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## Human Rights Council

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Agenda item 4

Human rights situations that require the Council's attention

### **Joint written statement\* submitted by Jubilee Campaign, Alliance Defending Freedom, Ethics & Religious Liberty Commission of the Southern Baptist Convention, The - (ERLC), non-governmental organizations in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 August 2020]

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\* Issued as received, in the language(s) of submission only.

GE.20-12375(E)



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## **China must take immediate steps to ensure the right to Freedom of Religion and Belief for children in China and cease violence against children from religious faiths**

The Committee on the Rights of the Child recommended the government of China “take all necessary measures” to “effectively guarantee the right to freedom of thought, conscience and religion for those under 18,” highlighting unrecognised faiths.<sup>1</sup> China however, effectively extended its restriction on the right to religion or belief and freedom of expression, to all youth under the age of 18 in China. These restrictions blatantly disregard the United Nations (UN) mechanisms and the rights the mechanisms seek to protect.

### **Denying Children their right to religious freedom**

Several provincial government officials released notices prohibiting minors from attending any religious-based activities following the introduction of Regulations on Religious Affairs in 2017. The officials branded religion as dangerous without providing any studies or evidence.<sup>2</sup> The UN Special Rapporteur on freedom of religion or belief stressed that, “Every individual child is a rights holder in his or her own capacity as recognised in Article 14 of the Convention on the Rights of the Child.”<sup>3</sup>

The spring of 2018, authorities closed kindergartens operated or founded by churches.<sup>4</sup> In September 2018, the Department of Education forced students to pass a test demonstrating their anti-religious knowledge in order to graduate. The administration at Shangqui Institute of Technology threatened students with expulsion if they held religious beliefs.<sup>5</sup> Two schools asked over 300 children to sign a form stating they did not follow a religion and ‘shamed’ them for their faith in Zhejiang province, known for its Christian population.<sup>6</sup>

Officials raided a state-approved Three-Self church in July 2019, in Guapo town, and closed the church for ten days on suspicions children attended the church. In total, 23 Christian churches in the district were investigated. Government agents have confiscated children’s Bibles and books as well.<sup>7</sup>

### **Violence against Children**

Children have witnessed police raids and arrests of church members. Police have forcibly driven minors from church-organised Sunday schools and summer camps, and threatened or interrogated them for holding religious views. These compounded experiences have a nefarious effect on the child’s long-term growth, contrary to the goals expressed by

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

<sup>2</sup> Zhou Xiaolu, “Bans on Minors’ Religious Activities Enforced Throughout China,” BitterWinter, 25 October 2019, <https://bitterwinter.org/bans-on-minors-religious-activities-enforced/>. [28 May 2020].

<sup>3</sup> United Nations, Office of the UN High Commissioner for Human Rights (OHCHR), Children also have the right to freedom of religion or belief, and that must be protected, 23 October 2015, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16647&LangID=E> [28 May 2020].

<sup>4</sup> “Chinese Catholic-Run Kindergarten Seized” Ucanews, [www.ucanews.com/news/chinese-catholic-run-kindergarten-seized/81926](http://www.ucanews.com/news/chinese-catholic-run-kindergarten-seized/81926). [18 August 2020].

<sup>5</sup> “Students Who Fail Anti-Religion Test May Not Graduate.” BitterWinter, 5 December 2018, [bitterwinter.org/students-who-fail-anti-religion-test-may-not-graduate/](http://bitterwinter.org/students-who-fail-anti-religion-test-may-not-graduate/) [13 August 2020].

<sup>6</sup> “China: Christian Schoolchildren Forced to Tick ‘No Religion’ Box.” WorldWatchMonitor, 2 October 2018, [www.worldwatchmonitor.org/2018/10/china-christian-schoolchildren-forced-to-tick-no-religion-box/](http://www.worldwatchmonitor.org/2018/10/china-christian-schoolchildren-forced-to-tick-no-religion-box/). [13 August 2020].

<sup>7</sup> “Church Crackdown Intensifies in China’s Henan Province” Ucanews, [www.ucanews.com/news/church-crackdown-intensifies-in-chinas-henan-province/82111](http://www.ucanews.com/news/church-crackdown-intensifies-in-chinas-henan-province/82111). [18 August 2020].

government-sponsored notices that banning religious activity among children help form a “healthy mind.”<sup>8</sup>

April 2018, local authorities rushed in during a Catholic mass in Zhengzhou and forcibly drove out the minors. Afterward, every Sunday, police cars stood outside the church and officers made sure churchgoers did not take their children into the church, including infants.<sup>9</sup>

The police raided a house church summer camp in July 2019, in Guangdong province. The police took eight churchgoers away for interrogation and registered the names, schools, and phone number of all the youth who were there. The youth had to witness the police handcuffing their church preacher’s hands behind his back and pinning him to the ground.<sup>10</sup>

August 2019, the Xiaodian District Civil Affairs Bureau raided the Bethany Home for Children with Disabilities founded in 1997 by a Catholic nun. They notified the staff that the children were to be sent to state-run orphanages because they suspected illegal adoptions and later removed all the children from the only home they ever knew.<sup>11</sup>

The authorities continue to forcibly separate Uighur children from their families, placing children in state institutions where they are denied contact with their family, and are prohibited from practicing their religion or belief.<sup>12</sup>

These state actions take no consideration of the best interests of the child. The Annual report of the Special Representative of the Secretary-General on Violence against Children found violence and deprivation of liberty are linked and that deprivation of liberty of children or their parents has “negative and long-lasting impact” on children’s lives.<sup>13</sup> What makes the state raids on gatherings of children from religious minorities additionally concerning, is that the arrests are arbitrary.

Jubilee Campaign interviewed two children who fled China for practicing their faith which reveal the child’s perspective on state policies restricting fundamental freedoms, reiterating that “The participation of children matters profoundly,” and “efforts to tackle violence against them are more likely to succeed when informed by their views.”<sup>14</sup>

One child shares the difficulty of separation from his father, who the police arrested and detained for his religious faith, the boy receives one of the few phone calls with from his father in prison:

“My dad couldn’t call people whenever he wanted to while in the prison. He had to make an application...Right on my birthday, my dad got to call my mom for around 10 minutes...I didn’t know what to say, so I asked if he could sing me a “happy birthday song”, and so he did. At the end, we both burst into tears.

While my dad was away, I always encouraged myself that I could make it through. At that moment, all of the sad feelings came to me...They harmed my childhood experiences by separating my dad away from my family.”

Another Christian child shared his experience from a different summer camp:

<sup>8</sup> “Government Forbids Students from Accessing Churches.” ChinaAid, [www.chinaaid.org/2019/01/government-forbids-students-from.html](http://www.chinaaid.org/2019/01/government-forbids-students-from.html). [19 August 2020].

<sup>9</sup> “Catholics in China’s Henan Warned Not to Cross ‘Red Line’” Ucanews, [www.ucanews.com/news/catholics-in-chinas-henan-warned-not-to-cross-red-line/82086](http://www.ucanews.com/news/catholics-in-chinas-henan-warned-not-to-cross-red-line/82086). [31 August 2020].

<sup>10</sup> “Christians in Guangdong Indicted for Printing Children’s Bibles.” Persecution, 8 April 2020, [www.persecution.org/2020/04/08/christians-guangdong-indicted-printing-childrens-bibles/](http://www.persecution.org/2020/04/08/christians-guangdong-indicted-printing-childrens-bibles/). [31 August 2020].

<sup>11</sup> “Shanxi Authorities Remove Children from Catholic Orphanage.” ChinaAid, 6 September 2019, [www.chinaaid.org/2019/09/shanxi-authorities-remove-children-from.html](http://www.chinaaid.org/2019/09/shanxi-authorities-remove-children-from.html). [13 August 2020].

<sup>12</sup> “China: Xinjiang Children Separated from Families.” Human Rights Watch, 17 August 2020, [www.hrw.org/news/2019/09/15/china-xinjiang-children-separated-families](http://www.hrw.org/news/2019/09/15/china-xinjiang-children-separated-families). [18 August 2020]; UN Committee on the Rights of the Child, *supra* note 1.

<sup>13</sup> UN General Assembly, Annual report of the Special Representative of the Secretary-General on Violence against Children, 30 July 2019, A/74/259 para. 105.

<sup>14</sup> *Ibid.* para. 74.

“The police officers of Weifang came to the summer camp to harass. I hid in a corner and saw a heated conversation between Dad and the police. Then they took my dad away. Looking at the large number of policemen behind my father and hearing the sirens, I trembled. [...] Depression and sadness struck me, and I cried.”

The same child shares the impact of continuous religious discrimination from teachers and peers:

“My scores started falling and my self-confidence plummeted. Because I was bullied and discriminated against for so long, I became frustrated and depressed; I went to school with fear every day.”

## **Recommendations**

Jubilee Campaign urges the Human Rights Council, its members and observer states to:

- Condemn China's failure to respect the Convention of the Rights of the Child.
- Establish an independent investigation into the latest violations of the Convention on the Rights of the Child and commit to removing restrictions on religious practices of children.
- Urge China to enact the recommendations made by the Committee on the Rights of the Child relating to freedom of religion or belief.
- Call on China to protect and promote the right of children to privately and publicly practice the religion or belief of their choice without condition, in line with Article 18 of the International Covenant on Civil and Political Rights and Article 14 of the Convention on the Rights of the Child.
- Call for an investigation into breaches of freedom of religion and belief, such as police raids of places of worship, and unlawful detention of persons based on religious discrimination, and the effect such action has on children.

Jubilee Campaign calls on China to:

- Immediately repeal or amend the 2017 Regulations on Religious Affairs as it places restrictions on religious freedom in article 4 and 44, that go beyond those permitted in Article 18 of the International Covenant on Civil and Political Rights and Article 14 of the Convention of the Rights of the Child.
- Immediately cease all practices that pressure children to deny their religion or belief in schools and other institutions.
- Launch an investigation into breaches of freedom of religion and belief, such as police raids of places of worship, and unlawful detention of persons based on religious discrimination, and the effect that such action has on children.
- Respect the recommendations related to freedom of religion and belief given by the Committee on the Rights of the Child and begin implementing them by the next council session.

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21Wilberforce, ChinaAid, Save the Persecuted Christians, NGO(s) without consultative status, also share the views expressed in this statement.