



# Country Information and Guidance

## China: Christians

# Preface

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

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

Within this instruction, links to specific guidance are those on the Home Office's internal system. Public versions of these documents are available at <https://www.gov.uk/immigration-operational-guidance/asylum-policy>.

## Country Information

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

## Feedback

Our goal is to continuously improve the guidance and information we provide. Therefore, if you would like to comment on this document, please email: [cpi@homeoffice.gsi.gov.uk](mailto:cpi@homeoffice.gsi.gov.uk).

## Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office's COI material. The IAGCI welcomes feedback on the Home Office's COI material. Information about the IAGCI's work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's website at <http://icinspector.independent.gov.uk/country-information-reviews/>

It is not the function of the IAGCI to endorse any Home Office material, procedures or policy.

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<u><a href="#">QH (Christians - risk) China CG [2014] UKUT 00086 (IAC) (14 March 2014)</a></u>	
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# 1. Guidance

Updated 13 June 2014

## 1.1. Basis of claim

1.1.1 Fear of the Chinese authorities due to the person's Christian faith and/or involvement with unregistered Christian churches.

## 1.2. Summary of issues:

- Is it accepted that the person is a Christian?
- Does the person belong to a registered or unregistered church?
- Is the person at real risk from the Chinese authorities?
- Are those at risk able to seek effective protection?
- Are those at risk able to internally relocate within China?

## 1.3. Consideration of issues

### Is it accepted that the person is a Christian?

1.3.1 Decision makers must consider whether the person's account of their religious background and of their experiences as a Christian is both internally consistent and credible as well as being externally credible (i.e. consistent with the objective country information).

See Asylum Instruction - [Considering the asylum claim and assessing credibility](#) and also the process guidance on [conducting the asylum interview](#)

### Does the individual belong to a registered or unregistered church?

1.3.2 The number of Christians in China is unknown but it generally estimated to be over 60 million. Officially registered churches lack sufficient capacity to meet the demand; consequently illegal, unregistered churches have mushroomed.

1.3.3 There has been a rapid growth in the number of Christians in China, both in the three State-registered churches and the unregistered or 'house' churches. Individuals move freely between State-registered churches and the unregistered churches, according to their preferences as to worship.

See [country information](#)

1.3.4 The Chinese constitution guarantees freedom of religion; however the Chinese authorities seek to control all aspects of religious worship. Restrictions on religious freedoms and activities are widespread, but there are widespread regional variations in severity. All religious groups are required to register with the authorities. The treatment faced by Christians in China will, to a large extent, depend on whether they belong to a registered or unregistered (often called 'house') church.

See [country information](#)

### **Is the person at risk of harm and/or mistreatment from the Chinese authorities?**

1.3.5 In the country guidance case of [QH](#) (March 2014) the Upper Tribunal held that in general, the risk of persecution for Christians expressing and living their faith in China is very low, indeed statistically virtually negligible. The evidence does not support a finding that there is a consistent pattern of persecution, serious harm, or other breach of fundamental human rights for unregistered churches or their worshippers (para 137 of determination).

See [QH](#)

1.3.6 The evidence is that in general, any adverse treatment of Christian communities by the Chinese authorities is confined to closing down church buildings where planning permission has not been obtained for use as a church, and/or preventing or interrupting unauthorised public worship or demonstrations (para 137 of determination).

1.3.7 There may be a risk of persecution, serious harm, or ill-treatment engaging international protection for certain individual Christians who choose to worship in unregistered churches and who conduct themselves in such a way as to attract the local authorities' attention to them or their political, social or cultural views (para 137 of determination).

See [QH](#)

1.3.8 Exceptionally, certain dissident bishops or prominent individuals who challenge, or are perceived to challenge, public order and the operation of the Religious Affairs Regulations 2005 – which set out the conditions under which Christian churches and leaders may operate within China – may be at risk of persecution, serious harm, or ill-treatment engaging international protection, on a fact-specific basis (para 137).

See [country information](#)

### **Are those at risk able to seek effective protection?**

1.3.9 As the person's fear is of ill treatment/persecution by the Chinese authorities they cannot apply to these authorities for protection.

See Asylum Instruction –  
See Asylum Instruction -  
[Considering the asylum claim and assessing credibility](#)

### **Are those at risk able to internally relocate within China?**

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

## Policy Summary

**The courts have found that in general, the risk of persecution for Christians expressing and living their faith in China is very low. In general, for the great majority of applicants, including those from unregistered churches, treatment is unlikely to amount to persecution.**

**There may be a risk of persecution, serious harm, or ill-treatment engaging international protection for dissident bishops or certain individual Christians who choose to worship in unregistered churches and who conduct themselves in such a way as to attract the local authorities' attention to them or their political, social or cultural views.**

**However, in the light of the wide variation in local officials' response to unregistered churches, most individual Christians at risk in their local areas will normally be able to relocate safely elsewhere in China. The exception being those who are the subject of an arrest warrant, or whose name is on a black list, or where the person has a pending sentence.**

**Generally, a person who fears persecution in China on the basis of their Christian beliefs is unlikely to qualify for a grant of asylum or humanitarian protection.**

**Where a claim is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.**

See guidance on Actors of protection contained in [China OGN October 2013](#)

See Asylum Instruction on [Internal Relocation](#)

See guidance on Internal relocation contained in [China OGN October 2013](#)

See [QH](#)

See [country information](#)

See asylum process guidance on [Non suspensive appeals certification under section 94 of the NIA Act 2002](#)

[Return to contents](#)

## 2. Information

### 2.1. Overview

- 2.1.1 The government emphasizes state control over religion and restricts the activities and personal freedom of religious adherents when these are perceived, even potentially, to threaten state or Chinese Communist Party (CCP) interests, including social stability. Local authorities often pressure unaffiliated religious believers to affiliate with patriotic associations and use a variety of means, including administrative detention, to punish members of unregistered religious or spiritual groups. In some parts of the country, however, local authorities have tacitly approved of or do not interfere with the activities of unregistered groups. In February 2012, the State Administration of Religious Affairs (SARA) and five other organs jointly published an opinion supporting religious organisations' involvement in disaster relief and social service activities, ostensibly opening new avenues for faith-based organisations to provide aid to the public.<sup>1</sup>
- 2.1.2 Since 1999, the US Secretary of State has designated the country as a "Country of Particular Concern" (CPC) under the International Religious Freedom Act for particularly severe violations of religious freedom. China was re-designated as a CPC in August 2011. During 2012, the government detained over a thousand unregistered Protestants, closed 'illegal' meeting points, and prohibited public worship activities. Unregistered Catholic clergy remain in detention or disappeared. New directives were issued in 2012 to allow approved religious groups to conduct some charitable activities.<sup>2</sup>
- 2.1.3 Christianity is a fast-growing phenomenon in China<sup>3</sup>, and notwithstanding a variety of official and social sanctions against it, the majority of Christians are able to worship and practice without facing serious difficulties. Millions of Chinese Christians manifest their beliefs openly, and senior government officials have praised religious communities' positive role in society, and urged approved religious groups to promote 'economic and social development' and 'socialist principles'.<sup>4</sup>

### 2.2. Legal framework and position of Christians

- 2.2.1 The Chinese government has signed, but not ratified, the International Covenant on Civil and Political Rights (ICCPR), which provides that all individuals have the right to "adopt a religion or belief" of choice and manifest belief through "worship, observance and practice." The constitution provides for the right to hold or not hold a religious belief and individuals may not discriminate against citizens "who believe in, or do not believe in any religion." Criminal law allows the state to sentence government officials to up to two years in prison if they violate religious freedom. There were no reported cases of such prosecutions during 2012.<sup>5</sup> According to the US International Religious Freedom Report 2013, it is not possible to take legal action against the government on the basis of the religious freedom protections offered by the constitution.

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<sup>1</sup> US Department of State: International Religious Freedom Report 2012 – China – 20 May 2013 – Executive Summary

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2012&dliid=208222>

<sup>2</sup> US Commission on International Religious Freedom 2012: China 30 April 2013

<http://www.state.gov/j/drl/rls/irf/2012/eap/208222.htm>

<sup>3</sup> Christianity Grows in China: FCW: The Business of Federal Technology - September 20 2013

<http://fcw.com/blogs/lectern/2013/09/china-christians.aspx>

<sup>4</sup> US Commission on International Religious Freedom 2012: China 30 April 2013

<http://www.state.gov/j/drl/rls/irf/2012/eap/208222.htm>

<sup>5</sup> US Department of State: 2012 International Religious Freedom Report – China – 20 May 2013 – Section II

[http://www.ecoi.net/local\\_link/247441/357656\\_en.html](http://www.ecoi.net/local_link/247441/357656_en.html)

- 2.2.2 Chinese Communist Party (CCP) members are required to be atheists and are forbidden from engaging in religious practices. Members who belong to religious organisations are subject to expulsion. The vast majority of public office holders are CCP members.<sup>6</sup>
- 2.2.3 Only religious groups belonging to one of the five state-sanctioned “patriotic religious associations” (Buddhist, Taoist, Muslim, Roman Catholic and Protestant) are permitted to register with the government and legally hold worship services. Other religious groups, such as Protestant groups unaffiliated with the official patriotic religious association or Catholics professing loyalty to the Vatican, are not permitted to register as legal entities. Proselytising in public or unregistered places of worship is not permitted. Certain religious or spiritual groups are banned by law. Amongst these, the government considers several Protestant Christian groups to be ‘evil cults’, including the ‘Shouters’, Eastern Lightning, the Society of Disciples, Full Scope Church, and many others. Individuals belonging to these groups can be sentenced to prison, on the basis that membership of these groups (‘evil cults’) is banned by law. The Chinese Communist Party maintains its Leading Small Group for Preventing and Dealing with the Problem of Heretical Cults and its implementing ‘6-10’ offices, to eliminate the Falun Gong movement and (latterly) address ‘evil (Protestant) cults’.<sup>7</sup>
- 2.2.4 According to Freedom House, religious freedom in China is sharply curtailed. Religious and ethnic minorities remained a key target of repression in 2012, with several deaths in custody reported. All religious groups must register with the government, which regulates their activities, makes personnel decisions, and guides their theology. Some groups, including certain Buddhist and Christian sects, are forbidden, and their members face harassment, imprisonment, and torture. Unregistered groups, including unofficial Protestant and Roman Catholic congregations, operate in a legal gray zone. State tolerance of them varies from place to place.<sup>8</sup>
- 2.2.5 Individuals seeking to enrol at an official seminary or other institution of religious learning must obtain the support of the official patriotic religious association. The government requires students to demonstrate ‘political reliability’ and political issues are included in examinations of graduates of all religious schools. Both registered and unregistered religious groups report a shortage of trained clergy.<sup>9</sup>

## 2.3. Protestant and Catholic Christians

- 2.3.1 There are estimated to be between 23 and 40 million Protestant Christians in China, but different sources give varying figures.<sup>10</sup> The international Christian organisation ‘Open Doors’ estimates that there are approximately 85 million Christians of mixed denomination in China.<sup>11</sup> In addition, according to SARA, there are more than six million Catholic Christians on mainland China, 5.7 million of whom are affiliated with the Chinese Patriotic Association (CPA). The Chinese government and the Holy See have

<sup>6</sup> US Department of State:2012 International Religious Freedom Report – China – 20 May 2013 – Section II <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2012&dliid=208222>

<sup>7</sup> US Department of State:2012 International Religious Freedom Report – China – 20 May 2013 – Section II <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2012&dliid=208222>

<sup>8</sup> Freedom House <http://www.freedomhouse.org>  
Freedom in the World 2013: China, January 2013  
<http://www.freedomhouse.org/report/freedom-world/2013/china>

<sup>9</sup> US Department of State:2012 International Religious Freedom Report – China – 20 May 2013 – Section II <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2012&dliid=208222>

<sup>10</sup> US Department of State:2012 International Religious Freedom Report – China – 20 May 2013 – Section I <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2012&dliid=208222>

<sup>11</sup> Open Doors: China World Watch List 2014 accessed 26 March 2014  
<http://www.opendoorsuk.org/persecution/worldwatch/china.php>



not established diplomatic relations, and the Vatican has no representative in the country. The CPA does not recognise the authority of the Holy See to appoint bishops; approximately 40 Catholic bishops remain independent of the CPA and operate unofficially. The CPA has allowed the Vatican discreet input into selecting some bishops, and an estimated 90% of CPA bishops have reconciled with the Vatican. However, in some locations local authorities reportedly pressure unregistered Catholic priests and believers to renounce all ordinations approved by the Holy See. Most of the Catholic bishops previously appointed by the government as CPA bishops were later elevated by the Vatican through apostolic mandates.<sup>12</sup>

- 2.3.2 Despite some reconciliatory action, relations between the Chinese government and the Vatican remain problematic. China has continued to promote bishops ordained without Vatican approval to positions of Church oversight and governance. Dozens of unregistered Catholic clergy, including three bishops, remain in detention, in home confinement, or 'disappeared'. The Catholic bishop, Ma Daqin, who publicly quit the state-sanctioned Catholic Patriotic Association during his July 2012 ordination ceremony as auxiliary bishop of Shanghai, remains in detention, his whereabouts unknown.<sup>13</sup>
- 2.3.3 A BBC commentator referred to varying estimates of the number of Christians in China, stating that a conservative estimate was approximately 60 million, but that many independent estimates all agreed this is an underestimate. The same BBC report stated that Catholicism and Protestantism are designated by the Chinese state as two separate religions. Both Protestants and Catholics are divided into official and unofficial churches. It reported that the officially sanctioned Catholic Patriotic Association appoints its own bishops and is not allowed to have any dealings with the Vatican, although Catholics are allowed to recognise the spiritual authority of the Pope. There is a larger, underground Catholic Church, supported by the Vatican. However, the Chinese government and the Vatican have reportedly been inching closer towards mutual accommodation.<sup>14</sup>
- 2.3.4 The government seeks to "guide" unregistered Christian groups toward affiliation with government sanctioned groups and to stop the proliferation of unregistered Buddhist, Daoist or folk religion groups because they promote "superstition." Catholics, Protestants, Buddhists and spiritual movements consistently have not joined officially-sanctioned religious organisations because they refuse, amongst other things, to provide the names and contact information of their followers, submit leadership decisions to the government or to one of the government-approved religious organisations, or seek advance permission for all major religious activities or theological positions. They also do not trust government oversight, given past persecution.<sup>15</sup>
- 2.3.5 The Chinese government continues to restrict the religious activities of Protestants who worship in the government-approved church, and to harass, intimidate, detain, and arrest unregistered Protestants for religious activities protected by China's constitution. During 2012, police and security officials detained almost 1,500 Protestants, some in long-term home detention, sentenced as many as 18 religious leaders to prison or re-education

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<sup>12</sup> US Department of State:2012 International Religious Freedom Report – China – 20 May 2013 – Section II <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2012&dliid=208222>

<sup>13</sup> United States Commission on International Religious Freedom 2014 Annual Report – China 30 April 2014 <http://www.uscirf.gov/sites/default/files/USCIRF%202014%20Annual%20Report%20PDF.pdf>

<sup>14</sup> BBC News: Christians in China: Is the country in spiritual crisis? 12 September 2011 <http://www.bbc.co.uk/news/magazine-14838749>

<sup>15</sup> United States Commission on International Religious Freedom 2013 Annual Report – China – 30 April 2013 <http://www.uscirf.gov/reports-briefs/annual-report>

through labour, harassed and closed churches, and curtailed both public worship activities and outreach to students.<sup>16</sup>

2.3.6 The majority of Protestants in China are affiliated with the “house church” movement, which refuses to affiliate with the government-sanctioned Three-Self Protestant Movement (TSPM) or China Christian Council (CCC). The government requires all Protestant groups to register and join one of these officially-recognized religious organisations. Those that do not are technically illegal, though there is uneven enforcement of this provision, with some churches meeting openly and regularly with memberships of several hundred to a thousand. The government largely tolerates groups that meet in homes or in small groups, but continues to view with suspicion religious organisations with extensive foreign ties, whose memberships grow too quickly, whose leadership becomes too popular or organises across provincial lines, or whose religious activities allegedly disrupt ethnic or social “harmony.”<sup>17</sup>

2.3.7 The United States Commission on International Religious Freedom Annual Report for 2013 (China), published April 2014, reported that independent Catholics and Protestants face arrests, fines, and the shuttering of their places of worship. The report stated that:

‘Protestants and Catholics who refuse to join the state-sanctioned religious organisations continue to face severe restrictions, including efforts to undermine and harass their leaders, arrest and detentions, and property destruction. The head of China’s State Administration for Religious Affairs (SARA) recently called on government officials to renew efforts to “guide” unregistered Protestants and Catholics to join the state-sanctioned churches. He also urged efforts to “break” large Protestant house churches into small groups. According to reports by Protestant house church leaders, 1,470 people were detained in the past year (2013) and 10 were given sentences of more than one year, both increases from the previous year’.<sup>18</sup>

2.3.8 During 2012, the government attempted to force unregistered Protestant groups to either join the TSPM or face harassment, closure or other penalties. In Xilinhot city, Xilingol league, Inner Mongolia Autonomous Region, local authorities demanded that the New Canaan Church affiliate with the TSPM. In January 2012, public security officials raided the house church, confiscated Bibles and hymnals, installed new locks, pressured the landlord to terminate the lease and interrogated the Pastor and two members of the congregation for several hours before releasing them. In May 2012, police interrupted services at house churches in Shijiazhuang city, Hebei province and Langzhong city, Nanchong municipality, Sichuan province and told parishioners to worship only at a TSPM church. In August 2012, three churches in Dongguan, Guangdong province were closed after they refused to join the TSPM. Also in August 2012, a house church in Gushi county, Henan province, was raided, the church's Pastor beaten and the police said the church must join the TSPM if it was to remain open.<sup>19</sup> In April 2012, authorities in Hebei Province raided a house church meeting and detained over 50 people. Most

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<sup>16</sup> United States Commission on International Religious Freedom 2013 Annual Report – China – 30 April 2013 Tier 1, Countries of Particular Concern, pages 36 - 38  
<http://www.uscifr.gov/reports-briefs/annual-report>

<sup>17</sup> United States Commission on International Religious Freedom 2013 Annual Report – China – 30 April 2013 Tier 1, Countries of Particular Concern, pages 36 - 38  
<http://www.uscifr.gov/reports-briefs/annual-report>

<sup>18</sup> United States Commission on International Religious Freedom 2013 Annual Report – China – 30 April 2013 Tier 1, Countries of Particular Concern, pages 36 - 38  
<http://www.uscifr.gov/reports-briefs/annual-report>

<sup>19</sup> United States Commission on International Religious Freedom 2013 Annual Report – China – 30 April 2013 Tier 1, Countries of Particular Concern, pages 36 - 38  
<http://www.uscifr.gov/reports-briefs/annual-report>

were released, but seven, including the church's preacher, were awaiting criminal sentencing at year's end (2012).<sup>20</sup>

2.3.9 The May 2012 directive on campus missionary activity was jointly issued by six ministries affiliated with the Central Committee of the Communist Party. It advises university officials to shut down Protestant outreach activities to students, characterising unregistered Protestantism as being directed by 'foreign forces'. During 2012, a church-run summer camp for students in Hou village, Lichuan county, Jiangxi province, was forcibly closed and its leaders detained and told to join the TSPM. In August 2012, nine Protestants from Ulanhot, Inner Mongolia, were arrested for engaging in missionary activity and two were sentenced to two years of re-education through labour.<sup>21</sup>

2.3.10 Members of unregistered Protestant groups that the government arbitrarily deems 'evil cults' are the most vulnerable to detention, arrest and harassment. The extra-judicial security apparatus, called the 6-10 Office, has broadened its mandate beyond Falun Gong activity to include groups that self-identify as Protestant. The government has banned at least 18 Protestant groups. Examples include the Disciples Association, the 'Shouters', and the Local Church, a group that was founded by Chinese church leader Watchman Lee.<sup>22</sup>

2.3.11 Although it is unusual for Christians of registered Churches to be harassed or persecuted, instances do sometimes occur at a local level. Radio Free Asia reported a pre-Christmas crackdown on Christian worshipers in the central Chinese province of Henan; the group were detained, but following their release, two pastors continued to be held in custody (Pastor Zhang Shaojie from Henan Province, and Pastor Cao Nan from Shenzhen, Guangdong Province).<sup>23</sup>

2.3.12 The news agency Al Jazeera reported that the number of unregistered Protestant house churches is rising rapidly, in part because it is congregational, and provides a social-belonging aspect for individuals. The attitude of Chinese leaders towards the increasing numbers of Christians has been described as a "confluence of seemingly contradictory attitudes". The Chinese authorities have ostensibly embraced Protestant Christianity due to its supposed economic and social benefits, but still wants to assert control over Chinese Christians, dictating where they worship and what is preached.<sup>24</sup>

2.3.13 The United States Commission on International Religious Freedom reported that the Chinese government continues to interfere in the religious activities of Chinese Catholics, including the ability of priests and bishops to affiliate with the Holy See. Tensions between the government-approved "Catholic Patriotic Association" (CPA) and so-called "underground" Catholics remain, and priests and bishops continue to be imprisoned. Governmental efforts to convince or coerce Catholic clergy to join the CPA are particularly intense in the two provinces with the largest Catholic communities, Hebei and

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<sup>20</sup> Freedom House <http://www.freedomhouse.org>  
Freedom in the World 2013: China, January 2013  
<http://www.freedomhouse.org/report/freedom-world/2013/china>

<sup>21</sup> United States Commission on International Religious Freedom 2013 Annual Report – China – 30 April 2013  
<http://www.uscirf.gov/reports-briefs/annual-report>

<sup>22</sup> United States Commission on International Religious Freedom 2013 Annual Report – China – 30 April 2013  
<http://www.uscirf.gov/reports-briefs/annual-report>

<sup>23</sup> Christians Released, Pastors Still Detained After Stand-Off, 26 December 2012  
<http://www.rfa.org/english/news/china/christians-12262013143054.html?searchterm:utf8:ustring=CHRISTIANS+IN+CHINA>

<sup>24</sup> Al Jazeera News Agency: 'Christianity: China's best bet?' 1 June 2011  
<http://www.aljazeera.com/programmes/101east/2011/06/2011629646319175.html>

Shaanxi. Priests, seminarians and some laity were forced to attend political “education” sessions in 2012.<sup>25</sup>

2.3.14 The Chinese government continued to put forward bishops not recognised by the Holy See and to place these bishops in charge of both the CPA and the Catholic Bishop’s Council in China. An estimated 90per cent of CPA bishops and priests were secretly ordained by the Vatican and, in many provinces, CPA and unregistered Catholic clergy and congregations do work closely together. In 2006, the Vatican and the CPA worked together to select eleven bishops, reversing a previous trend of the government appointing all bishops without Vatican approval. However, beginning in late 2010, the CPA ordained seven bishops without Vatican approval, and the Vatican excommunicated four of them. Three bishops received prior Vatican approval, though the Chinese government is now detaining two of these bishops for secretly contacting the Holy See.<sup>26</sup>

2.3.15 Chinese authorities continue to pressure Catholic clergy to affiliate with the CPA and recognize its leadership. Priests, seminarians, and some laity were forced to attend political “education” sessions in the past year. In January 2012, six priests from the Inner Mongolian city of Erenhot reportedly were arrested while attempting to meet to discuss pastoral care and leadership issues for unregistered Catholics in the Suiyuan diocese. Four of the six reportedly were released within several days, but the whereabouts of Fathers Ban Zhanxiong and Ma Mumin remain unknown. The arrests were allegedly related to a dispute over the transfer of priests in Erenhot by Bishop Paul Meng Qinglu, a Vatican-affiliated bishop who previously had participated in the illicit ordination of the bishop of Chengde (Hebei). Since the arrests, police reportedly have closed the seminary and stationed police at churches in the region.<sup>27</sup>

2.3.16 According to the CECC, at least 40 Roman Catholic bishops remain imprisoned or detained, or were forcibly disappeared, including the elderly Bishop Su Zhimin, whose current whereabouts are unknown and who had been under strict surveillance since the 1970s. In addition, the whereabouts of Bishop Shi Enxiang, who was detained in April 2001, and Auxiliary Bishop Yao Ling, remain unknown. The whereabouts of two unregistered priests, Ma Shengbao and Paul Ma, detained in March 2009, remain unknown. In addition, Father Li Huisheng remains in custody serving a seven-year term for “inciting the masses against the government” and Fr. Wang Zhong is serving a three-year sentence for organising a ceremony to consecrate a new unregistered church.<sup>28</sup>

2.3.17 The Justice and Peace Commission of the Hong Kong Catholic Diocese raised concerns about the Chinese government’s policies towards the Catholic Church in China in an “Opinion on Religious Freedom in china for the UN Human Rights Council’s October 2013 Universal Periodic Review” of the Chinese government’s human rights record. According to the opinion, the government’s policy of an ‘independent, autonomous, and self-administered’ Church managed by two state-controlled entities – the Catholic Patriotic Association of China and the Bishop’s Conference of the Catholic Church in China – violates ‘the consciences of the faithful and basic Catholic doctrine. The Chinese

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25 United States Commission on International Religious Freedom 2013 – China –30 April 2013  
<http://www.uscirf.gov/reports-briefs/annual-report>

26 United States Commission on International Religious Freedom 2013 – China –30 April 2013  
<http://www.uscirf.gov/reports-briefs/annual-report>

27 United States Commission on International Religious Freedom 2013 – China –30 April 2013  
<http://www.uscirf.gov/reports-briefs/annual-report>

28 United States Commission on International Religious Freedom 2013 – China –30 April 2013  
<http://www.uscirf.gov/reports-briefs/annual-report>

government does not maintain diplomatic relations with the Holy See, and there was no apparent progress in the normalisation of relations during 2013.’<sup>29</sup>

## 2.4. Violence against Christians

- 2.4.1 International Christian Concern (ICC) documented a number of violent attacks against Christians, primarily pastors and members of unregistered Protestant churches, perpetrated by local officials and agents of the Chinese authorities during 2013. On 13 August, a number of Christians in Lingao town, Lincheng county, Hainan Province, were violently beaten by urban management officers when they tried to prevent construction at a building site. The Christians were looking forward to having a church built at the site, but local government officials secretly sold the site to developers. Several children and elderly citizens were injured, and two women were left in a coma. The police reportedly refused to address the attack.<sup>30</sup>
- 2.4.2 Also on 13 August 2013, Li Shuangping, leader of the Linfen house church, was abducted and beaten by agents of the local government. Li was reportedly driving home, when he was forced to stop because a young man, apparently drunk, was staggering into the path of his car. When he stopped, a car drove up next to him, and he was dragged from his car by the ‘drunk’ man and three others. He was tied up, punched, kicked and threatened with death. Eventually, he was flung from the car into a field, and left to make his own way home.<sup>31</sup>
- 2.4.3 The ICC report details a number of incidents during 2013, including the beating and abduction of Christians, repeated vandalising of churches, and Christians being detained and intimidated by the local authorities. Victims are invariably pressed to join the official TSPM.<sup>32</sup>

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<sup>29</sup> The US Congressional – Executive Commission on China – Annual Report: 2013

<http://www.cecc.gov/publications/annual-reports/2013-annual-report>

<sup>30</sup> International Christian Concern: ‘China relentless in persecution of Christian house churches’ 4 October 2013  
<http://www.persecution.org/2013/10/04/china-relentless-in-persecution-of-house-churches-2>

<sup>31</sup> International Christian Concern: ‘China relentless in persecution of Christian house churches’ 4 October 2013  
<http://www.persecution.org/2013/10/04/china-relentless-in-persecution-of-house-churches-2>

<sup>32</sup> International Christian Concern: ‘China relentless in persecution of Christian house churches’ 4 October 2013  
<http://www.persecution.org/2013/10/04/china-relentless-in-persecution-of-house-churches-2>

# Annex A Sources and background information

## **Regulations on Religious Affairs 2005**

These set out a detailed list of regulations governing every aspect of religious observance and practice in China.

<http://www.refworld.org/docid/474150382.html>

## **United States Commission on International Religious Freedom (USCIRF)**

<http://www.uscirf.gov>

Annual report on religious freedom (covering 1 January 2012 to 31 January 2013), 30 April 2013, (p29 - China), <http://www.uscirf.gov/reports-briefs/annual-report/2013-annual-report>

Annual report on religious freedom (covering 1 January 2013 to 31 January 2014) 30 April 2014, (p46 – China)

<http://www.uscirf.gov/sites/default/files/USCIRF%202014%20Annual%20Report%20PDF.pdf>

## **Freedom House** <http://www.freedomhouse.org>

Freedom in the World 2013: China, January 2013

<http://www.freedomhouse.org/report/freedom-world/2013/china>

## **National Review Online** <http://www.nationalreview.com/>

China Still Persecuting Christians, 19 February 2014

<http://www.nationalreview.com/article/371473/china-still-persecuting-christians-jillian-kay-melchior>

## **Radio Free Asia (RFA)** <http://www.rfa.org/>

## **US State Department (USSD)** <http://www.state.gov/>

International Religious Freedom Report 2012: China. Published by the Bureau of Democracy, Human Rights, and Labor, 20 May 2013, (Section I - Religious Demography),

<http://www.state.gov/j/drl/rls/irf/2012/eap/208222.htm>

## **Open Doors UK: Serving Persecuted Christians Worldwide:**

<http://opendoorsuk.org/>

## **The US Congressional – Executive Commission on China – Annual Report: 2013**

<http://www.cecc.gov/publications/annual-reports/2013-annual-report>

## **International Christian Concern (Persecution.org)**

<http://www.persecution.org/2013/10/04/china-relentless-in-persecution-of-house-churches-2>

# Annex B Caselaw

QH (Christians - risk) China CG [2014] UKUT 00086 (IAC) (14 March 2014)

In this country guidance case, the Tribunal held that:

[paragraph 137]

## **“Risk to Christians in China**

- (1) In general, the risk of persecution for Christians expressing and living their faith in China is very low, indeed statistically virtually negligible. The Chinese constitution specifically protects religious freedom and the Religious Affairs Regulations 2005 (RRA) set out the conditions under which Christian churches and leaders may operate within China.
- (2) There has been a rapid growth in numbers of Christians in China, both in the three state-registered churches and the unregistered or ‘house’ churches. Individuals move freely between State-registered churches and the unregistered churches, according to their preferences as to worship.
- (3) Christians in State-registered churches
  - (i) Worship in State-registered churches is supervised by the Chinese government’s State Administration for Religious Affairs (SARA) under the RRA.
  - (ii) The measures of control set out in the RRA, and their implementation, whether by the Chinese state or by non-state actors, are not, in general, sufficiently severe as to amount to persecution, serious harm, or ill-treatment engaging international protection.
  - (iii) Exceptionally, certain dissident bishops or prominent individuals who challenge, or are perceived to challenge, public order and the operation of the RRA may be at risk of persecution, serious harm, or ill-treatment engaging international protection, on a fact-specific basis.
- (4) Christians in unregistered or ‘house’ churches
  - (i) In general, the evidence is that the many millions of Christians worshipping within unregistered churches are able to meet and express their faith as they wish to do.
  - (ii) The evidence does not support a finding that there is a consistent pattern of persecution, serious harm, or other breach of fundamental human rights for unregistered churches or their worshippers.
  - (iii) The evidence is that, in general, any adverse treatment of Christian communities by the Chinese authorities is confined to closing down church buildings where planning permission has not been obtained for use as a church, and/or preventing or interrupting unauthorised public worship or demonstrations.
  - (iv) There may be a risk of persecution, serious harm, or ill-treatment engaging international protection for certain individual Christians who choose to worship in unregistered churches and who conduct themselves in such a way as to attract the local authorities’ attention to them or their political, social or cultural views.

- (v) However, unless such individual is the subject of an arrest warrant, his name is on a black list, or he has a pending sentence, such risk will be limited to the local area in which the individual lives and has their hukou.
- (vi) The hukou system of individual registration in rural and city areas, historically a rigid family-based structure from which derives entitlement to most social and other benefits, has been significantly relaxed and many Chinese internal migrants live and work in cities where they do not have an urban hukou, either without registration or on a temporary residence permit (see [AX \(family planning scheme\) China CG \[2012\] UKUT 00097 \(IAC\)](#) and [HC & RC \(Trafficked women\) China CG \[2009\] UKAIT 00027](#)).
- (vii) In the light of the wide variation in local officials' response to unregistered churches, individual Christians at risk in their local areas will normally be able to relocate safely elsewhere in China. Given the scale of internal migration, and the vast geographical and population size of China, the lack of an appropriate hukou alone will not render internal relocation unreasonable or unduly harsh. "

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