Flygtningenævnets baggrundsmateriale

Bilagsnr.:	**456**
Land:	Kina
Kilde:	British Home Office
Titel:	Country Policy and Information Note China: Falun Gong
Udgivet:	November 2016
Optaget på baggrundsmaterialet:	31. maj 2018

Home Office

Country Policy and Information Note
China: Falun Gong

Version 1.0

November 2016

Preface

This note provides country of origin information (COI) and policy guidance to Home Office decision makers on handling particular types of protection and human rights claims. 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 policy guidance contained with this note; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Country Information

The COI within this note 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 our material. Therefore, if you would like to comment on this note, please email the Country Policy and Information Team.

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. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. IAGCI may be contacted at:

Independent Chief Inspector of Borders and Immigration,

5th Floor, Globe House, 89 Eccleston Square, London, SW1V 1PN.

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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/

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Updated: 25 November 2016

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2. Consideration of Issues

2.1 Credibility

2.1.1 For information on assessing credibility, see the Asylum Instruction on Assessing Credibility and Refugee Status.

2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants).

2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the Asylum Instruction on Language Analysis).

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2.2 Convention reason

2.2.2 Falun Gong regards itself as a practice rather than a religion (see Background to Falun Gong). Decision makers should not therefore treat Falun Gung as a religion within the meaning of the Refugee Convention.

2.2.3 In the country guidance case of LL (Falun Gong, Convention Reason, Risk) China CG [2005] UKAIT 00122 (9 August 2005), the Tribunal accepted that Falun Gong members do not constitute a PSG within the terms of the Refugee Convention for reasons described the Court of Appeal judgment in L China v The Secretary of State for the Home Department [2004] EWCA Civ 1441 (03 November 2004) i.e. "...because members of the Falun Gong possessed no immutable characteristics. Membership is a matter of choice, and a person can become a member and then cease to be a member at any time. The fact that members of the Falun Gong were persecuted could not itself qualify them for this purpose as members of "a particular social group", because it has been repeatedly stated that the particular social group must exist independently of the persecution" (para 25).

2.2.4 The Tribunal in LL Tribunal found that "It may be that members of Falun Gong do not see themselves as expressing a political opinion, and would certainly reject the proposition that they were a violent cult. Many

practitioners would ascribe a spiritual dimension to their activity... Nevertheless it seems clear to us on the objective evidence that the Chinese government imputes political opinion to them because of concern for their ability to mobilise public opinion on a very substantial scale outside the established structure of the Communist party, and they see this as a threat to the Communist Party and hence the state" (Para 32).

2.2.5 Where decision makers find that a Falun Gong practitioner is at risk of persecution on return to China, then the Convention ground will be 'political opinion', not 'religion' or 'membership of a particular social group'.

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2.3 Assessment of risk

2.3.1 The Chinese government outlawed the Falun Gong movement in 1999 and regards it as an 'evil cult' (see Background to Falun Gong).

2.3.2 The government has since pursued a campaign of extensive, systematic, and, in some cases, violent efforts to pressure practitioners to renounce their belief in and practice of Falun Gong. There are reports of some Falun Gong practitioners being detained and sentenced to long prison terms often in high security psychiatric hospitals. Detained practitioners are reportedly subjected to various methods of physical and psychological coercion in attempts to force them to renounce their beliefs and practice. Reports have also cited allegations of torture and other ill treatment including organ harvesting (see Detention and treatment in detention and Organ harvesting).

2.3.3 However, in LL, the Tribunal noted the respective assertions by both the Chinese authorities and Falun Gong sources, both of whom have their own agendas, should be viewed with caution (para 35).

2.3.4 There are also reports that the Chinese authorities harass, detain, and sentence to terms of imprisonment family members, lawyers, and others who had contact or were affiliated with Falun Gong practitioners (see Detention and treatment in detention).

2.3.5 In the country guidance case of LL the Tribunal stated that "... our first conclusion as to risk, from the objective evidence as a whole, is that, absent special factors, there will not normally be any risk sufficient to amount to "real risk" from the Chinese authorities for a person who practices Falun Gong in private and with discretion. On any assessment the number of Falun Gong practitioners in China is very large indeed. The figures quoted range from 2 million to some 100 million. So far as can be gathered from the evidence before us, the number of people who have faced detention or re-education by the Chinese authorities as a consequence of Falun Gong activity, whilst large in absolute terms, is a relatively small proportion of the overall number of practitioners. This indicates that the large majority of those who practice Falun Gong in China in privacy and with discretion do not experience material problems with the authorities." (para 35).

2.3.6 The country information available since LL does not support a departure from those findings.

2.3.7 The Tribunal in LL found that "risk of material ill-treatment escalates significantly when a practitioner does engage in activities that are reasonably

likely to bring him to the notice of the authorities. Such activities include the public practice of Falun Gong exercises, recruitment of new members, and dissemination of Falun Gong information. The risk of escalating ill-treatment also increases when a person who has previously come to the adverse attention of the authorities and has been detained/re-educated and warned against continuing Falun Gong activity, ignores that warning" (para 37).

2.3.8 However, the UT went to find that "absent special factors and credible motivation, a person displaying limited knowledge of Falun Gong or limited involvement with it, is unlikely to be committed to undertaking activities on return to China that would bring him to the adverse attention of the authorities and materially increase his risk" (para 38).

2.3.9 Since the determination in LL was handed down, it has been reported that the Chinese authorities reportedly instruct neighbourhood communities to report Falun Gong members to officials and offer monetary rewards to citizens who informed on Falun Gong practitioners (see Detention and treatment in detention).

2.3.10 Decision makers must therefore consider whether the person – even though only practicing Falun Gong in their own home – would on return be at risk of such denunciation in their particular circumstances.

2.3.11 In cases where it is found that a Falun Gong practitioner would only practice in private on return and not be at risk of denunciation, the reasons for such 'discretion' will need to be considered. The Supreme Court in the case of RT (Zimbabwe) & others v Secretary of State for the Home Department [2012] UKSC 38 (25 July 2012) ruled that the rationale of the decision in HJ (Iran) applies to cases concerning imputed political opinion.

2.3.12 In RT Zimbabwe the Supreme Court held that the Refugee Convention affords no less protection to the right to express, or not to express, political opinion openly than it does to the right to live openly as a homosexual (for example). The Convention reasons reflect characteristics or statuses which either the individual cannot change or cannot be expected to change because they are so closely linked to his identity or are an expression of fundamental rights, including the right to hold an opinion or not to do so.

2.3.13 In that regard decision makers must note that the Tribunal in LL specifically found that Falun Gong meditation and exercises can be carried out alone or with a few friends in private, and that there does not appear to be any duty or pressure on a Falun Gong practitioner to proselytise, even though some plainly do. The Tribunal endorsed the earlier view expressed by the Court of Appeal in L China that "We are not prepared to accept that authoritarian pressure to cease the practice of Falun Gong in public would involve the renunciation of core human rights entitlements." (Para 36).

2.3.14 It is therefore unlikely that a Falun Gong practitioner resorting to concealment of aspects of his or her activities on return would on that account alone bring them within the scope of the Refugee Convention.

2.3.15 For further guidance on assessing risk see the Asylum Instruction on Assessing Credibility and Refugee Status.

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2.4 Protection

2.4.1 As the person's fear is of persecution or serious harm at the hands of the state, they cannot avail themselves of the protection of the authorities.

2.4.2 For further guidance on assessing the availability or not of state protection, see the Asylum Instruction on Assessing Credibility and Refugee Status.

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2.5 Internal relocation

2.5.1 As the person's fear is of ill persecution or serious harm at the hands of the state, they will not be able to internally relocate to escape that risk.

2.5.2 For further guidance on internal relocation, see the Asylum Instruction on Assessing Credibility and Refugee Status.

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2.6 Certification

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

2.6.2 For further guidance on certification, see the appeals instruction on Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 (clearly unfounded claims).

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3. Policy summary

3.1.1 The Falun Gong movement has been outlawed in China, where the state regards it as an 'evil cult'. Falun Gong practitioners have reportedly been subjected to detention and ill-treatment by the authorities.

3.1.2 Caselaw established that the large majority of those practicing Falun Gong privately and discretely do not experience material problems from the state.

3.1.3 The risk of ill-treatment escalates significantly when a practitioner engages in activities that are reasonably likely to bring them to the notice of the authorities. This includes the public practice of Falun Gong exercises, recruitment of new members, and dissemination of Falun Gong information.

3.1.4 The risk of ill-treatment also increases when a person ignores a warning against continuing Falun Gong activity which came with having previously come to the adverse attention of the authorities and detention/re-education.

3.1.5 Falun Gong practitioners who are found to be at risk of persecution in China would for the Convention reason of 'political opinion'.

3.1.6 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded'.

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4. Background to Falun Gong

4.1 What is Falun Gong?

4.1.1 The website Religion Facts – which states its purpose as being to provide "just the facts" on the world's religions and topics of religious interest and present material from an impartial, academic perspective – noted that:

'Falun Gong is also known as Falun Dafa. Technically, Falun Gong refers to the practice, while Falun Dafa refers to the teaching of the movement, but the terms are now generally used interchangeably.

'Falun Gong has claimed not to be an organization and its texts speak of it as a practice rather than a religion. But it does contain teachings about the spiritual world and it has a closely connected membership (achieved in large part through the internet).' [1]

4.1.2 Religion Facts describes Falun Gong as follows:

'Falun Gong (Chinese, "Practice of the Wheel of Dharma") is a Chinese movement founded by Li Hongzhi in 1992. Its adherents exercise ritually to obtain mental and spiritual renewal.

'The teachings of Falun Gong draw from the Asian religious traditions of Buddhism, Taoism, Confucianism and Chinese folklore as well as those of Western New Age movements.

'The movement's sudden emergence in the 1990s was a great concern to the Chinese government, which viewed Falun Gong as a cult and a threat.'[2]

4.1.3 The Council on Foreign Relations Backgrounder on Religion in China of 10 June 2015 described that the Falun Gong as follows:

'The state government has banned ... the Falun Gong, a spiritual movement that blends aspects of Buddhism, Daoism, and traditional qigong exercise, on the grounds that adherents use religion "as a camouflage, deifying their leading members, recruiting and controlling their members, and deceiving people by molding and spreading superstitious ideas, and endangering society."' [3]

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4.2 Practice and beliefs

4.2.1 According to the Falun Dafa Information Center:

[1] Religion Facts, Undated, http://www.religionfacts.com/falun-gong. Date accessed: 5 August 2016.
[2] Religion Facts, Undated, http://www.religionfacts.com/falun-gong. Date accessed: 5 August 2016.
[3] Council on Foreign Relations Backgrounder – Religion in China, 10 June 2015 http://www.cfr.org/china/religion-china/p16272. Date accessed: 19 May 2016.

‘First and foremost, Falun Gong can be thought of as a practice - as something that is done, that is put into action. The practice is designed to effect positive change, or reinforce what is already good, in body, mind, and self.

‘The body is attended to in Falun Gong most directly by the regular performance of four qigong exercises and a meditation. Qigong exercises, popularized in post-Cultural Revolution 1980s China, resemble Tai-chi somewhat in form and work, similarly, on the body primarily on an energetic level. Some refer to qigong (pron. “chee-gung”) as “Chinese yoga.”

‘Falun Gong recalibrates the body on an energetic level while dredging out blockages and impurities that might compromise health and well-being. On deeper levels, the practice, in its own unique ways, deals with the more fundamental origins of illness and physical suffering (i.e., a nefarious material called karma). The meditation facilitates these changes and processes while reinforcing the subtler workings of the practice specific to the body and mind.

‘Several health studies, including clinically controlled, peer reviewed research at leading medical facilities, has begun to explore and confirm the positive, and sometimes dramatic, health benefits that so many persons attribute to the practice. Many individuals have been moved to write about their experiences, which can be read online.

‘Typical benefits that people describe include increased amounts of energy and reduced fatigue; better health; greater resistance to disease; better sleep; emotional balance; a sense of calm; a positive outlook; improved relationships; greater self-awareness; a deeper sense of meaning; and spiritual growth.

‘The exercises and meditation can be done by persons of any age, fitness level, or background, and are highly flexible in terms of demands; they can be done for just a few minutes at a time, any time or anywhere, or as long as a few hours if one so chooses. Often people like to do these together with others, as a group, in a quiet setting such as a park.

‘They are always taught for free by volunteers or can be learned through following an instructional video. These features were likely part of Falun Gong’s phenomenal growth in China.

‘While the physical dimension of Falun Gong is important, it is the emphasis on the mind and one’s moral self that set this practice apart.

‘Falun Gong is Buddhist in nature, and contains in its teachings a higher aspiration, namely, spiritual perfection—or “enlightenment” as it’s called in Asia. In Asia spiritual disciplines of this sort are often referred to as ways of “inner cultivation,” or “self-cultivation,” and form an important part of traditional Chinese culture. Various Daoist, Buddhist, and Confucian practices fit this rubric.

‘At the core of Falun Gong are the values of truth, compassion, and forbearance (or in Chinese, Zhen, Shan, Ren). The practice teaches that these are the most fundamental qualities of the universe itself, and it is these, as elaborated in the book Zhuan Falun, that serve as a guide for daily

life and practice. Many study the book regularly in order to better understand and embody its teachings.

'Through consistent and dedicated practice, the student of Falun Gong aspires to achieve a state of selflessness, greater insight and awareness, inner purity, and balance - the inner workings of what might be called true health.'[4]

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4.3 History

4.3.1 Religion Facts describes the history of Falun Gong as follows:

'Falun Gong has its origins in Qi Gong (Chinese: "Energy Working"), the use of meditation techniques and physical exercise to achieve good health and peace of mind, which has a long history in Chinese culture and religion. However, practitioners in modern China present these techniques as purely secular in an effort to escape official restrictions against independent religious activity.

'But in the late 20th century, new masters appeared who taught forms of Qi Gong more clearly rooted in religion. The most influential of these, Li Hongzhi (born May 13, 1951, according to followers, or July 7, 1952, according to critics who contend that Li adjusted his birthdate to be the same as the Buddha's), worked in law enforcement and corporate security before becoming the full-time spiritual leader of Falun Gong in 1992.

'After gathering a large following in China (100 million according to Falun Gong, or between 2 and 3 million according to the Chinese government), Li took his movement abroad in the mid-1990s, settling permanently in New York City in 1998. The next year, a massive campaign was launched by the medical establishment (including both practitioners and academics) and the Chinese government to denounce Falun Gong as a xiejiao ("false teaching" or "cult").

'Unlike other Chinese organizations, Falun Gong responded strongly, staging a demonstration of more than 10,000 followers in Beijing on April 25, 1999, which prompted an even greater government response. The movement was condemned and outlawed by the Chinese authorities, who identified Falun Gong as the latest of many Chinese religious societies that have combined religious assurance with political dissent. In October [1999] the enforcement of a new anticult law led to the arrest of 100 Falun Gong leaders (joining 1,000 members who had been arrested earlier). Public trials began in November and continued into the 21st century, with many defendants receiving prison sentences of up to 12 years.' [5]

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[4] Falun Dafa Information Center, 'Falun Gong: The Practice', 9 April 2015, http://www.faluninfo.net/topic/146/. Date accessed: 5 August 2016.
[5] Religion Facts. Undated. http://www.religionfacts.com/falun-gong. Date accessed: 5 August 2016.

5. State treatment of Falun Gong practitioners

5.1 Overview

5.1.1 The Congressional Executive Commission on China 2015 Annual Report, released 8 October 2015, noted:

'Government and Party officials continued a campaign - initiated in 1999 - of extensive, systematic, and in some cases violent efforts to pressure Falun Gong practitioners to renounce their belief in and practice of Falun Gong.

'Prior to the March 2015 National People's Congress and Chinese People's Political Consultative Conference (CPPCC) meetings (Two Sessions), authorities in Tianjin municipality reportedly detained at least 20 Falun Gong practitioners and confiscated literature, computers, and other personal items from Falun Gong practitioners as part of a coordinated crackdown.' [6]

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5.2 Detention and treatment in detention

5.2.1 The US Department of State's International Religious Freedom Report 2014, published in October 2015 noted:

'According to Legal Daily, a newspaper published under the supervision of the Ministry of Justice, the MPS [Ministry of Public Security] directly administered 23 high-security psychiatric hospitals for the criminally insane (also known as ankang facilities). Unregistered religious believers and Falun Gong adherents were among those reported to be held solely for their religious associations in these institutions. Despite October 2012 legislation banning involuntary inpatient treatment (except in cases in which patients expressed an intent to harm themselves or others), critics stated the law did not provide meaningful legal protection for persons sent to psychiatric facilities. Patients in these hospitals reportedly were given medicine against their will and sometimes subjected to electric shock treatment.

'International Falun Gong-affiliated NGOs and international media reported detentions of Falun Gong practitioners continued to increase around sensitive dates. Authorities reportedly instructed neighborhood communities to report Falun Gong members to officials and offered monetary rewards to citizens who informed on Falun Gong practitioners. Detained practitioners were reportedly subjected to various methods of physical and psychological coercion in attempts to force them to renounce their beliefs. It remained difficult to confirm some aspects of reported abuses of Falun Gong adherents. Reports from overseas Falun Gong-affiliated advocacy groups estimated thousands of adherents in the country had been sentenced to terms of up to three years in administrative detention. According to the

[6] The Congressional Executive Commission on China - 2015 Annual Report, released 8 October 2015 (Falun Gong p.123) http://www.cecc.gov/sites/chinacommission.house.gov/files/2015%20Annual%20Report.pdf. Date accessed: 5 August 2016.

human rights monitoring NGO Dui Hua Foundation, there were 2,201 Falun Gong prisoners as of June 30 [2014].

'In August [2014] a Falun Gong practitioner was detained in Mudanjiang City, Heilongjiang Province. Authorities detained lawyers Wang Yu, Li Chunfu, and Li Dunyong for seven hours when they attempted to visit her. Yu Ming, a Falun Gong practitioner from Shenyang, reportedly remained in detention at the end of the year and suffered physical and psychological abuse while imprisoned.

'Falun Gong practitioners He Wenting and her husband Huang Guangyu were tried on May 20 [2014] at the Panyu District Detention Center for "using an evil cult organization to interfere with the implementation of the law." According to news reports and advocacy groups, the couple was detained for more than five months at the Fuyong Detention Center in Shawan City in Guangzhou after they were arrested for distributing free copies of internet censorship circumvention software at a Guangzhou university. After going on a hunger strike to protest her detention, He Wenting reported being restrained and force fed in a manner resulting in bruising, vomiting, and extreme physical pain. She reported prison officials attempted to "brainwash" her and asked her to sign a statement denouncing Falun Gong.' [7]

5.2.2 The Congressional Executive Commission on China 2015 Annual Report, released 8 October 2015, noted:

'This past year, authorities continued to harass, detain, and sentence family members, lawyers, and others who had contact or were affiliated with Falun Gong practitioners. For example, on April 15, 2015, the Qiaodong District People's Court, in Shijiazhuang municipality, Hebei province, sentenced Bian Xiaohui, the daughter of Falun Gong practitioner Bian Lichao, and Falun Gong practitioner Chen Yinghua to prison terms of three years and six months and four years, respectively.

'In July 2015, authorities launched a crackdown against rights defense lawyers that resulted in the detention of multiple lawyers who had defended Falun Gong practitioners.'[8]

5.2.3 The United States Department of State (USSD) Country Report on Human Rights Practices 2015: China, released on 13 April 2016, stated that:

'Starting in July [2015], authorities launched a nationwide crackdown on the legal community, detaining more than 300 lawyers and law associates on charges ranging from "picking quarrels and provoking trouble" to "inciting subversion of state power." Many of them were held for months under "residential surveillance at an undisclosed location" without access to attorneys or to their family members, in violation of criminal procedure laws.

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[7] US State Department – 2014 International Religious Freedom Report, released 14 October 2015 http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper Date accessed: 5 August 2016

[8] The Congressional Executive Commission on China - 2015 Annual Report, released 8 October 2015 (Falun Gong p.123) http://www.cecc.gov/sites/chinacommission.house.gov/files/2015%20Annual%20Report.pdf Date accessed: 5 August 2016.

These “disappeared lawyers” included ....Li Heping, who represented underground church members and Falun Gong practitioners; Xie Yanyi, who also defended Falun Gong practitioners; and Zhang Kai, who defended Wenzhou churches facing demolition and forced cross removal and who was detained on the eve of a planned meeting with a prominent foreign diplomat.’[9]

5.2.4 According to Freedom House’s 2016 Freedom in the World report, Falun Gong adherents ‘continued to suffer detention in extralegal centers for forced conversion or sentencing to long prison terms during 2015. Those who advocated on their behalf were also punished; lawyers who had taken Falun Gong cases were among those arrested in the summer crackdown.’[10]

5.2.5 Amnesty International reported in its 2015/6 annual report that ‘Falun Gong practitioners continued to be subjected to persecution, arbitrary detention, unfair trials and torture and other ill-treatment.’[11]

5.2.6 The US Commission’s 2016 International Religious Freedom Annual Report, released 2 May 2016, noted

‘In 2015, thousands of Falun Gong practitioners reportedly were arrested or sent to brainwashing centers or other detention facilities. Brainwashing centers are a form of extralegal detention known to involve acts of torture. Based on statements from Chinese health officials, the long-standing practice of harvesting organs from prisoners was to end on January 1, 2015. However, many human rights advocates believe the practice continues. Imprisoned Falun Gong practitioners are particularly targeted for organ harvesting. Li Chang, a former government official sentenced to prison for his involvement in a peaceful Falun Gong demonstration, is among the countless Falun Gong practitioners who remain imprisoned at the end of the reporting period. The Chinese government continued to deny Wang Zhiwen a passport or the ability to travel freely to receive proper medical care following the torture he endured during his 15 years in prison. Chinese authorities denied a visa and barred entry into mainland China to Anastasia Lin, a human rights advocate and Falun Gong practitioner. As Miss World Canada 2015, Ms. Lin was scheduled to participate in the Miss World event held in China in December 2015.

‘During the past year, the government increased its targeting of human rights lawyers and dissidents, some of whom advocated for religious freedom or represented individuals of various beliefs. […] Among those criminally detained or facing charges of subversion or endangering state security are

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[9] US Department of State: Country Report on Human Rights Practices 2015 - China, 13 April 2016. Section 1. B. Disappearance. http://www.state.gov/j/drl/rls/hrrpt/2015/eap/252755.htm Bate accessed 12 August 2016.

[10] Freedom House, ‘Freedom in the World 2016,’ published 7 March 2016. https://freedomhouse.org/report/freedom-world/2016/china Date accessed: 5 August 2016.

[11] Amnesty International, Amnesty International Report 2015/16 - The State of the World's Human Rights - China, 24 February 2016 https://www.amnesty.org/en/countries/asia-and-the-pacific/china/report-china/ Date accessed: 5 August 2016.

Wang Yu, Li Heping, and Zhang Kai, human rights lawyers known for defending Falun Gong practitioners, Christians, and others.' [12]

5.2.7 A BBC news report in July 2016 stated:

'An assistant to a prominent Chinese rights lawyer has been released from jail in the northern port city of Tianjin, police and her lawyer say.

'Police said that Zhao Wei, 24, was released "in the light of a confession to crimes and a good attitude".

'She was one of the youngest of dozens of rights lawyers and activists who were taken into custody this time last year on suspicion of subversion.

'She worked as an assistant to human rights lawyer Li Heping, one of about 12 people who are in jail accused of subverting state security. State media have referred to the 12 as a "criminal gang".

'Li was well known for defending members of the banned religious Falun Gong group and dissident writers in addition to other sensitive cases.'[13]

5.2.8 According to the Falun Dafa Information Center:

'Perhaps the most prominent feature of the campaign has been its prevalent use of extreme torture. Torture of Falun Gong adherents has been documented in each of China's provinces, in jails, labor camps, brainwashing centers, and schools in China's big cities, small towns, and villages.

'Popular torture techniques include shocking with electric batons, burning with irons, tying the body in painful positions for days, force-feeding saline solutions through a plastic tube inserted up the nose, and prying out fingernails with bamboo shoots, to name a few; rape and sexual torture of the Falun Gong in detention are prevalent as well.

'To date over 3,000 deaths have been documented, as well as over 63,000 accounts of torture. An estimate of the real figure puts the actual death toll in the tens of thousands.'[14]

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5.3 Organ harvesting

5.3.1 According to the US based Friends of Falun Gong USA (FOFG), there is an industry in China based on the sale of human organs and "[l]arge numbers of living Falun Gong practitioners are killed, and their organs sold for profit by the Chinese Communist Party".[15]

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[12] US Commission on International Religious Freedom – 2016 Annual Report, 2 May 2016 http://www.uscirf.gov/sites/default/files/USCIRF_AR_2016_Tier1_China.pdf Date accessed: 5 August 2016.

[13] BBC News. Zhao Wei: Chinese rights activist released from jail. 7 July 2016. http://www.bbc.co.uk/news/world-asia-china-36738562 Accessed 12 August 2016

[14] Falun Dafa Information Center. Falun Gong: Overview of Persecution. 9 Apr 2015. http://www.faluninfo.net/topic/2/. Date accessed: 5 August 2016.

[15] Friends of Falun Gong USA (FOFG). 10 Quick Facts About Forced Organ Harvesting Against Falun

5.3.2 In a July 2015 article in the Edmonton Sun, a Falun Gong activist is quoted as stating that “These rights abuses include the killing of thousands, the imprisonment of millions in labour camps, the tortures, the rapes of tens of thousands, the destruction of tens of millions of families and the reports of over 60,000 murdered by state officials so their vital organs could be sold through state run hospitals”.[16]

5.3.3 Falun Dafa Information Center state:

‘According to current and former hospital employees, the Falun Gong have been used in reverse organ-matching – they have been killed by the thousands so that their organs can be used for on-demand transplants.

‘Livers, kidneys, hearts, and cornea are removed from the living, anesthetized Falun Gong adherents with matching blood-types and sold to Party officials and other desperate-yet-wealthy individuals from China and abroad. Undercover investigators’ phone calls to Chinese hospitals have caught doctors boasting about this practice on tape.’[17]

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Gong in China. 24 August 2015, http://fofg.org/latest-reports/10-quick-facts-about-forced-organ-harvesting-against-falun-gong-in-china/. Date accessed: 5 August 2016.

[16] Edmonton Sun. Falun Gong Followers Call for an End to Persecution at Rally in Edmonton. 25 July 2015. http://www.edmontonsun.com/2015/07/25/falun-gong-followers-call-for-an-end-to-persecution-at-rally-in-edmonton Date accessed: 5 August 2016.

[17] Falun Dafa Information Center. Falun Gong: Overview of Persecution. 9 Apr 2015. http://www.faluninfo.net/topic/2/ Date accessed: 5 August 2016.

Version Control and Contacts

Contacts

If you have any questions about this note and your line manager, senior caseworker or technical specialist cannot help you, or you think that this note has factual errors then email the Country Policy and Information Team.

If you notice any formatting errors in this note (broken links, spelling mistakes and so on) or have any comments about the layout or navigability you can email the Guidance, Rules and Forms Team.

Clearance

Below is information on when this note was cleared:

- version **1.0**
- valid from **28 November 2016**

Changes from last version of this guidance

First version in CPIN template.

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