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China: Treatment of "ordinary" Christian house church members by the Public Security Bureau (PSB), including treatment of children of house church members (2009-2014)

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1. House Church Demography

According to the Bertelsmann Stiftung Transformation Index (BTI), which analyzes the quality of democracy and political management in 128 countries (Bertelsmann Stiftung n.d.), there are an estimated 80 million Christians in China, "many of whom congregate in illegal house churches" (ibid. 2014, 5). The Wall Street Journal reports that house church members could number between 30 and 60 million (29 July 2011). Voice of America (VOA) notes that the exact number of Christians is difficult to estimate because many worship at underground house churches (VOA 16 June 2014). For detailed information on the estimated number of registered and unregistered Christians in China, by denomination, as of 2012, see Response to Information Request CHN104189.

2. Legal Framework

Human Rights Watch reports that "unregistered spiritual groups" such as house churches are "deemed unlawful" (2014). However, according to Freedom House, unofficial Protestant and Catholic congregations "operate in a legal gray zone" (2014). The US Department of State's International Religious Freedom Report for 2013 indicates that only groups associated with state-sanctioned "patriotic religious associations" [1] are able to register with the government and legally hold worship services, while other unaffiliated Protestant groups, and Catholic groups loyal to the Vatican, cannot legally register and are "vulnerable to coercive and punitive action by [the State Administration of

Religious Affairs, SARA], the Ministry of Public Security, and other party of government security organs" (US 28 July 2014, 4). Similarly, the 2014 BTI country report for China states that "[h]ouse churches face occasional harassment;" however, the report further notes that religious groups, such as underground Protestant churches and Catholic communities aligning themselves with the Pope, "are not tolerated by the authorities and activists are frequently persecuted" (Bertelsmann Stiftung 2014, 5, 8). Furthermore, certain religious groups are banned by criminal law as "evil cults" [2] and individuals found belonging to them can be sentenced to prison terms (US 28 July 2014, 4). Two sources report that members of groups deemed by authorities to be "cults" are more likely to be subjected to harsh treatment (Associate Professor 16 Sept. 2014; US 30 Apr. 2013, 10). For detailed information on legal recourse available to unregistered house church members, see Response to Information Request CHN103256.

3. Treatment of House Church Members

Sources report that there is variation in the treatment of unregistered religious groups by local authorities (Wright Doyle 16 Sept. 2014; US 30 Apr. 2013, 3; *ibid.* 28 July 2014, 10). According to some sources, a majority of unregistered churches are tolerated by the government (Wright Doyle 16 Sept. 2014; US 30 Apr. 2013, 3; Open Doors USA n.d.). G. Wright Doyle, the Director of the Global China Center [3], wrote in a chapter of the 2014 book *China's Reforming Churches* that unregistered churches face "sporadic" harassment by the police and that this "usually does not extend beyond fines, brief detention, and orders to disband" (Wright Doyle 16 Sept. 2014). However, he further indicates that "there are exceptions to this," and that there is "local variation in implementing regulations" (*ibid.*). Similarly, the US International Religious Freedom Report for 2013 states that, in parts of the country, "local authorities tacitly approved or did not interfere with the activities of some unregistered groups," while in other areas of the country, "local officials punished the same activities by restricting events and meetings, confiscating and destroying property, physically assaulting and injuring participants, or imprisoning leaders and worshippers" (US 28 July 2014, 10). Sources report that the factors that influence the treatment of house churches and members include the following:

The profile of the individual church (Associate Professor 16 Sept. 2014);

The province, or locality of the house church (*ibid.*);

The size of the congregation (*ibid.*; ChinaAid 18 Sept. 2014). Sources indicate that authorities have less tolerance for larger and more organized groups (*ibid.*; Associate Professor 16 Sept. 2014), such as groups larger than 20-30 people (*ibid.*);

Involvement in trans-jurisdictional activity, which may raise concerns for authorities (*ibid.*);

Political or religious activism (*ibid.*), involvement in children's religious education, or participation in training on social justice or "political[ly] sensitive topics" (ChinaAid 18 Sept. 2014);

Foreign contact and involvement (Associate Professor 16 Sept. 2014; ChinaAid 18 Sept. 2014);

Attitudes and preferences of local officials (Associate Professor 16 Sept. 2014; ChinaAid 18 Sept. 2014) or church "relationship" with local officials (US 30 Apr. 2013, 3).

According to the 2014 Annual Report of the US Commission on International Religious Freedom (USCIRF), Protestants and Catholics who do not join state-sanctioned religious groups "continue to face severe restrictions, including efforts to undermine and harass their leaders, arrest and detentions, and property destruction" (US 30 Apr. 2014, 48). Human Rights Watch reports that house churches are subjected to raids and closures, while members are harassed and leaders are "detained and sometimes jailed" (2014). Freedom House indicates that some "'house church' gatherings were raided or harassed in several provinces in 2013, with congregants facing detention and beatings" (2014). In

its submission to the UN Human Rights Council Universal Periodic Review for China, Amnesty International (AI) reports that authorities continue to "criminally persecute and prosecute individuals and religious groups whom the authorities have declared 'illegal' or 'heretical', or who seek to operate without state sanction, including house church Christians" (AI Mar. 2013, 7). AI further indicates that house church members risk harassment and violence by authorities (Mar. 2013, 7).

According to the US International Religious Freedom Report for 2009, NGOs report that church leaders are subjected to "harsher treatment" than members, including "greater frequency and length of detention, formal arrest, and reeducation-through labour or imprisonment" (US 26 Oct. 2009, Sect. 2). Two 2011 sources report on the case of a house church pastor sentenced to two years in a labour camp for holding illegal gatherings (Christian Post 25 July 2011; RFA 26 July 2011). As of July 2014, a Uighur house church leader remained in prison serving a 15-year sentence for reportedly providing state secrets to foreign entities (US 28 July 2014, 12).

3.1 Pressure to Join State-sanctioned "Patriotic Associations"

Sources report that churches have been ordered to close and members are pressured to join state-sanctioned churches (RFA 9 Sept. 2012; *ibid.* 11 June 2013; US 30 Apr. 2013, 9). According to the 2014 USCIRF report, China's SARA ministry "called on government officials to renew efforts to 'guide' unregistered Protestants and Catholics" to join state-sanctioned groups, and churches in Shandong, Inner Mongolia, Xinjiang, and Shaxi were forcibly closed for refusing to join the Three-Self Patriotic Movement (TSPM) (US 30 Apr. 2014, 48).

3.2 Large Protestant House Churches

In a paper titled "Protestantism in China: A Dilemma for the Party-State," published in the *Journal of Current Chinese Affairs*, the author [4] contends that most house churches are quite small in order to "avoid detection," and that 30 is the "defacto allowable size by local authorities" (Schak 2011, 76). The author wrote that in a "small number of cases," which occurred between 2009 and 2010, large house churches have been targeted by authorities, including the Shouwang house church in Beijing, the Liangren Church in Guangzhou, the Linfen Church in Shanxi, and the Wanbang Church in Shanghai, which have been subjected to "severe actions" resulting in their closure, destruction of property, fragmenting into smaller groups and jailing of their leadership (Schak 2011, 85-89). According to the 2014 USCIRF report, the head of SARA "urged efforts to break large Protestant house churches into smaller groups" (US 30 Apr. 2014, 48).

Sources report that authorities have been:

Cutting off house church utilities to exert pressure (US 28 July 2014, 13-14; RFA 9 Sept. 2012);

Pressuring landlords to terminate the leases of house churches (ChinaAid 19 June 2014; RFA 9 Sept. 2012; *Toronto Star* 8 Aug. 2010);

Detaining house church members (SCMP 8 May 2011; ChinaAid 18 Sept. 2014);

Temporarily detaining members of the unregistered churches attending outdoor services (US 20 May 2013; ChinaAid 27 May 2014; RFA 11 Dec. 2012; US 28 July 2014, 12).

3.3 Demolition of Churches in Zhejiang Province

Sources report that since early 2014, churches have been demolished and crosses have been removed from churches in Zhejiang province, during a government campaign against "illegal structures" (*The Guardian* 5 July 2014; *The New York Times* 14 Aug. 2014; ChinaAid 27 May 2014). According to a Radio Free Asia (RFA) article, the goal of the campaign was rather to "lower the profile of Protestants

in an area where they have more money and visibility than in many other places in China" (24 June 2014). Local sources said that authorities are targeting "any crosses that are visible from state highways and railway lines" (ibid.). Dozens of Christian groups reportedly received notifications that crosses must be removed from churches (ibid.).

According to media sources, the state-sanctioned Sanjiang Church, in the city of Wenzhou, Zhejiang, known as China's "Jerusalem," was demolished in April 2014, reportedly for failure to abide by building codes (VOA 16 June 2014; RFA 2 May 2014). The Guardian reports that supporters from neighbouring congregations had demonstrated to protect the church, but clashed with riot police, resulting in the arrest of church officials and members of the house church movement (The Guardian 5 July 2014). In a telephone interview with the Research Directorate, the President of the ChinaAid Association [5] stated that 229 churches in Zhejiang Province had either been destroyed or had their crosses removed by August 2014, and protesters demonstrating against the demolitions have been beaten by police (ChinaAid 18 Sept. 2014). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3.4 "Cult" Activity

Police have raided house churches on suspicion of their involvement in "cult" activity (Associate Professor 16 Sept. 2014; ChinaAid 1 Apr. 2013; ibid. 27 May 2014; ibid. 18 Sept. 2014). According to ChinaAid, who interviewed a house church member in Guangdong, local authorities have focused on house churches "in the name of attacking Eastern Lightning" (19 June 2014). For detailed information on Eastern Lightning, see Response to Information Request CHN104965.

The President of ChinaAid indicated that "many house church members are regarded by local officials/authorities as part of these evil cults because officials and police cannot distinguish between different Christian groups," and intervene in house church activities on this basis (ChinaAid 18 Sept. 2014). Similarly, in a telephone interview with the Research Directorate, an associate professor of political science at Loyola University, Maryland, whose research specializes in the politics of religion in contemporary China, said that authorities often see all house churches as "the same" and are not familiar with the distinctions and differences in denominations and beliefs between unregistered house churches, particularly in rural areas; for this reason, he said, house churches may be targeted as "evil cults" because officials are not able to distinguish between unregistered Christian groups (Associate Professor 16 Sept. 2014).

Sources report that police "round up" house church members in order to meet arrest quotas for "evil cult" practitioners (ibid. 16 Sept. 2014; ChinaAid 18 Sept. 2014). According to the President of ChinaAid, believers are arbitrarily "detained, arrested, and some are charged with participation in an evil cult" (ibid.). He indicated that there have been reports of this happening in Hubei, Hunan, Shandong, Xinjiang, Inner Mongolia, and other provinces or regions (18 Sept. 2014). The US International Religious Freedom Report for 2013 states that two pastors from an unregistered church in Zhenzhou were detained on cult-related charges (US 28 July 2014, 11).

3.5 Treatment of House Church Members During and Following Raids

Police raids on house churches reportedly continued to occur across China throughout 2014 (US 10 Oct. 2013, 92; ChinaAid 18 Sept. 2014). Various sources report on police and official behaviour during raids, including:

Entering the premises without police identification or a search warrant (ChinaAid 18 Sept. 2014);

Asking members for identification (RFA 22 Aug. 2012; ChinaAid 18 Sept. 2014);

Recording names, identity numbers (ibid.; Toronto Star 8 Aug. 2010) and work place details (ibid.).

Conducting searches of members' homes (ibid. 12 Aug. 2014).

Confiscating property (ibid. 1 Apr. 2013; RFA 11 June 2013; Christian Post 25 July 2011);

Confiscating Bibles (US 28 July 2014, 16);

Interrogating attendees (ChinaAid 1 Apr. 2013; ibid. 12 Aug. 2014; US 10 Oct. 2013, 92; US 26 Oct. 2009, Sect. 2);

Detaining house church members and requiring them to pay fines (ChinaAid 27 May 2014; RFA 11 June 2013; US 10 Oct. 2013, 92);

Placing members under house arrest or home confinement (Associate Professor 16 Sept. 2014; SCMP 8 May 2011);

Physically abusing members in detention (Associate Professor 16 Sept. 2014; ChinaAid 18 Sept. 2014). House church members have been subjected to beatings by police (ChinaAid 18 Sept. 2014), or physically assaulted and injured by state officials (US 28 July 2014, 10);

Placing people under surveillance (CSW 14 Feb. 2014; ChinaAid 18 Sept. 2014; US 28 July 2014, 12), and repeatedly detaining them (ibid.);

Pressuring employers to threaten to fire members if they continue house church activities (Toronto Star 8 Aug. 2010; Associate Professor 16 Sept. 2014). Some members of the Shouwang house church reportedly lost employment (US 30 Apr. 2013, 9; Associate Professor 16 Sept. 2014). The President of ChinaAid stated that the purpose of recording the identity numbers of those detained during raids is to continue the harassment at the person's work location; the information will be sent to their work unit, which results in "discrimination and pressure to cease house church activities" (ChinaAid 18 Sept. 2014).

Evicting members from their homes (ChinaAid 18 Sept. 2014; US 28 July 2014, 13; ibid. 30 Apr. 2013, 9), and in the case of Shouwang house church members, losing their Beijing residency permits (ibid.).

3.6 Detention

AI reports that house church members risk "illegal and arbitrary detention" (AI Mar. 2013, 7). The US International Religious Freedom Report for 2009 also states that some worshippers were detained (26 Oct. 2009). The same report for 2013 indicates that "administrative detention, including confinement and abuse at [reeducation-through-labor] camps," has been used by local authorities to "punish" members of unregistered religious groups (US 28 July 2014, 10).

According to the President of ChinaAid, the treatment of ordinary members regarding detention varies:

If a person is deemed to be a leader or organizer of the group, they will get an administrative sentence of a period of 5 to 7 days in administrative detention, or they may be criminally detained, which can lead to arrest/prosecution and sentencing. ... Detainees who are cooperative and give information to authorities about the congregation ... may be released. ... [T]hose who have been interrogated but not given an administrative or criminal detention [...] will have to report to police regularly, and neighbours and family will be asked to be part of the surveillance. (ChinaAid 18 Sept. 2014)

According to the Associate Professor,

[d]uring a police raid on a house church, leaders are the most likely to be detained and arrested. Ordinary members are usually detained during the raid and released shortly after. ... It is highly variable as to how long someone might be detained, as this depends on the police response and the type of group being raided. If the group involves a foreign national, such as a pastor from outside China, then the state security bureau will become involved. (16 Sept. 2014)

The President of ChinaAid said that "the punishment will become more severe" for those who are caught and detained again, and will "result in criminal detention or arrest" (ChinaAid 18 Sept. 2014). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

There have been reports of criminal detention of house church members on charges that include "illegal business operations" (ChinaAid 16 Sept. 2014; US 30 Apr. 2014, 48) or "illegal" assembly (CSW 14 Feb. 2014; US 28 July 2014, 14; ChinaAid 27 May 2014). According to the President of ChinaAid, criminal detention without trial can be up to a year and is reportedly used as a deterrent to ordinary members, even if they do not end up being prosecuted (ChinaAid 18 Sept. 2014).

There have been reports of "physical abuse and torture" of people while in detention (US 28 July 2014, 8; ChinaAid 18 Sept. 2014). AI reports that house church members are at risk of torture and ill-treatment by authorities (Mar. 2013, 7).

Sources report that 1,470 people were detained in relation to Protestant house church activities in 2013 (US 30 Apr. 2014, 48, ChinaAid Feb. 2014, 10), 54 of whom were church leaders (ibid.). According to the cases gathered by ChinaAid, in comparison with previous years, there has been a yearly increase in the number of house church-related detentions between 2009 (389 persons detained) and 2012 (1441 persons detained) (ibid., 8). ChinaAid reported that of the 1,470 people detained in 2013, 12 people were sentenced (ibid., 10). According to USCIRF, 10 people were given sentences of more than one year (US 30 Apr. 2014, 48).

3.7 Treatment of Children of House Church Members

Police have reportedly raided and shut down summer camps run by house churches for primary and secondary students (RFA 22 Aug. 2012; ChinaAid 12 Aug. 2014), for "illegal" gatherings (ibid.). According to RFA, in a raid on a Christian summer camp in Anhui province in 2012, police reportedly beat the teacher and placed other members under "political investigation," reportedly accusing the staff of carrying out "missionary work" (22 Aug. 2012). ChinaAid reported in September 2014 that authorities in Anhui province, Hainan province, and Guangxi Zhuang autonomous region closed down several church-run schools (ChinaAid 16 Sept. 2014).

According to the Associate Professor, authorities may employ family members to pressure civil society activists to cease their activities (Associate Professor 16 Sept. 2014). According to the US Department of State's International Religious Freedom Report for 2013, "some officials required families to sign statements guaranteeing they would not take part in house churches and 'evil cult' activities ... as a pre-requisite for registering their children for school" (US 28 July 2014, 13). According to the President of ChinaAid, "the authorities use family members and children to intimidate or pressure [house church] members by telling them their child may get in trouble" (ChinaAid 18 Sept. 2014). He further indicated that "a child of someone who has a religious affiliation will be subjected to discrimination, and if the child does not denounce the religious faith, they can be kicked out of school" (ibid.).

The President of ChinaAid said that "occasionally," "there is denial of health insurance or threats that welfare benefits will be stopped" (18 Sept. 2014). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The President of ChinaAid said that the arrest and interrogation of members' children "does happen" and that children who are found attending a Sunday school that is raided "may" be interrogated in order to get more information and arrest the adults (18 Sept. 2014). According to US 2013 International Religious Freedom Report, authorities "harassed or detained" the family members and children of religious leaders and religious freedom activists (US 28 July 2014, 13). According to the same report for 2012, the movements of the head pastor of the unregistered Shouwang church, as well as his family members and other leaders, were restricted (US 20 May 2013). The Christian Post reports that the three daughters and sons-in-law of a house church pastor who was sentenced in 2011 to two years in a labour camp were threatened by police (25 July 2011).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Notes

[1] The Three-Self Patriotic Movement (TSPM) is the state-sanctioned umbrella group for Protestant Christians (Berkley Center for Religion, Peace and World Affairs n.d.; US 28 July 2014, 2) and the Catholic Patriotic Association (CPA) is that of Catholic groups (ibid. 3).

[2] "Evil cults" identified as "Christian groups" and listed in the US International Religious Freedom Report for 2013 include: the Shouters, Eastern Lightning, Society of Disciples, Spirit Sect, New Testament Church, Three Grades of Servants, Association of Disciples, Lord God Sect, Established King Church, Unification Church, Family of Love, and South China Church (US 28 July 2014, 4).

[3] The Global China Center is a non-profit organization that produces and distributes scholarly material on addressing current issues in Sino-Christianity (Global China Center n.d.). The chapter of the book entitled China's Reforming Churches was sent to the Research Directorate by the author, G. Wright Doyle.

[4] Author David C. Schak is an adjunct retired associate professor in the Department of International Business and Asian Studies at Griffith University in Australia (Schak 2011). His research focuses on civil society in Taiwan and China (ibid.).

[5] The ChinaAid Association (ChinaAid) is an "international non-profit Christian human rights organization committed to promoting religious freedom and the rule of law in China" (ChinaAid n.d.).

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Additional Sources Consulted

Oral sources: Attempts to contact the following individuals and organizations were unsuccessful within the time constraints of this Response: Director, Research Unit in Asian Christianity, Birmingham University; Dui Hua Foundation; Human Rights in China; Professor of Christianity, Duke Divinity School. The following individuals were unable to provide information within the time constraints of this Response: professor, Calvin College; professor of Sociology, Purdue University; human rights lawyer.

Internet sites, including: Al Jazeera; Asia Harvest; BBC; Charisma News; China Human Rights Defenders; The China Quarterly; ChinaSource; China - State Administration for Religious Affairs; China Zentrum; Christian Research Institute; Christian Science Monitor; Christiantoday.com; Dui Hua Foundation; ecoi.net; Global China Center; Global Times; Hong Kong Christian Council; Human

Rights in China; Laogai Foundation; People's Daily Online; Pushi Institute of Social Science; UN - Integrated Regional Information Networks, Office of the High Commissioner for Human Rights, Refworld, ReliefWeb; Xinhua.

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