

## Written evidence submitted by CSW (TIP0019)

1. This is a submission of written evidence by [CSW](#), a human rights organisation specialising in the right to freedom of religion or belief (FoRB). CSW's team of specialist advocates work on over 20 countries across Africa, Asia, Latin America and the Middle East. CSW monitors and reports on the FoRB situation on countries including China, Indonesia, Myanmar and North Korea and maintains contact with victims of FoRB violations, ethnic and religious minority communities, diaspora communities, and representatives of Myanmar's exiled National Unity Government (NUG).

### Summary

2. This submission examines the forms freedom of religion or belief (FoRB) violations take in China, Indonesia, Myanmar and North Korea, and makes recommendations for how the British Government can encourage these countries to improve their treatment of religious and belief minorities. This summary will give an introduction into the main forms of violations seen in each country, followed by recommendations for the British Government. The submission will then be divided into individual country briefings which provide further details.
3. The right to freedom of religion or belief is Article 18 of the Universal Declaration of Human Rights. In the UK Government's Integrated Review, released in March 2021, promoting "freedom of religion or belief (FoRB) overseas" was listed as a priority, as part of the government's desire to support open societies and defend human rights.

### China

4. There has been a critical deterioration in the overall protection of human rights in China from 2013 to date. The realisation of the right to freedom of religion or belief (FoRB) in China remains a mixed picture, and conditions vary according to religion, location, ethnicity, attitudes of local officials, and other factors. However, overall, the level of FoRB is rapidly and significantly decreasing against a backdrop of broader human rights violations which in some cases amount to crimes against humanity, requiring the urgent attention of the international community.
5. The situation in Xinjiang Uyghur Autonomous region (XUAR) has drawn global attention – over one million Uyghurs, Kazakhs and members of other ethnic groups have been detained in 're-education camps' since 2017 without charge. Most of the detainees are Muslim and there is a strong religious element to the detentions. Numerous reports of torture and ill-treatment, systematic rape and forced sterilisation, have emerged from the camps, where conditions are dangerously unsanitary and overcrowded.
6. Under Article 36 of the constitution, the state protects all 'normal' religious activities. The only officially-recognised religious traditions are Buddhism, Taoism, Islam, Protestantism and Catholicism, which are overseen by seven state-sanctioned associations. 'Normal' religious activities refer to those carried about by religious communities registered with the seven state-sanctioned associations. However, even registered religious communities are subject to increasingly severe restrictions. Unregistered religious communities face being harassed by police and shut down, and religious leaders also face harassment, imprisonment, and worse.
7. In particular from 2018 onwards, registered and unregistered Protestant and Catholic churches and leaders have faced increased harassment, fines, cross removals, confiscation of property and forced closure across the country. Pastors who have spoken out against the violations have been detained and some have received lengthy prison sentences.

8. Human rights defenders (particularly human rights lawyers who take on FoRB-related cases) can face harassment, intimidation, arbitrary detention, enforced disappearance, and severe torture from the authorities. Increasingly, their family members are also facing harassment from the police, and can be fired from their jobs or evicted from their homes due to pressure from the authorities.
9. Tibetan Buddhists' religious services are disrupted, institutions monitored, and sites closed. Tibetan Buddhist monks who have peacefully called for greater freedoms for Tibetans have been detained and tortured, sometimes leading to death in custody or soon after release.
10. At least 20 religion or belief groups in China have been labelled as xie jiao, usually translated into English as 'heterodox teachings' or 'evil cults'. Individuals affiliated with such groups have been charged under Article 300 of the Criminal Law, which prohibits 'organizing/using a cult to undermine implementation of the law'. Penalties include harassment, fines and lengthy imprisonment. This impacts religious movements like Falun Gong (banned since 1999) and Church of Almighty God (CAG) (labelled 'xie jiao' in 1995). Falun Gong practitioners and supporters outside China continue to report the arrest, imprisonment, torture and death in custody of Falun Gong practitioners across the country. A series of expert reports suggest that Falun Gong practitioners and other ethnic and religious minorities have been victims of forced organ harvesting. According to research by non-profit humanitarian organisation Dui Hua, CAG members make up the second largest grouping of individuals convicted under Article 300 after Falun Gong.
11. In June 2020, the National People's Congress Standing Committee, China's highest legislative body, passed a new national security law for Hong Kong amid grave human rights concerns. The law was met with fierce opposition from activists, residents, legal experts and democratic governments around the world, who believe the law is a serious threat to human rights and fundamental freedoms. Catholics, Protestants and Falun Gong practitioners have all expressed concern about the future of FoRB in the city. Some Christian leaders have already left Hong Kong due to concerns for their freedom and safety and at least one pastors' organisation has disbanded, alongside numerous unions, students' groups, and civil society organisations.

### Recommendations on China for the UK Government

12. At every possible opportunity, in public and in private:
  - Urge the Chinese government to respect, protect and promote the right to freedom of religion or belief for all people in China.
  - Condemn the use of re-education camps, and all forms of extra-legal detention, enforced disappearance and arbitrary detention.
  - Investigate and monitor cases of human rights abuses including violations of the right to FoRB.
  - Support all available means of investigation into human rights abuses in XUAR, including inquiries into whether abuses perpetrated by the Chinese government constitute crimes against humanity and genocide.
  - Consider sanctions against policymakers responsible for human rights abuses including those responsible for the abuses in XUAR.
  - Urge the Chinese government to implement the policy recommendations below:
    - Protect the right of all people in China to freedom of thought, conscience and religion, in accordance with Article 18 of the ICCPR and the UDHR.
    - Ensure that any form of registration system is optional, not mandatory, and is not used as a tool to control religious activities.
    - Immediately release all prisoners of conscience detained in connection with their religion or belief and impartially investigate cases of wrongful imprisonment.
    - Immediately and completely end all forms of forced organ harvesting.

- End the demolition of religious buildings as a means of limiting religious practice, and establish a complaints mechanism for religious groups affected.
  - Immediately release human rights defenders detained or imprisoned in connection with their peaceful defence of the rights of others.
  - Ensure that no citizen is detained incommunicado and that family members of detainees are informed of their whereabouts and the charges against them in good time, in accordance with international standards.
  - Abolish and end the use of re-education camps, and all forms of extra-legal detention, enforced disappearance and arbitrary detention.
  - Protect the rights of detainees and prisoners and immediately cease all forms of torture and ill-treatment, and impartially investigate allegations and reports of torture and deaths in detention.
13. The UK should also call for a Special Session of the HRC, to scrutinise the array of violations perpetrated by the government of China. A recent statement by 50 United Nations experts called for a Special Session, and this call has been echoed by over 300 NGOs, including CSW, in the form of both an [open letter](#) and an oral statement during the General Debate on Item 4 at the 45th Session of the HRC.

## Indonesia

14. Indonesia, the world's largest Muslim-majority nation, has a long tradition of pluralism, freedom of religion or belief (FoRB) and inter-religious harmony, and is widely respected around the world for its successful transition from authoritarian rule to democracy. Rising religious intolerance, however, threatens to destroy these achievements and poses a threat not only to the country's religious minorities, but to all Indonesians who value democracy, human rights, peace and stability.
15. Under current president Joko Widodo's administration there have been some positive changes. In November 2017 the Constitutional Court made it legal for indigenous faith groups to identify their faith on identity cards. This decision has been hailed by activists as a 'new chapter for religious freedom.' There has also been a decline in state-sponsored violations of FoRB. However, there continues to be growing religious intolerance in society, with religion a major theme in the 2019 presidential elections. The Jakarta Post published an [editorial](#) on 11 May 2019 in which it argued that "Indonesia is in a deep crisis of intolerance."
16. Incidents of violence against religious minorities, particularly Christians, Ahmadiyyas, Shi'as and adherents of religions or beliefs not recognised by the state, including indigenous traditional beliefs, continue periodically within a climate of impunity. Violations and intolerance take various forms - Christian churches are closed down or attacked, Ahmadiyya Muslim mosques and homes burned, Shi'as displaced, Buddhist temples targeted and Confucianists made vulnerable, as well as pluralistic-minded Sunnis and atheists.
17. The blasphemy laws in Indonesia have long been a cause of injustice and division, as they contain a very low threshold of requirements for evidence or proof of intent. The laws are misused for political reasons as well as religious intolerance to silence dissent, criticism or debate. The most significant example is the former governor of Jakarta, Basuki Tjahaja Purnama (known as 'Ahok'), who was sentenced to two years in prison on charges of blasphemy in 2017.
18. The Ahmadiyya Muslim community has existed in Indonesia since 1925, and claims a population of approximately 500,000, across 330 branches throughout the country. The Ahmadiyya consider themselves to be Muslims, but are regarded by some other Muslims as heretical. A Joint Ministerial Decree introduced in 2008 by the Minister of Religious Affairs, the Attorney General and the Minister of Home Affairs prohibited promulgation of Ahmadiyya teachings, and in 2011 the then Minister of Religious Affairs repeatedly called for an outright ban on the Ahmadiyya. Although there has been, according to Ahmadi representatives, 'some improvement' under the

government of President Joko Widodo, intimidation of the Ahmadiyya continues and Ahmadiyya activities continue to be restricted to date.

### Recommendations on Indonesia for the UK Government

19. The UK Government must urge the Indonesian government to:

- Review existing laws and policies to ensure their compatibility with international protections for freedom of religion or belief, and to bring them in line with Indonesia's own constitution.
- Ensure that crimes against religious minorities cannot be committed with impunity, that perpetrators are arrested and investigations properly carried out, and that justice is done.
- Repeal or amend the blasphemy laws to ensure that they are not misused to settle personal scores or target religious minorities.
- Immediately review the 2008 anti-Ahmadiyya decree and work towards its repeal.
- Extend human rights education, including principles of freedom of religion or belief, in the security forces by engaging in talks with other governments so they may share examples of best practice.
- Invest further in initiatives to protect and promote the principles of freedom of religion or belief and to promote interfaith harmony and dialogue.
- Invite the UN Special Rapporteur on freedom of religion or belief to visit the country with unhindered access.

### Myanmar

20. On 1 February 2021 Myanmar's army seized power in a coup, declaring a year-long state of emergency and placing the country's democratically elected leader, Aung San Suu Kyi, and other civilian leaders under house arrest. Political power is now held by the commander-in-chief of the Myanmar army, General Min Aung Hlaing. The coup ended a decade of political reform which saw some limited positive political developments. The situation for religious and ethnic minorities in Myanmar has deteriorated further following the coup, and internal conflicts have been exacerbated by violent crackdowns on protestors.
21. While Aung San Suu Kyi's government faced heavy international criticism for their failure to stop the human rights violations against the Rohingya by Myanmar's military, it seems likely that they were exercising at least some moderating influence on the military more generally, which has now been removed. On October 21 the Assistance Association for Political Prisoners in Burma (AAPP) [reported](#) that 1,181 people had been killed, 9,073 arrested and 7,086 are currently in prison.
22. Prior to the coup in August 2017 Myanmar's army launched attacks on Rohingya villages and civilians which resulted in over 700,000 people fleeing to Bangladesh, thousands killed, and hundreds of villages burned. Reports of the atrocities of mass violence perpetrated during this period include the burning of homes, schools and mosques, the deliberate burning of people to death inside their homes, mass rape, torture, execution without trial, and the blocking of aid. The Independent International Fact-Finding Mission established by the UN Human Rights Council claims to have documented evidence of genocide. The crisis follows decades of severe persecution of the Rohingyas.
23. In recent years violations of FoRB and other human rights have also been observed in several states in northern Myanmar, notably in Kachin and northern Shan states, perpetrated against the majority Christian Kachin and Chin ethnic groups. Widespread conflict between the Myanmar Army and the Kachin Independence Army (KIA) has led to thousands of civilian deaths, and the displacement of over 120,000 people. In September 2018 the UN Independent International Fact-Finding Mission on Myanmar declared that the violations documented in Kachin and Shan states amounted to crimes against humanity and war crimes.

## Recommendations on Myanmar for the UK Government

### 24. The UK government must:

- Lead the call for a global arms embargo on Myanmar in discussions with allies, after the UN Security Council resolution on the issue was blocked by China and Russia.
- Continue to impose robust, targeted sanctions against the Myanmar military and military-owned enterprises.
- Take a coordinated approach with other UN member states, agencies, international institutions including the EU, and Special Envoys to ensure that in all dialogues and exchanges with Myanmar human rights are raised and demands made that Myanmar fulfils its human rights obligations.
- Urge other countries, including Japan, India, Thailand and Vietnam, to cease all training of the Myanmar military.
- Increase international pressure on the Myanmar military to remove blocks to humanitarian access in the ethnic states.
- Provide cross-border humanitarian aid to those in most need in the ethnic conflict areas.
- Urge the Indian government to allow humanitarian actors to deliver aid along the Myanmar/Indian border, including to the Myanmar refugees in makeshift camps along the Indian border
- Urge the Indian and Thai governments not to deport Myanmar refugees back to Myanmar.
- Engage with and consider supporting initiatives driven by civil society organisations and legal experts that seek to analyse evidence indicating crimes against humanity.
- Support efforts to strengthen and better resource the UNHCR to accelerate applications for Myanmar nationals in countries where they are at risk of deportation to Myanmar.
- Consider funding support, through the FCDO's Magna Carta fund or other funds, for Myanmar's National Unity Government and the diaspora community to advocate for a return to democratic rule in Myanmar.

## North Korea

25. The Democratic People's Republic of Korea (DPRK), or North Korea, is the world's most closed, isolated, and repressive state, with one of the worst records for human rights. It is ruled by the only dictatorship in the world which is both a dynasty and portrays itself as a deity.
26. There is no freedom of thought, conscience, religion or belief, and any North Korean who expresses an opinion or a belief which differs from the regime's propaganda faces severe punishment. [According to The Korea Institute for National Unification](#), a South Korean government agency, it is estimated that between 80,000 and 120,000 people are detained in prison camps, where they endure dire living conditions and brutal torture. Many of these are Christians.
27. Defectors who are forcibly returned to North Korea are charged with 'treachery against the nation', sent to prison camps and face abuse, violence and even execution. Despite this, the Chinese government has retained its policy of repatriating all North Korean defectors.
28. The gravity and extent of human rights abuses were exposed in the ground-breaking [United Nations Commission of Inquiry \(COI\) report](#) on human rights in North Korea, published in February 2014 after a year-long investigation. The Commission concluded that the gravity, scale, and nature of the violations of human rights in North Korea 'reveal a State that does not have any parallel in the contemporary world'. The report details widespread crimes against humanity and noted that 'there is an almost complete denial of the right to freedom of thought, conscience and religion'. It concluded that the regime 'considers the spread of Christianity a particularly severe

threat’ and as a result, ‘Christians are prohibited from practising their religion and are persecuted’. There have been no improvements since the publication of this report.

## Recommendations on North Korea for the UK Government

### 29. The UK government must:

- Ensure that the human rights situation in North Korea continues to be discussed annually at the UN and separately from the question of nuclear non-proliferation.
- Urge all governments engaging with North Korea to raise human rights concerns.
- Ensure that the International Criminal Court investigates allegations of crimes against humanity thoroughly, in particular following up on investigations by the UN Commission of Inquiry and the UN Field Office, and prosecutes for these crimes if sufficient evidence is found.
- Urge the North Korean government to:
  - Ensure that all human rights are upheld and defended by the government, including the right to freedom of religion or belief.
  - Release all persons currently detained in prison camps immediately and unconditionally, and to provide for their physical, mental and societal rehabilitation where needed.
  - Stop charging defectors from the nation with ‘treachery’ or requesting that defectors into China be returned to North Korea.
  - End the violent, targeted persecution of Christians across the nation.
  - Implement all of the recommendations of the UN COI report published in February 2014.

## China – Detailed Country Briefing

30. There has been a critical deterioration in the overall protection of human rights in China from 2013 to date. The realisation of the right to freedom of religion or belief (FoRB) in China remains a mixed picture, and conditions vary according to religion, location, ethnicity, attitudes of local officials, and other factors. **However, overall, the level of FoRB is rapidly and significantly decreasing against a backdrop of broader human rights violations which in some cases amount to crimes against humanity, requiring the urgent attention of, and action from, the international community.**

### State-sanctioned religion

31. Under Article 36 of the constitution, the state protects all ‘normal’ religious activities. The five officially-recognised religious traditions – Buddhism, Taoism, Islam, Protestantism and Catholicism – are overseen by seven state-sanctioned associations. In reality, ‘normal’ religious activities refers to those carried out by religious communities registered with these associations. However, registered religious communities are also subject to increasingly severe restrictions, and are forced to demonstrate loyalty to the Chinese Communist Party.
32. On 1 February 2018, China’s State Council revisions to the 2005 Regulations on Religious Affairs came into effect. These measures strengthen state control over religious activities in China and remove the grey area in which some unregistered churches’ activities were previously partially tolerated. In March 2018 the United Front Work Department, an agency of the Chinese Communist Party, began overseeing ethnic and religious affairs in the country in a move to further strengthen Party control. On 1 May 2021, new administrative measures on religious staff came into effect. Broadly, the regulations include requirements that clergy “support the leadership of the Communist Party” (Article 3), which likely translates into a prohibition on any criticism of Party actions and policies. The new regulations also mean that senior leaders will remain in their position for a term of three to five years, and after this the individual must again submit their personal information to the authorities (Article 27).

## Xinjiang Uyghur Autonomous Region

33. In the Xinjiang Uyghur Autonomous Region (XUAR), over one million Uyghurs, Kazakhs and members of other ethnic groups have been detained without charge in ‘re-education camps’ since 2017. Most of the detainees are Muslim and there is a strong religious element to the detentions. Numerous reports of brutal torture and ill-treatment, systematic rape and forced sterilisation, have emerged from the camps, where conditions are dangerously unsanitary and overcrowded.
34. Individuals have been detained for acts as basic as having the WhatsApp application on their mobile phones, having relatives abroad, accessing religious materials online, and engaging in peaceful religious activities, including praying or wearing ‘Islamic’ clothing.
35. Outside the camps, mosques and sacred sites have been destroyed and religious leaders have been handed long prison sentences; witnesses say religious identity and practice is being deliberately erased by the authorities. There are also reports of widespread forced labour in the region and beyond.
36. The government’s actions are a full-scale attack on Uyghur identity, culture and religion. The devastating and long-term impact of these actions cannot be overstated.

## Protestant and Catholic churches

37. From 2018 onwards in particular, registered and unregistered Protestant and Catholic churches and pastors have faced increased harassment, fines, cross removals, confiscation of property and forced closure across the country. Pastors who have spoken out against the violations have been detained and some have received lengthy prison sentences.
38. Historically, some Catholics have attended churches under the state-sanctioned Chinese Catholic Patriotic Association, while others belong to communities led by bishops recognised by the Vatican. The government insists religious groups operate without foreign oversight. On 22 September 2018, the Vatican and the Chinese government came to a provisional agreement about the ordination of bishops which was extended in September 2020. Yet the authorities continue to detain and remove Catholic clergy without government approval. Catholic churches have been destroyed and religious symbols forcibly removed from churches and from people’s homes.

## Tibet

39. Tibetan Buddhists’ religious services are disrupted, institutions monitored, and sites closed. A ‘renovation’ campaign by the authorities launched in July 2016 resulted in the demolition of hundreds of homes at Larung Gar Buddhist institute in Sertar, Sichuan Province. Larung Gar is believed to be one of the largest Buddhist teaching centres in the world, with a population of over 10,000; a demolition order detailed plans to reduce the number of residents to 5,000.
40. Tibetan Buddhist monks who have peacefully called for greater freedoms for Tibetans have been detained and tortured, sometimes leading to death in custody or soon after release.
41. In September 2021, it was reported that an estimated 117 Tibetans were detained after a spate of arrests by Chinese authorities in the Tibetan Autonomous Prefecture, a figure confirmed by the non-profit organisation Tibet Watch. According to Radio Free Asia (RFA), the crackdown by authorities focused on language rights and possession of banned images of Tibetan spiritual leader the Dalai Lama.

## Falun Gong and xie jiao

42. At least 20 religion or belief groups in China have been labelled as xie jiao, usually translated into English as ‘heterodox teachings’ or ‘evil cults’. Individuals affiliated with such groups have been charged under Article 300 of the Criminal Law, which prohibits ‘organizing/using a cult to undermine implementation of the law’. Penalties include harassment, fines and lengthy imprisonment.
43. The largest group classified as a ‘xie jiao’ in China, Falun Gong, has been banned since 1999. Practitioners and supporters outside China continue to report the arrest, imprisonment, torture and death in custody of Falun Gong practitioners across the country. A series of expert reports suggest

that Falun Gong practitioners and other ethnic and religious minorities have been victims of forced organ harvesting.

44. The Church of Almighty God (CAG) was labelled a ‘xie jiao’ in 1995. According to research by non-profit humanitarian organisation Dui Hua, CAG members make up the second largest grouping of individuals convicted under Article 300 after Falun Gong. CAG groups outside China report ongoing and serious violations against CAG members, including torture in detention, intrusive surveillance, and intense pressure to recant.

### Detention of human rights defenders

45. Beginning in July 2015, over 300 human rights lawyers and activists, their colleagues and family members, were interrogated, detained and in some cases imprisoned or disappeared, in what has been dubbed the 709 crackdown – a reference to the day of the first detention, 9 July. Many of those since released have described appalling physical and psychological torture.
46. Lawyers who take on FoRB-related cases can face harassment and intimidation from the authorities; those who continuously take on such cases become targets, and can be detained and tortured, jailed or disappeared. Increasingly, human rights defenders’ family members are also severely harassed by the police and can be fired from their jobs and evicted from their homes for no reason other than pressure from the authorities.

### Recent developments

#### COVID-19

47. In September 2020, CSW published exclusive [research](#) into the impact of the COVID-19 pandemic on unregistered Protestant ‘house’ churches in China. The research examines three case studies, including a police raid on Xingguang Church in Xiamen, Fujian Province, and a crackdown on Early Rain Church, in Chengdu, Sichuan Province, which took place over Easter 2020. Early Rain Church’s pastor, Wang Yi, remains imprisoned on spurious charges of ‘inciting to subvert state power’ and ‘illegal business operations,’ and members of the church continued to face harassment, arbitrary detention, and threats. The third case study considered the experiences of Xiashangtang Church, an unregistered house church based in Wuhan, the epicentre of the COVID-19 outbreak, whose attempts to offer assistance in response to the pandemic were refused because the church is considered an “illegal organisation.”
48. In addition, in a new and worrying trend, some internet users in China have alleged that the January 2021 coronavirus outbreak in Hebei Province originated in a church, causing an increase in online hostility towards Christians, with some online commentators calling on such churches to be completely disbanded.
49. Those who have reported on the pandemic have also been targeted. On 28 December, authorities in Shanghai sentenced Christian citizen journalist and former lawyer Zhang Zhan to four years in prison on charges of "picking quarrels and provoking trouble." Zhang was detained in May 2020 after she had travelled to Wuhan to report on the pandemic, and has been on partial hunger strike since she was arbitrarily detained. On 2 August, prison authorities informed her parents over the phone that Zhang had been hospitalised on 31 July, with symptoms indicating serious health conditions caused by severe malnourishment, including rapid weight loss and oedema. Hong Kong
50. In June 2020, the National People’s Congress Standing Committee, China’s highest legislative body, passed a new national security law for Hong Kong amid grave human rights concerns. The law was met with fierce opposition from activists, residents, legal experts and democratic governments around the world, who believe the law is a serious threat to human rights and fundamental freedoms. Catholics, Protestants and Falun Gong practitioners have all expressed concern about the future of FoRB in the city.
51. Some faith groups who supported pro-democracy protesters are also concerned about retaliation from the authorities. On 7 December 2020, the Good Neighbour North District Church in Hong Kong reported that its HSBC bank account had been frozen. In an open letter to HSBC [posted on Facebook](#), the church said the actions were an “act of political retaliation” for offering humanitarian aid to protesters.

52. On 4 June 2021, for the first time since 1990, the anniversary of the Tiananmen Square massacre was not commemorated by a vigil in Victoria Park. In 2020, authorities banned the vigil citing Covid-19 concerns. Despite this, thousands gathered at the park, the usual meeting place for the anniversary. Authorities later arrested and charged leading opposition figures, including activist Joshua Wong Chi-fung, for taking part in an “unauthorized assembly”. This year, authorities warned that any attendees could face up to 5 years in prison.

### Human Rights Defenders

53. A number of human rights defenders remain missing or in detention, including human rights lawyer Gao Zhisheng, who is well-known for his courageous defence of religious minorities. Between 2006 and 2011 he was disappeared multiple times and suffered beatings and torture. From 2011-2014 he served a prison sentence. He was released in August 2014, only to disappear again in August 2017. In January 2021, news emerged of the suicide of Gao’s sister in May 2020 after she had become depressed whilst worrying about her brother’s suffering. In April this year, Gao’s wife Geng He reported that police in the northern province of Shaanxi had finally admitted to holding Gao but had denied Geng any opportunity to speak with him.
54. On 22 October 2020 human rights lawyer Chang Weiping was detained and charged with ‘inciting subversion’. He had previously represented clients in cases related to freedom of religion or belief (FoRB), forced demolition and discrimination (HIV, gender and LGBT issues). In March 2021 the charge was changed to ‘subversion’, a more serious charge which can carry punishments of up to a life sentence. In September, Chang’s lawyer was able to meet with him for the first time, and reported that he had been subject to torture.

### Targeting of Church Officials

55. Zhang Chunlei was one of five members of Love (Ren’ai) Reformed Church in Guiyang to be administratively detained in March 2021 as part of a police operation against the church. The unregistered Protestant church was forcibly shut down by the authorities in September 2018, months after China’s revised administrative regulations on religion came into force. On 1 April 2021, his family was notified that he had been criminally detained ‘on suspicion of fraud’. The charges against Mr Zhang have been changed repeatedly, and on 21 July Guiyang’s No.2 Detention Centre cited ‘endangering national security’ as the reason for declining the lawyer’s request of a meeting with Mr Zhang for the fifth time in a month.
56. On 20 July 2021, the wife of Zhao Weikai, the leader of Xuncheng Reformed Church in Taiyuan, was notified that he had been arrested on charges of ‘unlawfully possessing items that advocate terrorism or extremism,’ in possibly the first such case involving a church leader in the country. Mr Zhao and his wife have faced repeated harassment by the authorities, supposedly in relation to their insistence on educating their three children at home rather than in a state school.
57. On 23 May 2021, Pastor Yang Hua of Living Stone Church was attacked and beaten by a government official in a police station in Guiyang. The perpetrator was in plainclothes but claimed he represented the district level Committee of Political and Legal Affairs. He later said that police refused to investigate the matter. Yang Hua was released in June 2019 after serving a two-and-a-half-year sentence for “divulging state secrets”, in a crackdown on Living Stone Church’s leaders and members.

## Indonesia - Detailed Country Briefing

58. Indonesia, the world’s largest Muslim-majority nation, has a long tradition of pluralism, freedom of religion or belief (FoRB) and inter-religious harmony, and is widely respected around the world for its successful transition from authoritarian rule to democracy. Rising religious intolerance, however, threatens to destroy these achievements and poses a threat not only to the country’s religious minorities, but to all Indonesians who value democracy, human rights, peace and stability.
59. Under current president Joko Widodo’s administration there have been some positive changes. In November 2017 the Constitutional Court made it legal for indigenous faith groups to identify their

faith on identity cards. This decision has been hailed by activists as a ‘new chapter for religious freedom.’ There has also been a decline in state-sponsored violations of FoRB. However, there continues to be growing religious intolerance in society, with religion a major theme in the 2019 presidential elections. The Jakarta Post published an [editorial](#) on 11 May 2019” in which it argued that “Indonesia is in a deep crisis of intolerance.”

### Ongoing violations

60. Incidents of violence against religious minorities, particularly Christians, Ahmadiyyas, Shi’as and adherents of religions or beliefs not recognised by the state, including indigenous traditional beliefs, continue periodically within a climate of impunity. Violations and intolerance take various forms - Christian churches are closed down or attacked, Ahmadiyya Muslim mosques and homes burned, Shi’as displaced, Buddhist temples targeted and Confucianists made vulnerable, as well as pluralistic-minded Sunnis and atheists.
61. One of the darkest days for religious minorities in the country occurred on 13 May 2018 when three churches in Surabaya, Indonesia’s second largest city, were attacked within minutes of each other by a family of suicide bombers; other churches have periodically been attacked by terrorists.

### Blasphemy laws

62. The blasphemy laws in Indonesia have long been a cause of injustice and division, as they contain a very low threshold of requirements for evidence or proof of intent. The laws are misused for political reasons as well as religious intolerance to silence dissent, criticism or debate. The most significant example is the former governor of Jakarta, Basuki Tjahaja Purnama (known as ‘Ahok’), who was sentenced to two years in prison on charges of blasphemy in 2017. In April 2020, a man from Surabaya was charged with blasphemy for altering the lyrics to a religious song.
63. The United Nations Special Rapporteurs on freedom of religion or belief, and freedom of opinion and expression, and the Independent Expert on the promotion of a democratic and equitable international order, recently described blasphemy laws as “an unlawful restriction on freedom of expression” which “disproportionately target persons belonging to religious minorities, traditional religions, non-believers, and political dissidents.”
64. In 2019, proposals were made for revisions to Indonesia’s Criminal Code, which would include an expansion of blasphemy laws to criminalise acts such as defaming a religion, persuading someone to be a non-believer, disturbing a religious ritual or making noise near a house of worship, insulting a cleric while leading a ritual, stealing religious artefacts and damaging a house of worship. This legislation was postponed in September 2019 on the instructions of the President, following popular protests against it, but it is likely to return in due course once the worst of the COVID-19 pandemic is over and the legislature has the capacity to consider it.

### Ahmadiyya Muslim community

65. The Ahmadiyya Muslim community has existed in Indonesia since 1925, and claims a population of approximately 500,000, across 330 branches throughout the country. The Ahmadiyya consider themselves to be Muslims, but are regarded by some other Muslims as heretical.
66. Since 2005, the community has experienced serious violations of FoRB, including incidents of violence. A Joint Ministerial Decree introduced in 2008 by the Minister of Religious Affairs, the Attorney General and the Minister of Home Affairs prohibited promulgation of Ahmadiyya teachings. In 2011, the then Minister of Religious Affairs repeatedly called for an outright ban on the Ahmadiyya, and in 2013, the governor of West Java said that there would be no violence against the Ahmadiyya if there were no Ahmadiyya teachings or practices, describing Ahmadiyya Islam as “a deviant belief.” The “problem,” he added, “will disappear if the belief disappears.”
67. Although there has been, according to Ahmadi representatives, ‘some improvement’ under the government of President Joko Widodo, intimidation of the Ahmadiyya continues and Ahmadiyya activities continue to be restricted to date.

### Recent developments

68. In March 2020, 15 Indonesians [filed a lawsuit](#) with the Supreme Court arguing that the closure of thousands of places of worship was being done under a discriminatory law, the 2006 Religious Harmony regulation.

69. In September 2020, UCA News [reported](#) that Reverend Yeremia Zanambani, a Protestant pastor and Bible translator, had been shot dead in Indonesia's restive Papua region. There was some dispute over whether he had been killed by the Indonesian military or by members of a local separatist group, however in October Indonesia's human rights commission (Komnas HAM) [reported](#) that a fact-finding team believed Pastor Zanambani had been tortured and killed by the military, who were hoping to extract information on stolen military weapons.
70. In November 2020, UCA News [reported](#) that Muhammad Rizieq Shihab (known as Habib Rizieq), a notorious Indonesian hard-line Islamic cleric, had returned to Jakarta from self-imposed exile. In December, six of Habib Rizieq's supporters were killed in police clashes after police had made several attempts to investigate Habib Rizieq for violating COVID-19 related restrictions following his return to the country.
71. On 30 November 2020, IS-linked Islamic militants carried out an attack on a Salvation Army outpost in Lemban Tongoa village in Indonesia's Central Sulawesi province. Four people were killed, one of whom was beheaded, and several homes were burnt down, including a house used for prayers.
72. On Palm Sunday, 28 March 2021, suicide bombers [attacked](#) a Catholic Church in Makassar, South Sulawesi, leaving at least 14 people injured. Indonesia's President Joko Widodo called it "an act of terror" and ordered a police investigation. "I call on everyone to fight against terror and radicalism, which go against religious values" the President said.

## Myanmar - Detailed Country Briefing

73. On 1 February 2021 Myanmar's army seized power in a coup, declaring a year-long state of emergency and placing the country's democratically elected leader, Aung San Suu Kyi, and other civilian leaders under house arrest. Political power is now held by the commander-in-chief of the Myanmar army, General Min Aung Hlaing. The coup ended a decade of political reform which saw some limited positive political developments. The situation for religious and ethnic minorities in Myanmar has deteriorated further following the coup, and internal conflicts have been exacerbated by violent crackdowns on protestors.
74. While Aung San Suu Kyi's government faced heavy international criticism for their failure to stop the human rights violations against the Rohingya by Myanmar's military, it seems likely that they were exercising at least some moderating influence on the military more generally, which has now been removed. On October 21 the Assistance Association for Political Prisoners in Burma (AAPP) [reported](#) that 1,181 people had been killed, 9,073 arrested and 7,086 are currently in prison.
75. Legislation in Myanmar also contributes to religious intolerance. In 2015 a previous government introduced a package of four laws aimed at the 'protection of race and religion.' These laws were passed despite opposition from civil society and the NLD within Burma, and from the international community, which highlighted significant human rights concerns. The legislation introduces restrictions on religious conversions and interfaith marriage, and furthers discrimination against religious and ethnic minorities, and against women. Furthermore, the penal code has been used to prosecute those deemed to have 'insulted' religion.

### Violations against Muslims

76. Sporadic violence against Muslims has occurred throughout the country since 2012. This is separate from, although related to, the crisis facing the Rohingyas in Rakhine state, which is addressed in the subsequent section. Violations include the closure of mosques, demolition of homes and schools, discrimination in the judicial system and elsewhere, and mob violence. The day after the coup, the USCIRF Vice Chair Anurima Bhargava [said](#): "Given the history of brutal

atrocities by the Myanmar military, our fear is that violence could quickly escalate, especially towards religious and ethnic communities, such as the Rohingya and other Muslims.”<sup>1</sup>

## Rohingya crisis

77. In August 2017 Myanmar’s army launched attacks on Rohingya villages and civilians which resulted in over 700,000 people fleeing to Bangladesh, thousands killed, and hundreds of villages burned. Reports of the atrocities of mass violence perpetrated during this period include the burning of homes, schools and mosques, the deliberate burning of people to death inside their homes, mass rape, torture, execution without trial, and the blocking of aid.
78. The UN Special Rapporteur for human rights in Myanmar has said that the violence against the Rohingya has the “hallmarks” of genocide; the Independent International Fact-Finding Mission established by the UN Human Rights Council claims to have documented evidence of genocide; and in January 2020 the International Court of Justice (ICJ) issued a ruling ordering the government of Myanmar to take immediate “provisional measures” to prevent genocide against the Rohingya.
79. The crisis follows decades of severe persecution of the Rohingyas. The state has continued to deny Rohingyas their citizenship rights, rendering them stateless, as the 1982 Citizenship Law remains in force even though the Rohingyas have existed in Myanmar for several centuries. The law has a serious impact on the country’s Rohingya population who continue to live in the country without citizenship rights including the right to vote, to move freely, or to access basic services.

## Ethnic conflict

80. In recent years violations of FoRB and other human rights have also been observed in several states in northern Myanmar, notably in Kachin and northern Shan states, perpetrated against the majority Christian Kachin and Chin ethnic groups. Widespread conflict between the Burma Army and the Kachin Independence Army (KIA) has led to thousands of civilian deaths, and the displacement of over 120,000 people. In September 2018 the UN Independent International Fact-Finding Mission on Myanmar declared that the violations documented in Kachin and Shan states amounted to crimes against humanity and war crimes.

## Freedom of the press

81. Concerns regarding press freedom and freedom of expression remain. In a high profile case, two Reuters journalists working on the Rohingya crisis, Wa Lone, 31, and Kyaw Soe Oo, 27, were arrested on 12 December 2017. Within an hour of their arrest a request had been sent to the president’s office for permission to charge the men under the little-used colonial era Official Secrets Act. Permission was granted the next day. One defence lawyer noted that this speed was unusual. On 3 September 2018 they were convicted and sentenced to seven years in prison. On 23 April 2019 the Supreme Court upheld their conviction and rejected their appeal, but on 7 May they received a presidential pardon and were released as part of a Buddhist New Year amnesty.
82. Many journalists, human rights defenders and activists remain detained in connection with the exercise of freedom of expression, and since the coup on 1 February, many journalists have been arrested and all independent media in the country has been shut down. Severe restrictions on the internet have also been imposed.

---

<sup>1</sup> USCIRF, USCIRF Worried about Violence against Rohingya and other Religious Communities Following Military Coup in Burma, 13 February 2021 <https://www.uscifr.gov/news-room/releases-statements/uscifr-worried-about-violence-against-rohingya-and-other-religious>

## Recent developments

### Coup

83. The situation for religious and ethnic minorities in Myanmar has deteriorated further following the coup, and internal conflicts have been exacerbated by violent crackdowns on protestors. Within hours of the coup, CSW confirmed that at least three Buddhist monks had been arrested, a concerning indicator of the coup's potential implications for the right to FoRB.
84. The day after the coup, the USCIRF Vice Chair Anurima Bhargava [said](#): "Given the history of brutal atrocities by the Myanmar military, our fear is that violence could quickly escalate, especially towards religious and ethnic communities, such as the Rohingya and other Muslims."
85. On 8 February the Joint Strategy Team, a group of local humanitarian non-governmental organisations (NGOs) providing assistance to people affected by armed conflict in Kachin and northern Shan States, said that "the military coup is severely affecting the IDPs communities in Kachin and Northern Shan states. The military are taking more positions with armed troops and artillery, even in towns; and it has impacted on the transportation and movement of local people including IDPs. The civilian population is very worried, fearing that armed clashes will occur."
86. In March the Free Burma Rangers stated that over 7,000 people had been displaced in Karen State over the previous two months due to attacks by the Myanmar Army, despite a ceasefire, while over 70,000 people were displaced in Arakan State, and 100,000 remained displaced in Kachin State and northern Shan State.
87. On May 11 a BBC article stated that more than 700 people have been killed by security forces and thousands have been detained in Myanmar. There have also been multiple [reports](#) of detainees being tortured while in custody, with some dying from their injuries. The same month, The Free Burma Rangers [reported](#) that at least 40,000 people were internally displaced in Karen State. On May 17 the military also took control of the town of Mindat, Chinland. Responding to the attacks in Mindat, the British embassy [said](#): "Attacks on civilians are illegal and cannot be justified."
88. On 18 September Baptist pastor Cung Biak Hum was shot by soldiers while trying to extinguish a blaze caused by artillery fire, which destroyed 19 homes in the Thantlang township. The Chin Human Rights Organization reported that soldiers proceeded to remove the pastor's finger and steal his wedding ring. In response to the killing, Tom Andrews, the UN Special Rapporteur on the situation of human rights in Myanmar [tweeted](#): "The murder of a Baptist minister and bombing of homes in Thantlang, Chin State are the latest examples of the living hell being delivered daily by junta forces against the people of Myanmar. The world needs to pay closer attention. More importantly, the world needs to act."

89.

### COVID-19

90. The COVID-19 pandemic has created grave concerns for Burma. Burma has suspended all commercial flights and closed all land borders. Burma's health system and ability to conduct testing are weak, with only 6.1 doctors per 10,000 people, well below the WHO's recommended minimum. In rural and conflict areas the availability of health care is significantly less. Coronavirus is having a devastating impact on communities of internally displaced people and refugees on Burma's borders, which are mainly made up of ethnic and religious minorities. In such camps overcrowding makes physical distancing impossible, and poor sanitation and limited water supplies make washing hands difficult.

## North Korea - Detailed Country Briefing

91. The Democratic People's Republic of Korea (DPRK), or North Korea, is the world's most closed, isolated, and repressive state, with one of the worst records for human rights. It is ruled by the only dictatorship in the world which is both a dynasty and portrays itself as a deity.
92. There is no freedom of thought, conscience, religion or belief, and any North Korean who expresses an opinion or a belief which differs from the regime's propaganda faces severe punishment. [According to The Korea Institute for National Unification](#), a South Korean government agency, it is estimated that between 80,000 and 120,000 people are detained in prison camps, where they endure dire living conditions and brutal torture. Many of these are Christians.
93. Defectors who are forcibly returned to North Korea are charged with 'treachery against the nation', sent to prison camps and face abuse, violence and even execution. Despite this, the Chinese government has retained its policy of repatriating all North Korean defectors.
94. In recent years, there has been increased engagement between the US and North Korea, and Kim Jong-Un has held several meetings with his South Korean counterpart Moon Jae-In, but, disappointingly, human rights concerns have not featured on the agenda of the talks. For engagement with North Korea to be meaningful, countries must raise their concerns about the human rights violations happening under Kim Jong-Un's leadership.

### Commission of Inquiry

95. The gravity and extent of human rights abuses were exposed in the ground-breaking [United Nations Commission of Inquiry \(COI\) report](#) on human rights in North Korea, published in February 2014 after a year-long investigation. The Commission concluded that the gravity, scale, and nature of the violations of human rights in North Korea 'reveal a State that does not have any parallel in the contemporary world'.
96. In addition to its total denial of respect for a wide range of other human rights, freedom of religion or belief in North Korea is non-existent, and the country is cited as one of the worst in the world for the persecution of Christians. Despite the presence of four official state-controlled churches in Pyongyang, Christians face the risk of detention in the prison camps, severe torture and, in some cases, execution for practising their religious beliefs. North Koreans suspected of having contact with South Korean or other foreign missionaries in China, and those caught in possession of a Bible, have been known to be executed.
97. The COI report details widespread crimes against humanity and noted that 'there is an almost complete denial of the right to freedom of thought, conscience and religion'. It concluded that the regime 'considers the spread of Christianity a particularly severe threat' and as a result, 'Christians are prohibited from practising their religion and are persecuted'. Severe punishments are inflicted on people 'caught practising Christianity'. Documented incidents include Christians being hung on a cross over a fire, crushed under a steamroller, herded off bridges and trampled underfoot.
98. The COI report calls for accountability for the widespread and grave violations of human rights, states that these violations amount to crimes against humanity, and calls for a referral to the International Criminal Court (ICC) for prosecution for these crimes.

Since the publication of the COI report, the human rights situation in North Korea has risen up the UN's agenda. The Human Rights Council and General Assembly passed resolutions in 2014 endorsing the report and its recommendations. In December 2014, the Security Council considered for the first time the human rights situation separately from the nuclear non-proliferation question, and human rights in North Korea are now discussed in this way every year. However, with the exception of the establishment of the UN Field Office in Seoul, few of the COI's recommendations have been implemented; further work must be done to see the

recommendations implemented. Action to end the crimes against humanity in North Korea is long overdue.

99. In 2018 CSW published a [new report](#) which found that although the regime has not shown any signs of change in regard to human rights, increased flows of information into the country via radio broadcasts, DVDs, USB sticks and other means, as well as economic changes in the country, have resulted in a greater awareness among North Korean people about the outside world. The COI is believed to have had some impact within the country, resulting in anecdotal reports of a reduction in the most severe violations. That does not mean that there is any improvement in human rights in North Korea, but it does mean that international pressure and information flows need to be maintained and increased.

### Recent developments

100. In April 2020, speculation mounted that Kim Jong-Un may have been gravely ill or may even have died. However, in May 2020 he re-emerged, opening a fertilizer plant outside Pyongyang. It is unclear precisely what happened to Kim in this time, however the episode highlighted once again how difficult it is to get reliable information regarding the situation in North Korea, including in relation to the ongoing COVID-19 pandemic.
101. The full impact of the coronavirus on North Korea remains unknown but should not be underestimated. Claims by the ruling regime that there are no cases in the country seem unlikely, given South Korea has seen over 11,000 cases and over 250 deaths, despite being praised for its handling of the virus.
102. [Reports](#) indicate that “thousands have been quarantined and categorized as ‘under medical observation.’” A news site run by North Korean escapees [claimed](#) in March 2020 that 180 soldiers had died of the virus, and 3,700 were in quarantine. Additionally, in May the Chinese president had [expressed](#) concern regarding the threat the virus posed to North Korea and offered assistance.
103. All indications are that the virus may have reached North Korea. What remains unclear is the extent to which it has affected the country’s elite, its general population, and its infamous prison camps.
104. The government’s contention that the nation is virus-free was thrown into further doubt by the publication of a report by the UN Food and Agriculture Organization (FAO) which analysed the impact of COVID-19 on access to food in 47 countries, including North Korea. According to the [report](#), North Korea has suffered substantial food shortages this year, while the country’s borders remain closed despite claims of no infections.
105. The pandemic has made it even more difficult for North Koreans to flee their country, with borders officially closed and increased security making it harder to cross illegally. According to the Ministry of Unification in South Korea, only 12 North Koreans reached Seoul between April and June this year – seven in April, two in May, and three in June. Last year, 320 North Koreans made it to South Korea during the same period.
106. In addition, the journey for North Koreans fleeing to South Korea via China, which can involve travelling through Vietnam, Laos, Cambodia, Thailand, or Mongolia, will also have become more difficult due to COVID-19-related travel restrictions and lockdowns in many of these nations.
107. In July 2021 a [report](#) by the All-Party Parliamentary Group (APPG) on North Korea found that the situation of human rights in the country has not improved since the publication of the landmark 2014 report of the UN Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea (DPRK), and that the atrocities “amount to crimes against humanity,” and suggests that “there are reasons to believe that some of the atrocities reach the threshold of

genocide, particularly in relation to three groups: Christians; half-Chinese children; and the 'hostile' group."

*November 2021*