "[Tibetan New Yorkers Claim Queens Library Exhibit About Tibet Is Chinese Propaganda](#)", *Gothamist*, 13 February 2020.

<sup>225</sup> Andrew Jacobs, "[Tibetan Self-Immolations Rise as China Tightens Grip](#)", *The New York Times*, 22 March 2012.

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.

2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

#### 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 interest 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 16

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.

#### Article 28

1. States Parties agree that the education of the child shall be directed to:

(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

(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 sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origins;

### 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 practise his or her own religion, or to use his or her own language.

## B. Religion and child development

Psychologists and sociologists alike have conducted research to demonstrate that religious upbringing can be an essential positive influence on a child's or adolescent's growing identity. One study found that a young child's "psychological adjustment and social competence were positively correlated with various religious factors."<sup>226</sup> Moreover, "religion emphasizes moral codes designed to instill values such as self-control and social competence."<sup>227</sup> Religious affiliation and faith are major defining tenets of identity for both adults and children. According to Peter Hemming, religious identity can mark a distinct difference from one human to another, as it takes part in "structuring social interaction, influencing social location, and constituting social boundaries."<sup>228</sup>

Studies have also shown that religious affiliation, learning, participation, and discussion can often be a positive factor in child development, by promoting pro-social behavior and activity, discouraging high-risk behaviors, fostering familial cohesion, encouraging the achievement of goals, teaching responsibility, and catalyzing cognitive development.<sup>229</sup> Children that are raised in religion or take part in religious practice during their youth are more likely to practice personal restraint, develop strong self-identities, develop a positive self-image, engage in community activism, develop healthy coping mechanisms, prioritize schooling, and more.

"Taken together, these findings suggest that there exists a positive contribution of religion to adolescent well-being and that religion serves as both a protective influence and a catalyst for positive development."<sup>230</sup>

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<sup>226</sup> University of Texas at San Antonio, "Sociologists study the impact religion has on child development", *Science Daily*, 7 February 2019.

<sup>227</sup> *ibid.*

<sup>228</sup> Peter J. Hemming, "Childhood, Youth, and Religious Identity: Mapping the Terrain", *Geographies of Children and Young People*, 2 January 2016.

<sup>229</sup> John P. Bartkowski, Xiaohu Xu, Martin L. Levin, "Religion and child development: Evidence from the Early Childhood Longitudinal Study", *Social Science Research*, 37, 2008.

<sup>230</sup> Pamela Ebsteyne King & James L. Furrow, "Religion as a Resource for Positive Youth Development: Religion, Social Capital, and Moral Outcomes", *Developmental Psychology*, 40, 2004.

C. Egregious religious persecution is often intertwined with and compounded by violations of overlapping minority rights, family rights, educational rights, and linguistic rights.

*i. Religious rights and family, educational rights*

The Chinese government has repeatedly justified its prohibition on the raising of children in religious home environments by claiming that children do not yet have the mental capacity to consciously make their own choices to engage in religion.<sup>231</sup> By restricting a child's religious practice within homes or with their families in churches and other houses of worship, the Chinese government is not only infringing upon the child's right to voluntarily manifest his or her religion according to his or her own consistently developing agency – as is protected under Article 14 Section 1 of the Convention on the Rights of the Child – but it is also violating Section 2, which provides parents and legal guardians the right “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.”

Hemming reveals that intergenerational religious socialization, contrary to popular belief that it includes “passive and unidirectional processes”, actually is dynamic and bi-directional, with just as much participation from children as learners of religion as there is participation from parents as influencers of religion.<sup>232</sup> Maria Klingenberg & Sofia Sjö also explain:

“The way in which contemporary research often associates religious socialization with overt teaching on behalf of primary socialization agents, therefore risks overlooking many aspects of, in Sherkat's words, how young people come to hold religious preferences.... Drawing on Spilka's and colleagues' description of social learning theory, Petts and Desmond emphasize the central role of the ‘sources’ that young people learn from. Relating to previous research, they refer to observational spiritual learning as a recently implemented concept in studies of religious socialization, thereby suggesting that young people's spiritual development occurs through their observation and imitation of ‘spiritual exemplars’ in their surroundings. The role of families and religious communities as ‘spiritual exemplars’ are not unimportant, but at the same time...a focus on these socialization agents alone will not cover how learning about religion occurs in a contemporary context.”<sup>233</sup>

Klingenberg and Sjö further argue that the extent to which environment and family play a role in religious socialization of children, adolescents, and young adults is overestimated; “adolescence and young adulthood are considered to be central times for reflections on

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<sup>231</sup> World Watch Monitor, “China bans children – and their teachers- from churches”, 8 September 2017.

Piao Junying, “Students in China are forced to sign away their religious commitments”, *Mercatornet*, 13 February 2019.

<sup>232</sup> *ibid.*

<sup>233</sup> Maria Klingenberg & Sofia Sjö, “Theorizing religious socialization: a critical assessment”, *Religion*, 49:2, 2 April 2019.

religious and spiritual issues and finding one's own perspectives on these issues.”<sup>234</sup> As children grow, they may initially experience religious socialization as a result of the family or church environment that they are raised in, but ultimately, they are able to determine their own religious – or atheist/agnostic – path in accordance with their growing capabilities.

China's claims that religious restrictions exist to prevent children from being swayed or coerced by their families or peers into religion are antithetical to the findings of studies of multi-directional religious socialization discussed above, and the fact that children have the ability and right to realize and actualize their own religious affiliation and preferences. It is important to (1) not underestimate the role of a child's agency in coming to religious/agnostic/atheist belief, and (2) not overestimate the role of parents as religious socialization agents. Regardless, the Chinese government's restrictions on religion violate both the child's rights to religious freedom as well as the parent's rights to raise children in faith as are outlined in Article 14 of the UN Convention on the Rights of the Child.

Religious freedom rights and family rights also intersect in situations of forced separation and isolation between the child and his or her parents. Such is a common occurrence among religious minority groups in China when Christian, Uyghur, and Falun Gong parents are arbitrarily detained for their religious affiliation, thus leaving their children either in the care of other relatives, or without parental care at all. These family separations, which are mentioned earlier in this complaint, inherently violate the UN Convention on the Rights of the Child Articles 9 and 16. The Committee on the Rights of the Child submitted a joint statement in 2017 that stated the following:

“The right to protection of family life is recognized in international and regional human rights instruments, including the Convention on the Rights of the Child....Protection of the right to a family environment frequently requires that States not only refrain from actions which could result in family separation or other arbitrary interference in the right to family life, but also take positive measures to maintain the family unit including the reunion of separated family members.”<sup>235</sup>

Moreover, such restrictions violate Article 29 of the Convention, which maintains that education of the child should be directed towards “the development of the child's personality”, “the development of respect for human rights and fundamental freedoms”, and “the preparation of the child for responsible life in a free society”, under all of which religious affiliation and religious freedom apply.

## **ii. Religious rights and linguistic, cultural rights**

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<sup>234</sup> *ibid.*

<sup>235</sup> Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and Committee on the Rights of the Child, Joint general comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return, CMW/C/GC/4-CRC/C/GC/23, 16 November 2017.



The Chinese government's campaign to deteriorate Uyghur and Tibetan Buddhist culture involves simultaneous restrictions being levied on their religious worship as well as their use of language. Such persecution inherently violates Article 30 of the UN Convention on the Rights of the Child. As a result, the attack on these groups' cultural, religious, and linguistic heritage inherently also attacks the identity of the children in these communities:

"Day and Lynch go on to argue for a 'three modes' model of belief that emerged from their research among 'young people.' The first notes 'belief as a marker of cultural identity' ([20], p. 201). That is, belief is a mode by which 'they' could distinguish themselves from 'other' cultural groups. This mode was particularly significant for 'those who identified as being part of a minority group within a wider dominant religious/non-religious milieu or who wished to distinguish themselves from another minority group' (which minority groups are not specified). Moreover, this mode of belief is 'learned and cultivated as a visible marker of difference in the context of establishing a distinct cultural identity.'"<sup>236</sup>

For Tibetan Buddhists, religious and cultural freedom is in many ways dependent on the Chinese government's obligation to protect their right to use and teach to other members of their group their language. One individual by the name of Zorghi reveals that the Tibetan language is "the key to our communication, our religion and our national identity", and that it is the backbone of the many literary and religious tenets of Tibetan Buddhism.<sup>237</sup> Many Tibetan Buddhist intellectuals have maintained that studying and reading the Tibetan language is a major component of "learning religious doctrines" and "developing Tibetan society."<sup>238</sup>

Tibetan Buddhist and abbot at Tashi Lhunpo Monastery, Zeekgyab Rinpoche, revealed that the "form of restructuring the curriculum and banning the learning of Tibetan language" is part of China's program of "continuous and systematic destruction of our culture, religion, language and environment in Tibet."<sup>239</sup> University of Melbourne anthropologist Gerald Roche in his research revealed that the majority of the dozen local variations and dialects of Tibetan language are "now on the brink of extinction."<sup>240</sup> It is logical to experience the same worries and anxiety regarding the sustainability of Tibetan culture and religious tradition as well.

For Uyghurs as well, violations of personal rights go beyond just restricting religious practice. In the same breath that the Chinese government discourages and prohibits outward faith and worship, it also forces Uyghurs – both young and old – in indoctrination centers to master

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<sup>236</sup> Bosco B. Bae, "Believing Selves and Cognitive Dissonance: Connecting Individual and Society via 'Belief'", *Religion and the Individual: Belief, Practice, and Identity*, Douglas J. Davies & Michael J. Thate, 2017.

<sup>237</sup> Zorghi, *International Campaign for Tibet*.

<sup>238</sup> Mang Jia, "The Transformation of Tibetan Identity", *Linfield University*, 28 May 2015.

<sup>239</sup> Eugene Wong, "China Language Policies, Travel Restrictions in Tibet Condemned at US Panel", *Radio Free Asia*, 30 September 2020.

<sup>240</sup> Ryan P. Smith, "The Incredible Linguistic Diversity of Tibet is Disappearing", *Smithsonian Magazine*, 12 December 2017.

Mandarin and abandon their traditional Uyghur language.<sup>241</sup> Dr. Elise Anderson, an ethnomusicologist and Uyghur culture and history expert, explains the following regarding the multi-faceted persecution that targets Uyghur religion, language, and culture:

“People are seeing the things that they hold most near and dear to their sense of identity and their sense of self being taken away from them. It’s a very personal kind of invasion of your life. But it’s also something that rips away the threads that connect you to other people around you and to a sense of tradition that for Uyghurs in particular, is very, very important – very potent.”<sup>242</sup>

Arienne Dwyer similarly reveals that “For both urban and rural Uyghurs, ethnic identity is linked with religious and linguistic identity.”<sup>243</sup> Historically, the Uyghur language has been tied to religious practice; periods during which the Chinese government has slackened restrictions on religion coincided with periods during which the Uyghur language was used in religious and cultural publications. Over time, however, the Chinese government perceived Uyghur culture and, by extent, religion and language, as extremist and prone to foment separatism among Uyghurs in Xinjiang. As has been the policy towards Uyghurs since the 1990s – although tensions and persecution have increased dramatically since 2014 – the Chinese government has launched a repressive campaign against Uyghur culture:

“In targeting these core markers of Uyghur culture, previously slumbering sensitivities were inflamed. For language and religion are valued by most ordinary Uyghurs as central aspects of their identity. As both are considered inviolable and semi-private, significant encroachment by a dominant Chinese culture is perceived as an attack on identity.”<sup>244</sup>

As recently as late January 2021, it was revealed through audio recording that in Xinjiang’s Kelpin county home to upwards of 50,000 Uyghur residents (97% of local demographic), the Uyghur language had been excluded from school curriculum. The audio clip is of a conversation between one anonymous man inquiring the municipal educational bureau about how to go about placing the children of his Uyghur neighbors – the parents now in detention – into the local schooling system. When he asked the education bureau employee about what language the children would be learning in, he was informed that instruction was carried out in Mandarin, the “national language.” Although the man inquired whether there was a possibility the children could be educated in their own Uyghur language, he was told that “speaking Uyghur language is not allowed [on school grounds]” and that “normally, it’s not even [okay] to speak to one another in Uyghur.”<sup>245</sup>

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<sup>241</sup> Erin Handley & Sean Mantesso, “Uyghurs are facing ‘cultural genocide’ in China but in Australia they’re fighting for their history”, ABC News, 9 November 2019.

<sup>242</sup> *ibid.*

<sup>243</sup> Arienne M. Dwyer, “The Xinjiang Conflict: Uyghur Identity, Language Policy, and Political Discourse”, *Policy Studies* 15, 2005.

<sup>244</sup> *ibid.*

<sup>245</sup> Radio Free Asia, “Uyghur Language Instruction Absent from Schools in Xinjiang’s Kelpin County”, 29 January 2021.

## D. Identity erasure and the child

In regard to the identity erasure that religious minorities – in particular ethno-religious minorities – in China face, Dr. Elise Anderson states that one of the major effects of identity erasure is trauma. She states, “It’s really traumatic, and it’s the kind of trauma that I think can be inherited...I think that the effects of this are going to ripple for generations and generations to come.”<sup>246</sup> Another individual explains that persecuted Uyghurs and Tibetans may soon find that their traditional identities centered on religion and language could become replaced with new identities revolving around feelings of “disenfranchisement and resentment.”<sup>247</sup> For many spiritual minorities, faith and community have offered a sense of empowerment, meaning that the loss of such feelings can detrimentally affect persecuted individuals.<sup>248</sup>

## E. Family separation and the child

An experience that distinctly targets religious minority families in China is forced family separation, during which parents are forcibly separated from their children as a result of arbitrary and prolonged detention for their faith. Family separation is a common experience for virtually all minority faith communities in China. Below are some expert remarks regarding the effects of family separation on the child, some emotional testimonies both by petitioners included in this complaint, as well as testimonies from other former child victims of persecution in China.

### i. Expert remarks

Dr. Sarah Reinstein, a family psychiatrist, explains that separation can have long-lasting detrimental effects on childhood development. In particular, family separation often leads to the development of depression and anxiety disorders in children. She also reveals that “intergenerational transmission of trauma” can occur in clusters of offspring of individuals who endured traumatic events, and therefore that separation can in turn lead to such trauma:

“When viewed through the lens of attachment theory, the forced separation of a child from its caretakers is a potent form of childhood trauma.... Any traumatic disruptions in the development of the system puts the child at risk of developing ‘insecure attachment.’ This insecure attachment can lead to lifelong emotional problems for the child, affecting the quality of subsequent marital relationships, relationships to children, and the development of personality disorders.”<sup>249</sup>

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<sup>246</sup> Erin Handley & Sean Mantesso, “Uyghurs are facing ‘cultural genocide’ in China but in Australia they’re fighting for their history,” *ABC News*, 9 November 2019.

<sup>247</sup> Nicholas Bequelin, “The Dark Side of the China Dream: Erasing Ethnic Identity,” *The Diplomat*, 17 August 2018.

<sup>248</sup> Tashi Choedon, “How China is Suppressing Tibetan Buddhist Nuns, ‘Erasing’ Identity,” *The Quint*, 13 October 2020.

<sup>249</sup> Sarah Reinstein, MD, “Family separations and the intergenerational transmission of trauma,” *Clinical Psychiatry News*, 9 July 2018.

Chandra Ghosh Ippen, the associate director and dissemination director of the University of California Child Trauma Research Program, reveals that forcible separation of a child from his or her parent causes “a monsoon of stress hormones (like cortisol)” which “flood the brain and body” for long periods of time. These chemical hormones are neurally tailored to only respond to short-term stress input, and prolonged exposure to such hormones early in life and adolescence can increase the risk of developing health complications such as heart disease, diabetes, and cancer later in life.<sup>250</sup> Ippen also explains that the presence of parents during an individual’s childhood years is essential to the child’s sense of safety and security: “When that safe base is disrupted, you might see a child who is very anxious, or who is clingy, or you might see a child who goes off and recklessly explores the world. This is the crux of attachment theory.”

Alan Shapiro, assistant clinical professor in pediatrics at Albert Einstein College of Medicine and senior medical director for Community Pediatric Programs, explains that he and his colleagues have seen first-hand in their work the effects that forced family separation has on developing children. Regression of child development, altered sleep patterns, increased aggression, eating disorders, selective mutism, and self-harm are some of the most common symptoms of acute stress that these children who are separated from their parents exhibit. Expanding upon Ippen’s explanation above, Shapiro clarifies that prolonged exposure to stress and stress hormones causes “architectural changes in the brain – which means that in the future children might end up with serious learning, developmental and health problems.”<sup>251</sup>

In 2000, Charles Nelson, a pediatrics professor at Harvard Medical School, was invited to Romanian state-run orphanages to study the detrimental effects of the communist dictatorship’s family policies. During Nicolae Ceausescu’s reign, he had prohibited contraceptives and abortions, levied a tax on families with fewer than five children, and thus ushered in an era where hundreds of thousands of children were forced into orphanages after their parents could no longer afford to raise them. The children in these orphanages had developed completely differently: they had less brain wave activity, subpar problem-solving ability, lower IQ scores, deteriorated or non-existent fight-or-flight systems, and more. Reflecting on the study, Nelson states, “we saw kids rocking uncontrollably and hitting themselves, hitting their heads against walls. It was heartbreaking.”<sup>252</sup>

Family systems psychotherapist Victoria Harrison discusses that “separation of children from family is a particularly potent stressor.”<sup>253</sup> Particularly in young girls who grow up without the presence of their biological father, instances of depression, “acting out, interruption of education and other life problems” occur at a statistically significant rate. Contrastingly, children who grow up with constant contact with their family and parents are less likely to get

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<sup>250</sup> Allison Eck, “[Psychological Damage Inflicted By Parent-Child Separation is Deep, Long-Lasting](#)”, *PBS*, 20 June 2018.

<sup>251</sup> Sara Goudarzi, “[Separating Families May Cause Lifelong Health Damage](#)”, *Scientific American*, 20 June 2018.

<sup>252</sup> William Wan, “[What separation from parents does to children: ‘The effect is catastrophic’](#)”, *The Washington Post*, 18 June 2018.

<sup>253</sup> United Church of Gainesville, “[The Impact of Separation from Family: A Timely and Timeless Lesson](#)”, 3 July 2018.

divorce, have problems with children, develop psychological disorders, or develop chronic illnesses.

“History and research document that there are no substitutes for family and contact with family. It is vital that children maintain contact with parents or family. There is enough knowledge from history, from science, and from any family, to take the important of contact with family into account in formulating policies and programs.”<sup>254</sup>

**ii. *Petitioner remarks and victim remarks***

See below some testimonies from both child petitioners included in this complaint, as well as other victims:

“In the summer of 2008 (when I was 9 years old), my father organized a summer camp with more than forty students in our local area with my mother as their teacher. Concerned that my parents would lead so many students to know Jesus, the police officers of Weifang came to the summer camp to harass. I hid in a corner and saw a heated conversation between Dad and the police. Then they took my dad away. Looking at the large number of policemen behind my father and hearing the sirens, I trembled. I was at a loss. Depression and sadness struck me, and I cried.” – D. G---, Christian, petitioner (see section XIV), current age 21

“In the summer of 2009, my father went to Henan Province to preach, which I followed. We helped local residents in the fields and tried to set up house churches there. One morning, the screaming sirens woke all of us up and the police suddenly came to disperse us. My father hurriedly locked me in a room and asked a couple to take custody of me for three days. In those three days, I spent a day like I did a year. Worried about my father’s safety, I could not eat. The couple kept on comforting me and watching me closely to prevent me from running out to find my father.” – D. G----, Christian, petitioner (see section XIV), current age 21

“My dad was sentenced to two and a half years in jail for his Christian faith.... While my dad was taken away, he couldn’t celebrate my birthday for me. My mom invited some friends from church to home to celebrate it together. By coincidence, my dad called my mom in the evening when we had just finished eating. My dad couldn’t call people whenever he wanted to while in the prison. He had to make an application, and the priority had to submit it first. Then they will decide when to let my dad make a phone call. Right on my birthday, my dad got to call my mom for around 10 minutes. My mom was very excited about all of this, we all believe it’s God’s blessing. My mom gave me the phone and asked me to talk to my dad because it was my birthday. I didn’t know what to say, so I asked if he could sing me a “happy birthday song”, and so he did. At the end, we both burst into tears. While my dad was away, I always encouraged myself that I could make it through. At that moment, all of the sad feelings came to me. I

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<sup>254</sup> *ibid.*

started to realize how different my life was and how naïve I was trying to handle it by myself. It is the most normal thing for a kid to hear that from his dad on his birthday, while it was the most special thing for me in that period.” – E. L-, Christian petitioner (see section XIV), current age 18

“The Chinese police didn’t inform any of my family where I was held...during that one year and three months I didn’t see my parents once. Later I heard that even when my parents came to know where I was detained and tried to visit me many times, the Chinese police didn’t allow them to see me.” – Tsomo<sup>255</sup>, Tibetan Buddhist victim, current age 28 (16 years at time of incident)

“When I was seven, I remember the first time I met my father in prison. He saw me and wanted to hold me. I knew this person was a very important person to my mother. He was the person my mother wanted to see the most. He was my family, but I didn’t know him. I was scared. I hid in my mother’s arms and would not let him hold me. This is the biggest regret of my life. The second time I saw my father was when I was eight. He came home after eight years in jail. I was afraid of getting close to him because his body was covered with scars.” – X. X-, daughter of Falun Gong practitioners, petitioner (see section XIV), current age 18

“When they started to arrest and detain Falun Gong practitioners, my mom was detained six times. She was not around much then. I remember one time she was detained in her hospital – it wasn’t by the police, but the hospital was afraid that she would go to Beijing again, so they detained her in the emergency department until she promised to sign something saying she would not go to Beijing and that she would give up her belief. She couldn’t get out. When I reflect back on this experience, I think that’s when I started to keep things to myself because my mom was not around, and my dad was under a lot of pressure.” – Serena<sup>256</sup>, child of Falun Gong practitioner, age unknown

“After my mother was gone, I was usually home alone since my father was busy at work. I felt I was different from other students and lived mostly in depression. After my mom was released, I was still very afraid that policemen would grab her from the market or from her school. If she was late coming back, I would stand by the windows and think about all the bad things that could have happened. These thoughts filled me with panic and my brain would not stop scaring itself until I saw her reappear. Truth be told, even home wasn’t safe. In 2005, they came to my house and took my mom to Masanjia Labor Camp illegally. Sometimes I think, if I didn’t have the strength of faith, I might have developed mental illness at a young age.” – Danshan<sup>257</sup>, child of Falun Gong practitioner, age unknown (elementary school age at time of incident)

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<sup>255</sup> Free Tibet and Tibet Watch, *Growing up under China’s occupation: the plight of Tibet’s children*, A joint submission by Free Tibet and Tibet Watch to the United Nations Committee on the Rights of the Child in advance of examination of the People’s Republic of China’s third and fourth Periodic Reviews.

<sup>256</sup> Friends of Falun Gong, “Serena’s Story: The Chinese Regime Labeled Me ‘anti-government’ in 3rd Grade”, 15 December 2017.

<sup>257</sup> Friends of Falun Gong, “Danshan’s Story: For Years, Mother Suffered in a Labor Camp”, 11 February 2017.

## F. Children as victims and survivors of persecution

It is important to note that the experiences of child survivors of persecution have in many instances been swept under the rug due to claims that their young age would prevent them from accurately recalling their experiences and trauma; however, this is not true. Memories of persecution can be recalled through therapy and proper counseling. The study of children as survivors of persecution is imperative and timely.

Judith S. Kestenberg and Charlotte Kahn, in their 1998 work *Children Surviving Persecution: An International Study of Trauma and Healing*<sup>258</sup>, focus specifically on child survivors of the Holocaust – including child survivors of concentration camps as well as child survivors of persecution – to provide insight into the effects of persecution on children. Kestenberg's and Kahn's research reveals that child survivors of persecution experience a range of detrimental effects: anger at their parents for their family identity; shame about one's own identity; loss of the sense of belonging within a broader community (i.e., country, school, etc.); selective isolation and withdrawal; anxiety about a recurrence of discrimination or persecution; depression; self-harm and self-destructive behaviors; sleep disturbances, somatic symptoms, panic attacks, difficulty fostering relationships, Anhedonia (inability to feel pleasure), and Alexithymia (inability to understand and/or convey one's own emotions). Additionally, child survivors of persecution occasionally exhibit a tendency to deny one's own identity – be it ethnic, religious, etc.:

“Child survivors mourn their lost childhood...and try to mend by becoming like the others who were not persecuted. Children of survivors also try to make themselves indistinguishable from their surroundings. When they accept themselves as survivors...they become capable of sharing with one another and mourning together.”<sup>259</sup>

As victims of persecution, children are increasingly susceptible to a whole host of detrimental mental and physical conditions. J. De Jong, in his research on various child victim and refugee populations across the world that had suffered from persecution, revealed varying manifestations of the after-effects of trauma, including: developmental regression; antisocial and aggressive behaviors and actions; higher risk of substance and alcohol abuse; “failure to reach normal developmental landmarks”; withdrawal or hyperactivity; psychosomatic and sleep disturbances; hallucinations; restlessness and irritability; long-term personality and mood disorders; memory and attention difficulties; self-esteem and self-concept issues; and lastly, overwhelmingly, PTSD.<sup>260</sup>

Moreover, De Jong reports that children that have suffered in regimes of persecution have experienced “anxious attachment” to their parents, as mentioned in above sections. During periods of persecution, genocide, or war, children suffer both from physical separation from

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<sup>258</sup> Judith S. Kestenberg & Charlotte Kahn, *Children Surviving Persecution: An International Study of Trauma and Healing*, 1998

<sup>259</sup> *ibid.*

<sup>260</sup> J. de Jong, “Psychiatric Problems Related to Persecution and Refugee Status”, *Contemporary Psychiatry*, 1, 2001, pp. 1027.

their parents and even non-physical separations. Such non-physical separations occur when parents and guardians are so pre-occupied by the culture of persecution that they are unable to be emotionally present to their children. In such instances, children may feel exasperated by their parents' emotional distance.

In regards more generally to children that suffer from trauma (note: could be caused by a multitude of traumatic events, situations, time periods), one of the most common lasting detrimental effects is generalized anxiety, which could cause many problems in nearly every aspect of the child's life throughout his or her development into adulthood:

"This anxious state may leave children feeling generally unsafe and hypervigilant....A sense of impending danger can impinge on children's ability to engage in developmentally appropriate tasks and contribute to their taking on responsibilities well beyond a maturity level typical for their age; or alternatively, to disengage from school, appropriate peers, and family and become proactively aggressive in the belief that this is the only way to survive. General anxiety can result in the 'parentification' of a child or contribute to a child's effort to be 'perfect' to ward off potential threats in the future. A constant vigilance for possible omens of future threats and other anxiety-driven behaviors can also take hold. All of these behaviors interfere with healthy adjustment and can lead to the development of comorbid generalized anxiety disorder as well as other comorbidities."<sup>261</sup>

Children that survive trauma and experience long-lasting negative effects of such trauma are also more likely to engage in reckless and high-risk behaviors, including risky sexual activity, driving under the influence of drugs or alcohol, or possession and use of weapons.

Child survivors of trauma can also experience "inaccurate" or "irrational cognitions" in which they blame themselves for what happened to them as a means to find an explanation, or in which they lose their sense of trust of their family and peers. Something extremely concerning – when considering that children in China are persecuted for their religious affiliation – is that "traumatized children may also develop cognitions that contribute to their loss of faith in justice, God, or a benign future."<sup>262</sup> Child survivors of trauma may on the other hand experience "accurate but unhelpful cognitions." For example, using Cohen's, Mannarino's, and Deblinger's example about child survivors of abuse and altering it to fit the situation of our petitioners and other child victims of persecution in China, the cognition that 'I may experience future persecution for my faith' may be accurate in some instances, but runs counter to the equally likely future possibility that 'I may not experience persecution for my faith.' Despite this, a child might focus on the former, because "traumatized children often focus on inaccurate and/or

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<sup>261</sup> Judith A. Cohen, Anthony P. Mannarino, Esther Deblinger, *Treating Trauma and Traumatic Grief in Children and Adolescents*, *Second Edition*, 2017.

<sup>262</sup> *ibid.*



unhelpful cognitions that reinforce their negative expectations of others and their destructive self-views.”<sup>263</sup>

## **X. The petitioners are within the respondent’s jurisdiction**

Article 2 of the Convention on the Rights of the Child states that “States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or his or her parent’s legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.”

Each of the petitioners was located within the jurisdiction of the respondent at the time during which they experienced the grievances outlined in this communication. For reasons addressed in Section XIII: Admissibility, the respondents were not able to file this communication while they were still within the jurisdiction of the respondent for fear of retaliation or reprisal against either themselves or their families.

For the purposes of this communication, it is important to clarify that Tibet (formally, Tibet Autonomous Region) and Xinjiang (formally, Xinjiang Uyghur Autonomous Region), despite the phrase ‘autonomous’ included in both of their names, are territories of the People’s Republic of China and fall under the control of the Chinese Communist Party:

“‘Systematically, a minority autonomous region is a local level government under the unified leadership of the central government. Although the Constitution and the Regional Ethnic Autonomy Law [REAL] provide broad autonomous powers, their actual scope depends on the centralization or de-centralization policies of the central government. For ethnic autonomous areas, due to historical and cultural reasons, their local economic and cultural development remains fairly weak, and this objectively forces them to continue to rely on the central government, further limiting the exercise of their autonomous powers. Economically, for a long time China had run a planned economic system. The centralized nature of the economic policy put the local economies, including those in the minority autonomous regions, under a unified national plan.’”<sup>264</sup>

The Regional Ethnic Autonomy Law states in Article 3 that “Ethnic autonomous areas establish autonomous agencies that function as local agencies of state power at their respective levels. Autonomous agencies in ethnic autonomous areas shall apply the principle of democratic

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<sup>263</sup> *ibid.*

<sup>264</sup> in Shangli, Zhongguo de zheng fu jian guanxi [Governmental Relations in China] 284 (Zhejiang Renmin Press 1998 [in Haiting Zhang, *The Laws on the Ethnic Minority Autonomous Regions in China: Legal Norms and Practices*, Loyola University Chicago International Law Review, 9(2), 2012.]

centralism.”<sup>265</sup> Article 7 states that “institutions of self-government in ethnic autonomous areas shall place the interests of the states as a whole above all else and actively fulfill all tasks assigned by state institutions at higher levels.”<sup>266</sup> Also, “Autonomous agencies in ethnic autonomous areas must uphold the unity of the country and guarantee that the Constitution and other laws are observed and implemented in these areas.”<sup>267</sup> According to Zhang,

“While autonomous areas should be able to exercise their power within the set limits and tailor laws and policies of the state to existing local conditions, in general, autonomous agencies remain local governmental institutions in reality. Autonomous powers tend to be overwhelmed by non-autonomous local governmental functions. According to some scholars, autonomous regions, like other provinces, serve as branches of the central government....Thus, from a practical point of view, minority autonomous regions are not substantially different from other Chinese local governments.”<sup>268</sup>

## **XI. The respondent has failed to ensure that it comprehensively takes into consideration the best interests of the child.**

Article 3 section 1 of the Convention on the Rights of the Child states: “In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.” It is reprehensible that the respondent takes part in such overt violations of the rights of children considering that China played a prominent role in the drafting of the Convention on the Rights of the Child and immediately signed and ratified the treaty in August 1990 and March 1992, respectively.<sup>269</sup> Early on in its competence with the CRC, China was reviewed by the Committee multiple times in 1995, 2005, 2010, and 2013. Upon China’s ratification of the CRC, however, it expressed reservations regarding Article 6, which guarantees that “every child has the inherent right to life” and requires states parties to “ensure to the maximum extent possible the survival and development of the child.” According to Naftali, China stated it would fulfill this provision “under the prerequisite of planned birth” as outlined in the national constitution.

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<sup>265</sup> Regional Ethnic Autonomy Law, (promulgated by the Standing Comm. of the Nat’l People’s Cong., May 31, 1984, effective Oct. 1, 1984) P.R.C. LAWS of 1984, art. 2 (amended 2011).

<sup>266</sup> *ibid.*

<sup>267</sup> *ibid.*

<sup>268</sup> Haiting Zhang, *The Laws on Ethnic Minority Autonomous Regions in China: Legal Norms and Practices*, Loyola University Chicago International Law Review, 9(2), 2012.

<sup>269</sup> Orna Naftali, “Rights of children and youth in China: protection, provision and participation”, *Handbook on human rights in China*, 2019.

In May 2013, the Committee on the Rights of the Children published General Comment No. 14 in which they demystify the meaning of ‘the child’s best interests’. The Committee agrees that “The concept of the child’s best interests is aimed at ensuring both the full and effective enjoyment of all the rights recognized in the Convention and the holistic development of the child.”<sup>270</sup> Thus, it is reasonable to postulate that any act of infringing upon a child’s right – in this case, to freedom of religion or belief, as well as other relevant cultural and linguistic rights – is evidence enough that the respondent has not taken into consideration the best interests of the child.

The Committee explains that, when assessing the child’s best interests as part of a broader framework, the following must be taken into consideration:

“1. Elements to be taken into account when assessing the child’s best interests

“(b) The child’s identity

“55. Children are not a homogenous group and therefore diversity must be taken into account when assessing their best interests. The identity of the child includes characteristics such as sex, sexual orientation, national origin, religion and beliefs, cultural identity, personality. Although children and young people share basic universal needs, the expression of those needs depends on a wide range of personal, physical, social and cultural aspects, including their evolving capacities. The right of the child to preserve his or her identity is guaranteed by the Convention (art. 8) and must be respected and taken into consideration in the assessment of the child’s best interests.

“56. Regarding religious and cultural identity, for example, when considering a foster home or placement for a child, due regard shall be paid to the desirability of continuity in a child’s upbringing and to the child’s ethnic, religious, cultural and linguistic background (art. 20, para. 3), and the decision-maker must take into consideration this specific context when assessing and determining the child’s best interests.

“57. Although preservation of religious and cultural values and traditions as part of the identity of the child must be taken into consideration, practices that are inconsistent or incompatible with the rights established in the Convention are not in the child’s best interests. Cultural identity cannot excuse or justify the perpetuation by decision-makers and authorities of traditions and cultural values that deny the child or children the rights guaranteed by the Convention.”<sup>271</sup>

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<sup>270</sup> Committee on the Rights of the Children, *General comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration (art. 3, para. 1)*, CRC/C/GC/14, 29 May 2013.

<sup>271</sup> *ibid.*

Protecting the child's identity is evidently overlooked as a matter of ensuring the child's best interest when drafting and implementing religious regulation in China, especially considering that the respondent's restrictions – on worship, manifestation of faith, and religious education – in and of themselves inherently endanger the child's religious identity. Moreover, the respondent's unlawful restrictions on a child's religious practice and affiliation also in many cases are interconnected with violations of other rights enshrined in the Convention, exhibiting that the respondent's actions have not paid due diligence to a children's ethnic, linguistic, and cultural identities as they overlap with their religious identities.

“(c) Preservation of the family environment and maintaining relations

“58. The Committee recalls that it is indispensable to carry out the assessment and determination of the child's best interests in the context of potential separation of a child from his or her parents (arts. 9, 18 and 20). It also underscores that the elements mentioned above are concrete rights and not only elements in the determination of the best interests of the child.

“62. Given the gravity of the impact on the child of separation from his or her parents, such separation should only occur as a last resort measure, as when the child is in danger of experiencing imminent harm or when otherwise necessary; separation should not take place if less intrusive measures could protect the child.”<sup>272</sup>

In the many cases in which religious minority adults are arbitrarily detained and separated from their children in China, it is never as a last resort; rather, it is a means of arresting and removing religious minority activists and dissidents from society. More importantly, these children were separated from their parents with no warning, as many parents have disappeared into police custody without further contact with their families and children. Despite that The Committee asserts that parent and child should only be separated in such instances as the child would otherwise be in danger or harmed, arbitrary and prolonged detentions of parents have left their children desolate, withdrawn, and suffering. It is therefore evident that the respondent has not taken into consideration the best interests of the child as regards its regulations on religion, practices of persecution and family separation, and other actions which present a violation of religious rights in combination with other interlinked rights. Article 57 of the general comment further proclaims that “practices that are inconsistent or incompatible with the rights established in the Convention are not in the child's best interests.” The act of religious persecution itself, as an essential infringement upon the child's rights, is impermissible with the Convention and the Committee, and clearly demonstrates a lack of consideration for the best interests of the child.

## **XII. Admissibility**

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<sup>272</sup> *ibid.*

## A. Request for waiver for exhaustion of domestic remedies

### i. *Status as a child has the potential to present obstacles to seeking remedies.*

The UN Committee on the Rights of the Child in a 2003 General Comment stated that, although “for rights to have meaning, effective remedies must be available to redress violations,” it is unignorable that “children’s special and dependent status creates real difficulties for them in pursuing remedies for breaches of their rights.”<sup>273</sup>

The Bingham Centre for The Rule of Law and The International Bar Association argue that “children’s special status places them in a difficult position for pursuing remedies when breaches of their rights occur, because of lack of knowledge, ability and independence. Even when children are sufficiently able to identify and articulate a violation and step forward to seek justice, other constraints may come into play, including dependence on and/or fear of the perpetrator.”<sup>274</sup>

UNICEF revealed in their report on the child’s ability to seek justice that the most common and salient obstacles include: “lack of awareness of justice mechanisms and supporting institutions; poor access to information on children’s rights; a host of legal and practical obstacles; and, perhaps most pronounced, deeply entrenched social and cultural norms.”<sup>275</sup> In many countries, justice professionals have admitted that children know only the most rudimentary facts about accessing legal redress, such as the fact that courts exist, but their limited knowledge on judicial functions can present an obstacle to being proactive on seeking effective remedy. Children are likely to place less trust in judicial systems than in their own family or themselves, because they see the family unit as the most reliable source of harmony. In survey results, the extent to which children and their parents are knowledgeable about children’s and human rights varies widely, but it would not be unreasonable to deduce that such information is either less accessible or inaccessible in repressive countries such as China. In a survey conducted specifically with justice professional respondents, the list of obstacles to a child seeking effective remedy also includes: “lack of standing”; “financial constraints”; “distrust of state institutions”; “fear of social ostracism”; and “fear of discriminatory treatment from institutions.”<sup>276</sup> In the special case of minority children, the presence of “linguistic barriers” often constitutes another major obstacle.

In 2013, the UN High Commissioner for Human Rights stated the following:

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<sup>273</sup> UN Committee on the Rights of the Child, *General Comment no. 5 (2003): General measures of implementation of the Convention on the Rights of the Child*, CRC/GC/2003/5, 27 November 2003.

<sup>274</sup> Bingham Centre for The Rule of Law & International Bar Association, *Children and Access to Justice: National Practices, International Challenges*, October 2016.

<sup>275</sup> United Nations Children’s Fund (UNICEF), *Children’s Equitable Access to Justice: Central and Eastern Europe and Central Asia*, May 2015.

<sup>276</sup> *ibid.*

“The complexity of justice systems makes them difficult to understand for children. Children are often unaware of their rights and the existence of services, lacking information about where to go and whom to call to benefit from advice and assistance. Moreover, legislation and procedures concerning the treatment and participation of children in proceedings, including criminal, administrative and civil proceedings, are often not adapted to children’s rights and needs or may even be discriminatory towards children based on their age and gender. States have also highlighted that specialized judges, prosecutors, lawyers and other personnel working with children, as well as sufficient resources to provide specialized training, are frequently lacking.”<sup>277</sup>

“The justice system is often intimidating for children. They may be afraid to make complaints out of fear of harassment, further stigmatization, abandonment or reprisals against them or their families. They may also lack trust and confidence that their complaints will be taken seriously and fairly assessed.”<sup>278</sup>

***ii. The respondent drafted the persecutory policies in question, promotes them, and would therefore be unlikely to prosecute cases of religious persecution in favor of the victims.***

According to the United States Department of State,

“The CCP is responsible for creating religious regulations. The CCP manages the United Front Work Department (UFWD), which in turn manages SARA’s [State Administration for Religious Affairs] functions and responsibilities. SARA is responsible for implementing the CCP’s religious regulations. SARA administers the provincial and local bureaus of religious affairs.”<sup>279</sup>

The Revised Regulations on Religious Affairs is case in point that the Chinese government continues its repression of religious freedom to this day. Despite the claims made in the first Article – that the regulations were drafted “in order to protect citizens’ freedom of religious belief, maintain religious harmony and social harmony, standardize the management of religious affairs, and raise the level of legalization of religious work”,<sup>280</sup> the ratification and subsequent enforcement of these regulations has coincided with an increase in nationwide church closers, arrests of religious leaders, age restrictions on church entry, and prohibition of religious activities outside of the immediate church. According to the Library of Congress,

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<sup>277</sup> Human Rights Council Twenty-fifth session, *Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General*, A/HRC/25/35, 16 December 2013.

<sup>278</sup> *ibid.*

<sup>279</sup> United States Department of State, *2019 Report on International Religious Freedom: China (Includes Tibet, Xinjiang, Hong Kong, and Macau)*, 10 June 2020.

<sup>280</sup> *176<sup>th</sup> Executive Meeting of the State Council*, *Religious Affairs Regulations No. 426 of the State Council Decree of the People’s Republic of China on November 30, 2004*, 14 June 2017.

“In the revised Regulations, an article is added stating that the management of religious affairs should adhere to the principles of protecting legitimate religious activities, curbing and preventing illegal and extreme practices, resisting infiltration, and fighting crime.”<sup>281</sup>

This controversial list of regulations, which the Chinese government claims enhances and protects its citizens’ religious freedom, actually is more stringent than its two predecessors. Such a trend of increasing restrictions – especially the fact that these new regulations have been released as recently as 2018 – as well as the fact that they were enthusiastically signed and promoted by influential leaders such as Prime Minister Li Keqiang (李克强) and the State Council for Legislative Affairs (中华人民共和国国务院)<sup>282</sup>, proves that it would be nearly impossible to take advantage of domestic remedies in cases of religious persecution, as the law and the judicial system is administered under the authority and jurisdiction of the Chinese Communist Party, the entity that drafted such draconian laws in the first place.

*iii. Appeals are either unavailable to defendants or do not constitute an effective remedy.*

In response to the question posed to our complainants on why domestic remedies were not exhausted, one petitioner explained, “We could not ask for remedy, because, practice Christian faith in China is illegal, if we do we will receive more persecution.” The United States Department of State statistics reveals just how dangerous it would be for the respondent to admit their religious involvement, as it often leads to a conviction rather than an acquittal:

“The Political Prisoner Database (PPDB) maintained by human right NGO Dui Hua Foundation contained the following number of imprisoned religious practitioners at years’ end: 121 ‘non-cult’ Protestants, 487 ‘cult’ Protestants, including members of the Church of the Almighty God, 114 Muslims, 22 Buddhists, and four Catholics....”<sup>283</sup>

A second petitioner stated “Since the corruption of the laws, the lawyer couldn’t help my family with this type of cases. And my family couldn’t pay the money for a lawyer, either.” In China, when an individual comes forth to local authorities to explain their situation as victims of religious persecution, they often receive punishment – instead of solace – in retribution for their participation in religion, making domestic legal remedies improbable.

In July 2019<sup>284</sup>, North Carolina pastor John Cao – who was originally charged with “organizing illegal border crossings” for conducting Christian mission trips to neighboring Myanmar – was informed that his appeal would not have a physical court hearing, but would instead be a “trial

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<sup>281</sup> Laney Zhang, *China: Revised Regulations on Religious Affairs*, Library of Congress: Global Legal Monitor, 9 November 2017.

<sup>282</sup> Magdalena Maslakova, “*The New Regulation on Religious Affairs and its Possible Impact on the Catholic Church in China*”, *Oxford Academic Journal of Church & State*, 20 August 2019.

<sup>283</sup> United States Department of State, *2019 Country Reports on Human Rights Practices: China (Includes Hong Kong, Macau, and Tibet)*, 11 March 2020.

<sup>284</sup> ChinaAid, “*China refuses to hold hearing for North Carolina pastor, encourages lawyers to submit defense papers only*”, 14 July 2019.



session on paper only.” This announcement of a ‘paper hearing’ came after his appeal trial date was postponed seven times.

In May 2019<sup>285</sup>, Pastor Yang Xibo of the historical Xunsiding Church received notice from the district branch of the Ethnic and Religious Affairs Bureau that his church had received a penalty for his religious activity. The next day, Pastor Yang appealed Xunsiding Church’s penalty, but it was rejected immediately, and the church was officially shut down on May 31 for the first time since the Cultural Revolution.

Also in late May 2019<sup>286</sup>, the Three-Self Tianmen Church in Jianxi, Luoyang, Henan Province received a “notice on the demolition of illegal constructions.” The church’s director appealed the demolition notice to the Ethnic and Religious Affairs Bureau, but it was rejected and the church – home to 1,300 congregation members – was fully destroyed on May 31st.

In 2018<sup>287</sup>, Chinese Christian Wang Ping was released after completing her three-year sentence in prison on the charges of “illegal gathering” and “disturbing public order” after a neighbor anonymously tipped off the police about her in-home worship services. Ping’s husband, Mr. Zhou, was arrested but released four days later; he attempted to appeal his wife’s sentence, but “was dissuaded by his lawyer who explained, ‘the state classifies anything to do with religion as a political issues; your wife was convicted for believing in God, and no one is going to touch this case.’”

In 2017<sup>288</sup>, Church of the Almighty God member Liu Jinhua was ambushed along with two other church members at a house church for charges related to *xie jiao* engagement. Each of the Church members were sentenced to 10 years in prison and were fined the equivalent of approximately USD \$7,500. The three defendants appealed their charges, but the appeals were rejected by the Heze City Intermediate People’s Court; the defendants’ families were not informed of their appeal hearing, and to date no one other than the convicted individuals and the court have any information regarding whether the hearing was fair or impartial.

In 2016, Chinese government authorities interrupted a worship service taking place at Emmanuel Church, which had been historically active since 1990 and had all required certificates and legal documentation for activities. Five church leaders and 17 worshippers were arrested. Each church leader was charged with “subversion of state power” and received varying prison sentences, the longest being 7 years and the shortest being 3 years. One of the arrested pastors appealed their sentence at a higher court but his prison sentence was ultimately extended an additional year in and he was fined an extra 200,000 RMB (≈ USD \$28,000) in response to his appeal.

In 2015<sup>289</sup>, six leaders of Local Church received extremely harsh sentences after being charged with “committing the crime of organizing and using a *xie jiao* organization to undermine law

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<sup>285</sup> Massimo Introvigne, “Xunsiding Church: The Rise and Fall of a House Church”, *Bitter Winter*, 28 August 2019.

<sup>286</sup> Li Guang, “Two State-Run Protestant Churches Demolished in Henan”, *Bitter Winter*, 1 July 2020.

<sup>287</sup> Bitter Winter, “Shanxi Christians Undergo Heavy Prison Sentences, One Crippled”, 29 July 2018.

<sup>288</sup> Ye Jiajia, “Sentenced to Ten Year in Prison for Their Belief”, *Bitter Winter*, 17 April 2019.

<sup>289</sup> Jiang Tao, “Six Local Church Leaders Given Heavy Prison Sentences”, *Bitter Winter*, 18 March 2019.



enforcement.” Liu Ruizhou received the longest sentence of 13 years in prison, Zhao Jincai received 11 years, another two leaders received 9 years, one leader 7 years, and the last leader 5 years. The defendants appealed their charges, making the claim that “the Local Church is not a *xie jiao* and that it’s not a crime to believe in God or to spread the Gospel”; however, the appeals were denied by the Intermediate People’s Court of Jiaozuo City.

Cao Liming, a member of the Church of Almighty God in Yucheng county, Henan, was a television broadcaster who engaged in evangelism on the side. In 2012<sup>290</sup>, Cao was detained and accused of “disturbing social order” by engaging in proselytism and church recruitment, and in mid-2013, at an hour-long court hearing, he was told by the presiding judge that “as long as you believe in God and spread the gospel in China, you have already violated Chinese criminal law and constituted a crime.” He was charged with “organizing and using a *xie jiao* organization to undermine law enforcement” and sentenced to three years in prison. Cao immediately asked the judge if he had the opportunity to appeal his charge, but the judge denied him.

#### *iv. The respondent’s justice system is fraught with corruption.*

China’s judicial system is fraught with corruption, patronage, and “miscarriage[s] of justice,” having a conviction rate of no less than 99.9%.<sup>291</sup> Such is often the case under absolute governance – rule of law is ignored and instead the government leverages arbitrary and prolonged detention, secret trials, and superfluous charges against political activists and religious believers who are perceived as threatening to the superiority of the regime.

The judicial system is strategically planned to allow state officials to detain individuals for lengthy periods of time to keep ‘suspicious’ people incarcerated for as long as possible. According to the United States Department of State, while domestic legislation regarding judicial procedures only allows for the suspect to be detained for 37 days with “approval of a formal arrest by the procuratorate,” in cases where the individual is suspected of charges relating to “national security, terrorism, and major bribery,” authorities are permitted to detain the suspect for six months without formal charges.<sup>292</sup>

Legally, the courts are recommended to provide lawyers to detained individuals if the suspects cannot afford to hire their own, but this is not a common practice in China. Suspects are permitted to apply for bail, but there are remarkably few cases in which a suspect is released on bail terms. State officials are legally obligated to inform the detained individual(s)’ family members of their arrest within 24 hours of initial detention, but this requirement was rarely met. Moreover,

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<sup>290</sup> Cao Liming, “[The Price of My Belief: Locked up for Three Years](#)”, *Bitter Winter*, 12 February 2020.

<sup>291</sup> Cary Huang, “[No sign of change in China’s deeply flawed criminal justice system](#)”, *South China Morning Post*, 14 December 2016.

<sup>292</sup> United States Department of State, [2019 Country Reports on Human Rights Practices: China \(Includes Hong Kong, Macau, and Tibet\)](#), 11 March 2020.

“There were multiple reports authorities arrested or detained lawyers, religious leaders or adherents, petitioners, and other rights advocates for lengthy periods, only to have the charges dismissed later for lack of evidence. Authorities subjected many of these citizens to extralegal house arrest, denial of travel rights, or administrative detention in different types of extralegal detention facilities.”<sup>293</sup>

The US State Department also explains that judicial power is not exercised independently and impartially. Many judges were influenced and coached to make decisions in line with the CCP’s opinion, especially in “politically sensitive cases.”<sup>294</sup> In fact, the CCP Organization Department is required to approve of all judicial appointments, and in many local areas, municipal governments themselves often choose the local judges and therefore can exert control over judicial decisions; “a CCP-controlled committee decided most major cases, and the duty of trial and appellate court judges was to craft a legal justification for the committee’s decision.”<sup>295</sup> In perhaps the most egregious violation of due process, confessional videos of suspects prior to their actual case proceedings were likely elicited in return for a false promise of acquittal and were utilized to establish guilt.

“Courts often punished defendants who refused to acknowledge guilt with harsher sentences than those who confessed. The appeals process rarely reversed convictions, and it failed to provide sufficient avenues for review; remedies for violations of defendants’ rights were inadequate.”<sup>296</sup>

***v. Lawyers working on cases related to religious freedom and human rights have been disappeared or detained by the respondent.***

In China, accessing legal remedies is made further difficult and dangerous because the Chinese government has been known to detain, imprison, and disappear lawyers who have defended victims of the CCP’s human rights and religious freedom violations. In 2015, an incident known colloquially as the ‘709 Crackdown’ saw the arrests of no less than 200 Chinese lawyers. Li Heping and Gao Zhisheng are two lawyers who were active in defending minority victims of religious persecution and voicing their criticisms of the CCP’s policies restricting religious freedom. Both were detained during the 709 Crackdown with little news since then regarding their whereabouts or status. Lawyers Wang Quanzhang and Jiang Tianyong were defense attorneys for multiple Falun Gong clients and have also remained in prison for almost five years. As a result of this detention of human rights and religious freedom lawyers, citizens face not only shrinking access to legal defense, but also increasing fear that their lawyers or they themselves will be targeted for harsh retaliation.

***vi. Victims of religious persecution in China have historically had no option but to seek refuge in other nations***

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<sup>293</sup> *ibid.*

<sup>294</sup> *ibid.*

<sup>295</sup> *ibid.*

<sup>296</sup> *ibid.*

Religious persecution and an inability to legally redress such persecution has caused a massive diaspora outside of China in numerous locations around the world, including the United States, Taiwan, Hungary, Sweden, and Kenya. Because the legal framework and cultural traditions of China prevent its citizens from engaging in religious practice without major restraint and endless restrictions, many find they have no choice but to leave their homeland in order to find a place where their spiritual freedom will be legally protected.

In Taipei, Taiwan, members of Early Rain Covenant Church have amassed a small congregation where they are free to practice their religion without constraint and interference by the government. One member, Liao Qiang, escaped from China with his wife and family after restrictions on religious freedom reached the point of unmitigated surveillance by state authorities on the entire family, including his children.<sup>297</sup> Now, Liao and his family live peacefully in the capital of Taiwan and regularly attend Reformed Presbyterian Xinan Church, where they can worship freely.

In Kenya, there has been a recent spike in Christian immigrants received from China as a result of religious persecution: “Each person here has re-rooted their life from Communist China to Kenya, a leading African economy where 80% of the nearly 50 million people are Christian.”<sup>298</sup>

According to Pew Research Center, in terms of religious affiliation, Christians make up the largest portion of people who have internationally immigrated (49% or 105,670,000 individuals), followed by Muslims (27% or 58,580,000 individuals).<sup>299</sup> China is one of the largest source countries of international migrants, as 8 million people have exited the country. Moreover, “the top country of origin for Buddhist migrants is Vietnam, followed closely by China (more than 1 million each). China has been the largest source of migrants belonging to other religions (2 million) as well as the primary country of origin for migrants who are religiously unaffiliated.”<sup>300</sup>

## B. Timeliness

The Optional Protocol to the Convention on the Rights of the Child on a communications procedure states in Article 20 that “The Committee shall have competence solely in respect of violations by the State party of any of the rights set forth in this Convention and/or the first two Optional Protocols thereto occurring after the entry into force of the present Protocol.” However, Article 7 presents that a communication is admissible if “(g) the facts that are the subject of the communication...continued after that date;”.<sup>301</sup> The violations against the petitioners of this complaint did occur before this Protocol was entered into force; however, the People’s Republic of China signed the Convention on the Rights of the Child in August 1990

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<sup>297</sup> Caleb Parke, “Chinese Christians flee China amid crackdown on church: ‘No longer safe for us’”, *Fox News*, 8 July 2019.

<sup>298</sup> Jenni Marsh, “As churches are demolished at home, Chinese Christians find religious freedom in Kenya”, *CNN World*, 21 May 2019.

<sup>299</sup> Pew Research Center Religion & Public Life, *Faith on the Move – The Religious Affiliation of International Migrants*, 8 March 2012.

<sup>300</sup> *ibid.*

<sup>301</sup> General Assembly resolution A/RES/66/138, *Optional Protocol to the Convention on the Rights of the Child on a communications procedure*, 14 April 2014.

and ratified it in March 1992, both of which took place before major persecution of religious minority communities and children of such communities became a state-sponsored initiative of the respondent. At the time that the Chinese Communist Party began brutally cracking down on religion, it was party to the provisions and obligations as set forth in the Convention on the Rights of the Child. The persecution of Falun Gong was initiated in 1999<sup>302</sup>; the most recent wave of policing and detention of Uyghurs started in 2014, with a resurgence in 2017<sup>303</sup>; China's "management of Tibet issues" began in the late 1990s and early 2000s<sup>304</sup>; and much of the persecution of China's Christian population escalated directly following the implementation of the Revised Regulations on Religious Affairs in 2018.<sup>305</sup> Perhaps more importantly, the persecution is ceaseless, as many concurrent violations are addressed in Sections VIII and IX of this complaint. Lastly, as is mentioned in Section X of the present complaint, the childhood experience of persecution is likely to have life-lasting negative implications and consequences on the individual, meaning that the effects of such persecution on the petitioners is extant.

The Optional Protocol to the Convention on the Rights of the Child on a communications procedure also states in Article 7 that a communication is inadmissible if "(h) The communication is not submitted within one year after the exhaustion of domestic remedies, except in cases where the author can demonstrate that it had not been possible to submit the communication within that time limit."<sup>306</sup> It would have been impossible for this communication to be submitted within one year after the exhaustion of domestic remedies of the petitioners due to the facts that (1) the majority of the petitioners did not leave China within one year after the violations leveled against them, or within one year after exhaustion of domestic remedies; (2) the petitioners would not have been sufficiently able to work with human rights law firms or organizations to submit individual communications while they were still in the nation whose persecutory policies actively repressed them and would likely punish them and their legal representatives for dissidence; (3) the petitioners would not have even been able to seek effective remedy through the respondent's justice system, let alone an international human rights body, especially considering their status as minors.

### C. Request for waiver of the true identity of petitioners

Considering that the respondent has a history of targeting religious minority diaspora communities abroad for harassment following their emigration from China and subsequent advocacy in holding China accountable to its human rights and religious freedom violations, we request for the waiver of the true identity of the petitioners in order to eliminate any possible risks of harassment from the CCP or retaliation against the petitioners' families or friends that may still reside in China.

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<sup>302</sup> Peter Beaumont, "China's Falun Gong crackdown: 'The persecution is almost underground'", *The Guardian*, 18 July 2009.

<sup>303</sup> Lindsay Maizland, "China's Repression of Uyghurs in Xinjiang", *Council on Foreign Relations*, 30 June 2020.

<sup>304</sup> International Campaign for Tibet & International Federation for Human Rights, *Chinese Crackdown on Tibetan Buddhism: A report published for the People's Republic of China's second Universal Periodic Review*, September 2013.

<sup>305</sup> Lily Kuo, "In China, they're closing churches, jailing pastors – and even rewriting scripture", *The Guardian*, 13 January 2019.

Baptist Press, "Crackdown on Christianity escalates in China", 19 December 2019.

<sup>306</sup> General Assembly resolution A/RES/66/138, *Optional Protocol to the Convention on the Rights of the Child on a communications procedure*, 14 April 2014.

### **XIII. Request for Relief**

The petitioners do not seek any monetary compensation, as such compensation would not offer remedy for the contravention of their CRC-guaranteed rights, nor would it offer remedy to the hundreds of thousands of children in China whose rights are currently being violated as a result of China's persecutory policies towards spiritual and religious association. Rather, the petitioners collectively and respectfully request that the United Nations Committee on the Rights of the Child adopt the following recommendations for declaratory and remedial relief:

1. Find that religious persecution is an obstacle to the full realization of children's inherent rights.
2. Find that the respondent has caused and promoted religious persecution by implementing nation-wide and municipal policies that restrict the child's right to freedom of religion or belief with regards to, but not limited to: freedom to manifest one's faith or spiritual belief through worship, teaching, and/or observance.
3. Find that, in effect of implementing such restrictive policies on religion, the respondent has also violated the rights of ethnic, cultural, and linguistic minority children to enjoy their culture, religion, or language.
4. Find that the respondent has exhibited its lack of prioritization of the child's best interests as a factor of consideration in domestic policymaking with regards to faith, religion, and spiritual beliefs.
5. Recommend that the respondent conduct a comprehensive investigation into the incompatibility between its own policies and the provisions outlined in the Convention under which the respondent's policies should be drafted. Moreover, recommend that the respondent's policies and legislation should be amended where necessary in order to reconcile with international standards of children's rights and human rights.
6. Recommend that the respondent, pursuant to Article 14 of the CRC, amends its policies and legislations to guarantee that (i) every child has the right to freedom of thought, conscience and religion; and (ii) parents and guardians have the right to guide the child in the exercise of such rights.
7. Recommend that the respondent ceases all practices which specifically present obstacles and restrictions to the child's free exercise of his or her rights. Such practices include, but are not limited to: prohibitions on minors' participation in religious and/or spiritual worship; proscription of religious education and religious activities for minors; promotion of anti-religious and pro-atheist propaganda, school curriculums, and

indoctrination; restrictions on cultural and linguistic traditions, and; forced separation of the child and the parent/guardian by way of arbitrary detention.

## **XIV. Appendices**

### **A. Petitioner Testimonies**

#### ***i. Testimony of D. G.***

My name is D. G., born on February 21, 1999, in a[n] underground church in ----- City, Shandong Province, China. For my faith, I have suffered greatly in my formative years.

One night in the spring of 2005, when done with singing, we heard someone knocking on the door and noisy screaming. [M]y mother went forward and opened the door carefully. Before the door was fully opened, the neighborhood security guards rushed in. They shouted loudly and scolded my mother. The harsh voice, the security guards' ugly faces and my mother's fearful look scared me. I was afraid that those people would take my mother away and I would never see her again. After that, I was often startled to wake up in the middle of night's sleeps.

The summer [of] 2004, my father preached in ----- District, and my grandmother took me there. Suddenly, a large group of police officers rushed into the church rudely, dispelling all the brothers and sisters there. They demanded my father to follow them and took him away. Grandma was afraid that I would be scared and took me out of the meeting place timely. Afterwards, I learned that my father was brought to ----- Public Security Bureau for interrogation. The provincial public security department sent six officers to interrogate him. He stayed there for three days. My parents were worried about me. When they went to the seminary in Beijing Province, they arranged for me to live with my grandmother. Every time I saw other children were being picked up by their parents, I was very jealous; I envied [that] they could take their parents' hands and go home with them. Grandma opened a blind people's massage shop nearby to earn their living. Every time, I had to wait until she came after the shop closed, and I was always the last kid to be fetched in that kindergarten.

I started my schooling at ----- Elementary School near home. Teachers and classmates were not used to being mixed with a student with Christian faith. I remember at the end of second grade, the teacher arranged a drawing board. I painted a cross on the blackboard intertwined with the word "LOVE." The teacher was very angry after seeing it. She said my family fell victim to a cult, and scolded me in front of my classmates. I was made very sad and cried. The school also encouraged students to sing "red songs" and join the Communist Young Pioneers to devote themselves to communism. That was not in line with my parents' teaching: "don't die for an organization or for one person, but live a life that Jesus exchanged for blood." I chose not to participate in the Young Pioneers. The teacher considered

me a bad student; my classmates didn't want me to be their friend. While I wanted to play with them, they didn't let me join or even get close to them. I was isolated.

From then on, evil things [kept] on happening. One afternoon, a classmate ridiculed me, saying that my parents did not teach me well. I stood up and argued with him. Ignoring me, he kicked me off on the ground. Another afternoon in the winter when I was in the third grade, an unfriendly classmate took me to the restroom, where they hit me and threw my only set of gloves into the dunghill. In the cold winter, I had to endure the cold winter wind blowing hard on [my] hands. In a sports event, several classmates asked the teacher to assign me, the one who always sat on the front row for being little, to the back. Unwilling to be transferred, I argued with them. One of the classmates scratched my face. The teacher didn't demand him to apologize to me, instead, he blamed me for causing troubles and called my parents to take me home. Mom came to pick me [up]. So wronged, I could no longer hold my feelings; I burst into tears. I still remember the feeling of bitter bile flowing into my mouth until today.

Not only at school, I was also isolated in the neighborhood. One afternoon in the third grade, I came home from school. A security guard said that I was a child of a missionary, and our family had a very bad influence on the neighborhood and had no right to live here. Angered by what he said, I made a face [to] him. He chased me, got me and pushed me on the ground, and kicked me, saying that he was "getting rid of an evil for the people."

In the summer of 2006 (when I was 7 years old), my parents went to ----- City for preaching, bringing with [them] 13 students at Sunday school. Due to hardship in the travel and my sickness from childhood, I felt [my] stomach was hurt, though I tried hard to follow them. One night, I began feeling dizzy, my stomach hurt heavily, and then I started [having] convulsions, and, finally, [I became] comatose. My parents sent me to a nearby hospital, where I was unconscious for two whole days and continued to have a fever for about ten days. My mother knelt down and kept on praying, asking the Lord to save me. The doctor diagnosed me to have gastric hemorrhage; the normal range for hemoglobin was 12 grams per deciliter for a child at ages 6 -14, while I only had 5 grams. I was finally saved. During my hospital stay, my mother stayed with me (while my father went ahead with his theological study in Beijing). I spent half a year in the hospital bed. I remember that on the day before I was discharged, I couldn't even stand up due to [a] long time lying down. As the fallout of this big bleeding, I did not participate in any physical education classes until the fifth grade.

In 2007, when I was 8 years old, I was assigned to work on the children's Sunday school. I shared food with them, told them the Bible stories, taught them to sing hymns. I helped my parents make a variety of Bible story cards and spent time painting them. One day in February, I invited a child, who used to play with me in the neighborhood, to come to our school. I told him the Bible stories. His parents were furious at hearing what their son told them. When playing outside in the evening, I was spotted by them. They pulled me to a small park in the neighborhood. I was scared, crying, but no one came to my rescue. They grabbed my left hand

and slammed it into a tree. As they were hurting me, they asked whether I dared to speak of Jesus to their son anymore. I still have the scars left by that injury until now.

In the summer of 2008 (when I was 9 years old), my father organized a summer camp with more than forty students in our local area with my mother as their teacher. Concerned that my parents would lead so many students to know Jesus, the police officers of ----- came to the summer camp to harass [us]. I hid in a corner and saw a heated conversation between Dad and the police. Then they took my dad away. Looking at the large number of policemen behind my father and hearing the sirens, I trembled. I was at a loss. Depression and sadness struck me, and I cried. The students and I left the summer camp. Later, I heard from my father that they took him to the ----- City Public Security Bureau, where the policeman warned him to stop the summer camp, saying: “your whole family is under our control; we know everything you did.” Mom and Dad were worried about the gravity of the pressure on me and send me to my nearest relatives for a while.

When approaching the fourth grade, the classes were reshuffled. I originally hoped that my situation would improve after shuffling, but it did not turn out this way. The new classmates had been quite friendly to me at first, and after learning that I was a Christian, they stopped mixing with me. There were various gangs among schoolmates then. No one invited me to join any of them. They stared at me as if I was a strange animal. A classmate said to me that he had relatives working at the school and admonished me to be careful, otherwise he would have me dismissed from the school. Once, someone made a girl student's clothes stained by correction fluid. The teacher investigated who had done it, and all of the students pointed the[ir] finger[s] at me. I said that I didn't do it, but no one vouched for me. No matter how much I cried, the teacher did not believe me. At that moment, I felt that the whole world was blackened.

Once, the teacher arranged for us to write an essay about a better life in the future. Based on the Bible stories, I described the future as that the growth of all things required no rain; there would be sweet and moist grass, vegetables and trees all over the ground; everyone was very friendly, loved by his/her neighbors. Disgusted at reading it, the teacher criticized me in front of the whole class, saying that my essay was bad for failing to meet the Party's teachings. I was penalized to stand outside the classroom and write a 1000-word self-criticism. I felt very much wronged for standing there for the whole session. I was not able to write [a] so-called self-criticism as required, but I managed to have it done. After dropping my pen, I ran out of the home and hid in a nearby corner, crying. It took my family quite a while to find me that night.

My academic score was also affected, especially after I refused to sing communist songs, the teacher punish[ed] me by deliberately changing my seat to the back. My eyesight was not [good], unable to see the words on the blackboard clearly. I asked the teacher for clarifications. The teacher turned me to other students, who ignored me, not lending their notes to me. My scores started falling and my self-confidence plummeted. Because I was bullied and



discriminated against for so long, I became frustrated and depressed; I went to school with fear every day.

In the summer of 2009, my father went to ----- Province to preach, which I followed. We helped local residents in the fields and tried to set up house churches there. One morning, the screaming sirens woke all of us up and the police suddenly came to disperse us. My father hurriedly locked me in a room and asked a couple to take custody of me for three days. In those three days, I spent a day like I did a year. Worried about my father's safety, I could not eat. The couple kept on comforting me and watching me closely to prevent me from running out to find my father.

In 2010 (when I was 11 years old), I started my junior high school. My situation was not getting better. The first day started with a military training and the teacher instructed us to sing red songs, which I refused resolutely. The teacher punished me by ordering me [to] stand there for two hours to reflect on "bad behavior." When I was in Politics class, I heard many things totally in conflict with my Christian faith. I made different opinions; I refused to recite the "Communist Manifesto" and other communist propaganda. Once, I challenged the teacher to give an instance where communism ever succeeded in history. Failing to answer my challenge, the teacher criticized me in front of the class for not behaving. There were too many such instances to list. On a Chinese Memorial Day, a teacher required the class to make white paper flowers and candles to pay homage to the Communist martyrs. Due to my faith, I refused to worship the dead. Teachers and classmates felt that I was from another planet, a scumbag who dared not to be grateful and loyal to the Communist Party. I was getting more and more isolated in my class, and people bullied me even more. One afternoon, a classmate humiliated me by pushing me down to a girls' restroom. As a boy in adolescence, [it] was hard to sustain such an insult and I couldn't control the tears out of sadness. The classmates said I was crying too much and thus not man enough. Having experienced such blows in adolescence, I did not drop a tear since then and I still can't express my feelings naturally even now.

In the last year of my middle school, the teacher asked me to sign up for the membership in the Communist Youth League, otherwise I would not be [allowed to] go to high school. I thought about it for a while. I asked myself whether God would forgive me if I signed. In the end, I chose faith and refused to sign. My confrontation with the teacher was getting worse; my mental condition was also getting worse. Sometimes I could remember my childhood; sometimes I forget everything that happened; it seems that nothing ever happened. But those memories would pop up uninvitingly. I could not sleep and control myself. In the daytime, I was unable to concentrate; at night I was often awakened by the nightmare mixed with my own experience.

At the same time, the government's persecution of the house churches never stopped. In February 2012, I attended a fathering, attended by old people. They like me for my being so young and with a faith. They asked me to lead them in singing hymns. When we sang hymns, the police broke into our door and announced that they had received reports that an illegal

gathering was taking place in the office building and began to detain people. They detained an uncle who was responsible for setting up the gathering. I did not know what to do, except for hiding in a corner. Everyone was dispersed.

### *ii. Testimony of E. L.*

My dad was sentenced to two and a half years in jail for his Christian faith. After his release, the government workers threatened him that if he doesn't work with the government, they would hire people to go to my school to hit me. They also said they would not let me go to college since I won't be able to pass "Political screening".

They harmed my rights to get an education. They also threatened my security.

While my dad was taken away, I had a different birthday. Since my dad wasn't home, he couldn't celebrate my birthday for me. My mom invited some friends from church to home to celebrate it together. By coincidence, my dad called my mom in the evening when we had just finished eating. My dad couldn't call people whenever he wanted to while in the prison. He had to make an application, and the priority had to submit it first. Then they will decide when to let my dad make a phone call. Right on my birthday, my dad got to call my mom for around 10 minutes. My mom was very excited about all of this, we all believe it's God's blessing. My mom gave me the phone and asked me to talk to my dad because it was my birthday. I didn't know what to say, so I asked if he could sing me a "happy birthday song", and so he did. At the end, we both burst into tears. While my dad was away, I always encouraged myself that I could make it through. At that moment, all of the sad feelings came to me. I started to realize how different my life was and how naïve I was trying to handle it by myself. It is the most normal thing for a kid to hear that from his dad on his birthday, while it was the most special thing for me in that period.

They harmed my childhood experiences by separating my dad away from my family.

### *iii. Testimony of X. X.*

My name is X. X., I'm 18, and I am from China. While I was growing up, I felt I was different than other children. I remember when I was very young that my mother often put me in the care of relatives or at a friend's house and then left in a hurry.

I missed my mother. Every time she left, I would be crying in a corner. I wanted to be with my mother so much and I was afraid of her leaving me. Every time I saw my mother, I would hear her talking with her friends about my father.

I had never seen my father. Who was he? What did he look like? Why did my mother want to restore my father's name? What crime did he commit that got him in jail? The most frequent words I heard were "exposing the evil," "dangerous," "police car," and "be safe."

"Your father is a good person," people would say. If my father was a good person, why was he in jail? I could not understand many things.

As I grew up, I got to know more about my father from my mother. His name was D. X-. He was very honest. He was born in 1974 and used to be a chef. In 1996, he read the book Zhuan Falun, lived by the principles of Truthfulness-Compassion-Forbearance, and cultivated Falun Gong. My parents met and fell in love in 1997. They got married on May 12, 2000.

Jiang Zemin (former head of the Chinese Communist Party) gave the order to eradicate Falun Gong on July 20, 1999, and arrested many Falun Gong practitioners. Falun Gong was slandered in China. My parents started printing materials to tell other people about Falun Gong and how it was being persecuted.

For printing these materials, my parents were arrested in February 2001 by police from -----, ----- Province. My father was brutally tortured and was sentenced to eight years in prison.

My mother was locked in an interrogation room. Two guards struck my mother's head, face, and back. She told me that she was dizzy and vomited from the torture. At that time, my parents had been married for eight months and my mother was pregnant.

After a month in detention, my mother was allowed probation for her pregnancy. When she tried to visit my father in jail, she was not allowed to see him.

An inmate could not stand to see my father tortured and called my mother and shared the details. He told her that the guards instigated inmates to stab my father's fingers and toes with needles. My father was shocked with electric batons. Guards stuffed cleaning rags into my father's mouth so that he couldn't scream or shout.

My father refused to give up his belief, so he was secretly rotated among four prisons in ----- Province. My pregnant mother ran from one prison to another.

When I was four months old, my mother was arrested again and sent to a so-called rehabilitation center. After nine days of torture, she was on the verge of death and released.

When I was seven, I remember the first time I met my father in prison. He saw me and wanted to hold me. I knew this person was a very important person to my mother. He was the person my mother wanted to see the most. He was my family, but I didn't know him. I was scared. I hid in my mother's arms and would not let him hold me. This is the biggest regret of my life.

The second time I saw my father was when I was eight. He came home after eight years in jail. I was afraid of getting close to him because his body was covered with scars. He had a hard

time breathing. Sometimes his mind was clear, sometimes not. My mother was worried and anxious. She did not know what to do.

After my father was home for 11 days, my mother took him to a hospital. Two days later, my father left us forever.

Within less than 100 days, my mother had lost four of her closest family members – her brother, father, husband, and mother. They were not able to survive the brutal persecution and passed away one after another. I cannot find the words to describe my mother's mental state in those days. I felt so tiny and helpless. I just hid in a corner looking at things around me, scared.

Because of my father's passing, my mother went to different places to clarify the truth. I was often forced to transfer schools. From the time I was eight, life was very unsettled. My mother was arrested because she sought redress for my father.

When I was in the third grade, I already had been to four different schools. Later, I lived at school. On weekends, my mother's friends would pick me up and take me to their homes. Each time, it seemed like a different person picked me up.

My mother ran everywhere for my father's sake. I did not see her often. Sometimes, I saw her for a moment and then she had to leave right away. I remember once very clearly that my mother was taking me to school. When we were almost there, I so wished that time would slow down. I wished to be with her for a bit longer. When it was time for her to leave, I still said to her, "Mom, you can go now." I knew in my heart that she was doing a very righteous thing.

Mom left. I did not want to turn around to see her. I wanted to give her the impression of a strong girl. The moment I turned around, I could not hold back my tears any longer. I cried.

The fourth school I went to was ----- School in ----- . My teachers were mostly Falun Gong practitioners. On weekends, I was able to see my mom again. Because of my father's matter, my mother spent most of her time in ----- at that time. I was happy and thought that I finally would have a place to stay and study.

One day, a classmate told me that she saw on the Minghui website that Mr. D. X- had passed away as a result of the persecution and that his wife had been arrested.

I was scared. I went outside to the patio and cried. My classmate came out and I said to her, "I don't know what to do. My mother was arrested. My father died. Will I be an orphan? I don't have anything left." I went to my teacher asking about my mother. She comforted me. "Your mother is fine."

However, my mother did get arrested. She was released 20 days later on the verge of death. I was fortunate to not become an orphan.

Although I lived at ----- School, I did not feel as sad as I had when I was in the other schools. It felt like a family with my teachers and schoolmates. Every day, we studied traditional Chinese culture and etiquette. Although we had some conflicts, we would try our best to overcome the difficulties.

On a very nice morning – the day before my birthday – I told my teacher, “Tomorrow is my birthday.” My teacher said she would prepare a birthday gift for me.

The next day, I waited and waited. Soon I heard that my teacher had been taken away and nobody knew where she was. A substitute teacher came and taught us that day. Even though the weekend was coming up, everyone still wanted to wait for our teacher after school.

The next morning, we heard that the police would come to our cafeteria around noon to put up posters slandering Falun Dafa. I joined a group of my classmates and fled from school.

As noon approached, we called classmates who were still at school. They told us the police might come and they asked us not to come back. Our homes are all far from the school, so we took trains. After three to four hours on the train, I got home.

It was dark when I called my mother. “Mom, can you find a place for me to stay? Something happened at school.” I cried. I was afraid our phones were being tapped, so I didn’t say more. My mother understood and said, “Don’t go anywhere. I will find somebody to pick you up.”

From that day on, I had nightmares. At night, I wanted someone to hold my hand so I could fall asleep.

Later, I heard that the police took away many of my classmates. A male classmate named B. G--- was deprived of sleep [for] four days by the police. They forced him to tell who our teacher had contacted. He was very scared and collapsed mentally. After he went home, he passed away. There was a report about him on Minghui website.

Most of my childhood was filled with fear and the need to escape. I was not able to go to the school I really liked anymore. Because of my father, my mother was wanted by the police. The police also kept looking for me.

When I was 12, my mother and I escaped to Thailand. Even there, we were not free of fear. The police once almost took my mother to an immigration prison.

I was fortunate to come to the United States, a country that protects freedom of belief. I am no longer afraid the police will take my mother away. I no longer need to worry about being arrested, tortured, or becoming an orphan.

The brutal persecution continues today. There are still many children in China who have had experiences similar to mine. They are not as fortunate as I was to come to America.

I hope more people will pay attention to the persecution that is happening in China. I hope more people will help stop this 18-year-long persecution.

*i. Testimony of A. E.*

I was raised in ----- city of Uyghur Autonomous Region. My father was a well-known tv producer and journalist. My mom was a math teacher at public school. So I grew up in a moderate middle class family. Most of my childhood [was] spent inside school so I don't have any big events happened or that I encountered outside of school. Maybe because I didn't recognize or understand since I was just a kid, my childhood was mostly peaceful or nothing that I can recall to be out of [the] ordinary. Yet, there are things that now I realize [are] actually wrong and contradictory to what the government say[s] and has been saying.

Though [the] Government says everyone can practice their religion, from elementary school [until] I graduate[d] high school, every year [I] and all the Uyghur students were asked to sign [a] paper saying not only us students but our family also will not fast during Ramadan, will not pray and will not practice any religious activity. I have seen and heard students being expelled from school for allegedly praying or fasting. Though [that] did not happen in my own school, but since my mom was also a public school teacher, I have heard about how students were given water to drink during Ramadan to see if they are fasting and told to openly denounce any religious belief.

Even though it [is the] Autonomous territory where the law says people can have education in [the] Uyghur language, I also witnessed how Uyghur language gradually got thrown out of the education system. A few years before I entered elementary school, education in [the] Uyghur language got thrown out from Universities. When I entered elementary school, except Mandarin class, all the classes were taught in Uyghur. Then when I got into middle school, all science classes started to be taught in Chinese and all Uyghurs schools in my own homeland got incorporated to nearby Chinese schools. My younger sister's grade had all their classes taught in Chinese even though it is called "bilingual education". When my younger brother entered elementary school, all his classes were taught in Chinese and they didn't even have any Uyghur language class for 2 years. I have heard some schools completely banned students from speaking the Uyghur language even during the breaks and heard from people how it [is]. I witnessed how Uyghur language got thrown out form the education system even though it [is] against China's own territorial autonomy laws yet I am remaining as part of the last years students still had some classes taught in Uyghur language. I never spoke to my family in any other language yet the last time when I had contact with my younger brother was a few years ago when he wasn't even 10, his voice message was in Chinese. We have been living in our homeland for thousands of years, with our own language.

I came to the US as an international student at the age of 18. I tried so hard to maintain my student status since my only goal was to get my degree and go back to my homeland. I never had plans to stay in America. Yet, in 2017 [the] Chinese government started its slow motion genocide in Uyghur Autonomous Region and then I lost contact with my parents. In 2018 I learned my parents were arbitrarily detained and sent to the camp. My mom was released from

the camp in early 2019 under critical health conditions after being detained for over a year and she got immediately hospitalized. There was no information about my father for over 2 years and then [the] Chinese government released a statement saying that me, a student who stayed away [from] anything political and tried so hard to maintain his student status, [was] a terrorist since 2015 and my father was sentenced for “violence and terrorism”. Yet the response by the Chinese government to UN’s WGEID given a few months ago regarding [the] detainment of my father was completely different. My father was a TV producer and journalist at state tv, most of his works were about [the] education and well-being of children and adolescents. He even opened up a school called --- children’s education center, which offered after-school instruction in dancing, singing, language, science, journalism, and announcing and sports. He also won many regional and China’s national awards for his programs such as ‘-----’ and ‘-----’ that encouraged science and charity towards children in low income families. [A]s a TV director and producer [the] government even awarded him as top 10 best journalism workers of the region. For his works that focused on education for Uyghur kids and for sending me my university tuition, my father is in imprisonment for “terrorism”, even though [the] Chinese government’s own response to [the] UN refuted their own statement.

Today, hundreds of thousands of Uyghur children are in government orphanages getting brainwashed to hate their own people, their family, their own language and culture as their parents are detained in concentration camps. Hundreds of thousands of Uyghur children are in their relatives’ house[s] without their parents, not knowing if they will ever see them again. I understand their pain as my younger brother and sister spent over a year without [either] of our parents being around and [they are] still without a father. Photos were once shared by one of my relative[s] on social media. At the time I didn’t know my parents were already detained so I didn’t understand why my 9-year-old bother did not have a smile [in] all those photos even though he seems to be in an amusement park. There are hundreds of videos of Uyghur children being forced to memorize and even being punished for not being able to memorize Chinese. There are many documents by China’s own cadres who [were] sent to families to monitor talking about how many children now living in schools because their family were taken and how that affected [the] mental state of those children. You can still see the proof on the blogs of Chinese charities [and] NGOs about how they found out many children in some places lack even basic clothing now because their families were taken.

While many know the tragic photo of that Syrian kid ---- ---- who died on the beach, not many know of this tragic [story] of -----, a two-year-old Uyghur from ----- County of -----, [Uyghur Autonomous Region] who died of drown[ing] and frozen due to lack of care after his parents were taken to [a] camp. He is not even a refugee, he died in his own homeland, where his ancestors have been living for thousand[s] of years. ----- ----, 19 years old, died of suicide just last June (2020) after he and his 16 year old cousin [were] told by police that they [were] going to be taken to the concentration camp because they are considered as dangerous generation for being born in 2000.

Later during the pandemic China did manage to contain the spread of the virus in its current territory, so when cases appeared in ----- region of Uyghur Autonomous Region, Chinese official media talked about how the first case turned out to be a 17-year-old Uyghur girl in [a] factory and she was only at home twice in a month, which is in line with the reports about how

Chinese [is] either turning camps [in]to forced labor factories or prisons with random sentences to legitimize its mass detainment due [to] international pressure. If Chinese authorities here think I am lying they can check their own media reports. Another person is ----- [who], after losing contact with his family, [the] next time he saw his son was 2 years later, in a Chinese propaganda video.

My 12-year-old younger brother spent the last 3 years without my father. I didn't even know my parents were taken until 6 months later. I wasn't able to say anything to my younger brother because contacting me seemed dangerous and I still can't contact any of my relatives because all of them were forced to sign papers saying they will not have any contact with me. I am abroad, I still have some freedom. I appealed to the UN, talked to all major news media outlets, yet I still do not know where my father is or even if he is still alive. My family and younger brother can't do anything nor know anything about my father. There are hundreds of thousands of people who also don't know anything.