



Home Office

# Home Office Response to IAGCI Review China (Christians) CIG, June 2014

20 April 2015

<b>Review Conclusions/ Recommendations</b>		<b>Response</b>	<b>Home Office Comments</b>
1.	<p><b>Section 1.2 (as well as section 1.3.1)</b></p> <p>Given that the Chinese State considers Catholicism and Protestantism as two separate religions (see section 2.3.3 of the CIG) and consequently the possible different treatment of these religious groups, it is recommended that decision-makers not only ensure to determine whether the person is a Christian, but also whether the person belongs to the Protestant group or to the Catholic group.</p>	Not Accepted	This observation would appear to fall beyond the scope of the review – specifically at §4.6(b) of the Statement of Requirements (“The review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided.”)
2.	<p><b>Section 1.3.2</b></p> <ul style="list-style-type: none"> <li>• See also the comments below on section 2.3.1 regarding the estimated number of Christians in China.</li> <li>• The second sentence of this section (“Officially registered churches lack sufficient capacity to meet the demand; consequently illegal, unregistered churches have mushroomed.”) gives the impression that the lack of capacity of registered churches is the (only) reason for the development of unregistered churches. However, this is not what several subsections of section 2.3 seem to suggest, e.g. subsection 2.3.4: “Catholics and Protestants (...) consistently have not joined officially-sanctioned religious organisations because they refuse, amongst other things, to (...) submit leadership decisions to the government (...) or seek advance permission for all major religious activities or theological positions.” The second sentence of this section therefore should be amended in order to correctly reflect the situation.</li> </ul>	Not Accepted	This observation would appear to fall beyond the scope of the review – specifically at §4.6(b) of the Statement of Requirements (“The review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided.”)

3.	<p><b>Section 1.3.3</b></p> <p>The rapid growth in the number of Christians in China, referred to in this section, is a continuing phenomenon. According to a Chinese sociologist, the number of Chinese Christians will reach nearly 245 million by 2030, making China the largest Christian nation in the world. This information could be taken into account. See: China Aid, 'Interview with China Aid Vice President: China – Will it become the world's largest Christian nation?', 17 February 2015, available at: <a href="http://www.chinaaid.org/2015/02/interview-with-china-aid-vice-president.html">http://www.chinaaid.org/2015/02/interview-with-china-aid-vice-president.html</a>.</p>	Not Accepted	<p>This observation would appear to fall beyond the scope of the review – specifically at §4.6(b) of the Statement of Requirements (“The review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided.”)</p> <p>However, we will assess the material and source for potential inclusion in the country information section in the next iteration.</p>
4.	<p><b>Section 2.1</b></p> <p>Section 2.1 provides an overview of the country of origin information. In its current form, positive developments and remaining challenges are listed in an ad hoc manner. The structure could be improved, for example by starting the overview with a brief overview of the formal situation (legal dimension), followed by the actual situation, covering both positive evolutions and remaining challenges.</p> <p>The reviewer then suggests a new structure (not included here; see reviewer's comments).</p>	Accepted	<p>We agree the structure of this section could be improved, so as to bring greater coherence. The suggested ordering by the reviewer looks sensible and we will adopt that (or similar) in the next iteration.</p>

5.	<p><b>Section 2.3</b></p> <p>In section 2.3, information is frequently repeated in different subsections, or information in subsections seems to overlap. Identical, similar, overlapping or related information – for example, information on the promotion of clergy, the detention of religious leaders, disappearances or violence – could be grouped together. For example, sections 2.3.5, 2.3.7 and 2.3.8 all include similar information on the detention of Protestants. Bringing this information together would render the text more coherent. In addition, discussing events in chronological order and grouping together events dating from the same year is also recommended to improve clarity.</p> <p>In view of this, the global structure of sections 2.3-2.4 could be improved. The reviewer then suggests a new structure (not included here).</p>	Accepted	See our response at 4. The next iteration will be more clearly ordered to try and remove duplications/unnecessary overlap.
6.	<p><b>Comments on sources and referencing</b></p> <p>Only a limited number of references in footnotes refer to page numbers (notes 16-19). Adding page numbers in all references is recommended, in order to ensure consistency and more accurate referencing.</p>	Accepted	We will include more specific referencing in the next iteration (where appropriate) and ensure other material produced by CPIT is more precisely referenced.
7.	<p><b>Comments on sources and referencing</b></p> <p>Section 2.3.7: this section refers to the US Commission on IRF's Annual Report for 2013, published in April 2014. On the other hand, footnote 18, as well as footnotes 15, 16, 17, 19, 21, 22, 25, 26, 27, 28, refer to 2013 both as the year covered by the report and as the year of publication. Similar mistakes in the references in footnotes 2, 4, 13 should be addressed.</p>	Accepted	We will correct this error in the next iteration.
8.	<p><b>Comments on sources and referencing</b></p> <p>Only a limited number of different sources are referred to (mainly the US Department of State's IRF Reports, the US Commission on IRF Annual Reports and reports by the Freedom House). The report would substantially benefit from a more varied use of sources on the situation of Christians in China. See section below on 'additional recommendations for sources'.</p>	Accepted	A broader range of sources will be used in the next iteration. That said, the key 'source' is the country guidance case of <u>QH (Christians - risk) China CG [2014] UKUT 00086 (IAC) (14 March 2014)</u> which decision makers are required to follow.

9.	<p><b>Comments on sources and referencing</b></p> <p>The UK Home Office Operational Guidance Note on China of October 2013 was updated on 6 December 2014. Section 3.11 deals with the ‘involvement with illegal religious organisations’. Any updates in this section should be integrated in the CIG.</p>	Accepted	We will ensure that the OGN and CIG are integrated appropriately in the next iteration.
10.	<p><b>Comments on content: Section 2.1.2</b></p> <p>Regarding: “China was re-designated as a CPC in August 2011.”</p> <p>This information should be updated. China was re-designated as a country of particular concern (CPC) in 2014. See: US Department of State: International Religious Freedom Report for 2013, published on 27 July 2014, available at: <a href="http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper">http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper</a></p>	Accepted	This will be included in the next iteration.
11.	<p><b>Section 2.2</b></p> <p>This section (and the CIG in general) refers to ‘Christians’, ‘Catholics’ and ‘Protestants’. No reference is made to the Orthodox Church, while the UK Home Office Country of Origin Information Report for China of 12 October 2012 includes a section on the Orthodox Church (subsections 18.38 and 18.39). See: <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/311399/China_COI_report_2012.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/311399/China_COI_report_2012.pdf</a>.</p> <p>A section on the Orthodox Church should be added in the CIG.</p>	Accepted	This will be included in the next iteration.
12.	<p><b>Section 2.2.2</b></p> <p>Regarding: “According to the US International Religious Freedom Report 2013, it is not possible to take legal action against the government on the basis of the religious freedom protections offered by the constitution.”</p> <p>This sentence is not referenced. It is not clear whether the sentence refers to the US IRFR 2013 published in 2014, or to the US IRFR 2012 published in 2013. Furthermore, it would be useful to elaborate on the reasons why it is not possible to take legal action against the government.</p>	Accepted	We will correct this error in the next iteration.

13.	<p><b>Section 2.2.2</b></p> <p>While this section refers to the International Covenant on Civil and Political Rights (ICCPR), the Chinese constitution and Chinese criminal law, it does refer to the Regulations on Religious Affairs (No 426) of 7 July 2004, into force since 1 March 2005, available at: <a href="http://www.refworld.org/docid/474150382.html">http://www.refworld.org/docid/474150382.html</a>.</p> <p>On the other hand, reference to these Regulations is made both in the Guidance (section 1.3.8) and in Annex A. These Regulations are an important facet of the applicable legal framework on religious belief in China, and therefore must be referred to and discussed in section 2.2. They set out the conditions under which religious churches and leaders may operate in China. In line with the Chinese constitution, Article 2 of the Regulations provides that “citizens have freedom of religious belief”.</p>	Accepted	This will be included in the next iteration.
14.	<p><b>Section 2.2.4</b></p> <p>The first two sentences of this section would better fit in section 2.1 (<i>see above 3.2 Part 2 – Information/Comments on structure/Section 2.1/Subsection 2.1.6</i>).</p>	Accepted	This will be included in the next iteration.
15.	<p><b>Section 2.2.4</b></p> <p>In addition, the second sentence makes reference to 2012, while more recent information is provided on the online website of Freedom House (2013, 2014 and 2015). See: <a href="https://freedomhouse.org/report/freedom-world/2015/china#.VSUnX9ysXtE">https://freedomhouse.org/report/freedom-world/2015/china#.VSUnX9ysXtE</a>.</p>	Accepted	We will include updated information in the next iteration.
16.	<p><b>Section 2.2.4</b></p> <p>The other sentences of this section overlap with section 2.2.3 and could therefore be integrated in that section.</p>	Accepted	This will be included in the next iteration.
17.	<p><b>Section 2.3.1</b></p> <p>Regarding: “In addition, according to SARA, there are more than six million Catholic Christians on mainland China, 5.7 million of whom are affiliated with the Chinese Patriotic Association (CPA).” This sentence lacks a reference.</p>	Accepted	This will be corrected in the next iteration.

18.	<b>Section 2.3.1</b> The reviewer has suggested sources on the current total number of Christians in China.	Partially Accepted	We will assess these sources and their content for the next iteration. However, in terms of the review of <i>this</i> document, two of the suggested sources post-date the publication and were therefore not available for inclusion.
19.	<b>Sections 2.3.2 and 2.3.3</b> ... contain brief references to positive developments regarding the relations between China and the Vatican. This information could be further elaborated and updated.	Partially Accepted	Whilst the information could be expanded and updated, we will assess the extent to which to do so (i.e. the extent to which they inform the refugee status determination process) for the next iteration.
20.	<b>Section 2.3.2</b> refers to 'some reconciliatory action' (first sentence). It is not clear which source is linked to this statement, or whether it refers to the previous section (2.3.1).	Accepted	We will make this clearer in the next iteration.
21.	<b>Section 2.3.3</b> refers to '(...) inching closer towards mutual accommodation' (last sentence). This statement is linked to a source of 2011. Further information on 'mutual accommodation' could be included	Accepted	We will look for further information to include in the next iteration, if necessary.
22.	<b>Section 2.3.2</b> The reviewer has suggested more recent sources on China's relationship with the Vatican.	Partially Accepted	We will assess this source and its content for the next iteration. However, in terms of the review of <i>this</i> document, the suggested source post-dates the publication.

23.	<b>Section 2.3.3</b> The first sentence of this section, referring to the estimated number of Christians in China, overlaps with similar information in section 2.3.1. This sentence would therefore fit better in that section.	Accepted	We will make this change in the next iteration.
24.	<b>Section 2.3.9</b> The last sentence of this section refers to the arrest of Protestants in 2012 and re-education condemnations. Similar information is provided in section 2.3.5 (second sentence). It should be checked whether these sections deal with the same events, and where that is the case, the information should be merged.	Accepted	We will assess this and correct/merge (if necessary) in the next iteration.
25.	<b>Section 2.3.10</b> Regarding: “The government has banned at least 18 Protestants groups.” It should be checked whether this information is related to the condemnation of 18 religious leaders, referred to in section 2.3.5 (second sentence).	Accepted	We will assess this and correct/merge (if necessary) in the next iteration.
26.	<b>Section 2.3.11</b> This section, on Christians belonging to registered Churches, does not specify whether the persecution referred to targeted Protestants or Catholics in particular. It would be useful to include this information if available.	Accepted	Clarification will be provided if the information is available.
27.	The website link referred to in footnote 24 does not work: “Al Jazeera News Agency: ‘Christianity: China’s best bet?’ 1 June 2011, <a href="http://www.aljazeera.com/programmes/101east/2011/06/2011629646319175.html">http://www.aljazeera.com/programmes/101east/2011/06/2011629646319175.html</a> ”. The following link seems to be the correct one: <a href="http://www.aljazeera.com/indepth/features/2011/06/2011629646319175.html">http://www.aljazeera.com/indepth/features/2011/06/2011629646319175.html</a> In addition, note that the date referred to (1 June 2011) is incorrect. The correct date is 1 <i>July</i> 2011.	Accepted	This will be corrected in the next iteration.
28.	<b>Section 2.3.14</b> This section overlaps with section 2.3.1. These sections should be merged.	Accepted	This will be included in the next iteration.



29.	<b>Section 2.3.15</b> The first sentence of this section overlaps with/repeats the last sentence of section 2.3.13. These sections should be linked to each other and repetitive information should be deleted.	Accepted	This will be corrected in the next iteration.
30.	<b>Section 2.3.16</b> The abbreviation “CECC” is used here for the first time in the text, therefore it should be written in full: “US Congressional – Executive Commission on China (CECC)”.	Accepted	This will be corrected in the next iteration.
31.	<b>Section 2.4</b> Sections 2.4.1 to 2.4.3 seems to mainly relate to Protestant Christians. In such a case, which needs to be verified, the title of section 2.4 does not fully correspond to its content. In the suggested new structure for sections 2.3 and 2.4 (see above), these sections could be integrated in (suggested) section 2.3.2.2.	Accepted	We will assess this and correct/merge (if necessary) in the next iteration.
32.	<b>Annex A: Sources and background information</b> The sources are currently listed in a random order. It is recommended to list them in alphabetical order instead.	Accepted	We have already amended our template to do this in future.
33.	<b>Annex A: Sources and background information</b> A number of sources listed do not mention any date of publication. This is the case for information on websites (e.g. Radio Free Asia and Open Doors UK). Where possible, dates should be added.	Accepted	We do usually state where a date of publication is unknown. We will look to correct this in the next iteration, where possible.
34.	<b>Annex A: Sources and background information</b> Only nine sources are referred to. In addition, three to four of these sources are already cited throughout the CIG (mainly the US Department of State’s IRF Reports, the US Commission on IRF Annual Reports and reports by the Freedom House). The CIG would substantially benefit from a more varied use of sources on the situation of Christians in China. See section below on ‘additional recommendations for sources’.	Accepted	As per our response at 8., a broader range of sources will be used in the next iteration. That said, the key ‘source’ is the country guidance case of <u>QH (Christians - risk) China CG [2014] UKUT 00086 (IAC) (14 March 2014)</u> which decision makers are required to follow.

35.	<b>4. Additional recommendations for sources</b>	Accepted	Thank you for the suggested reading list. We will assess these (and other) sources and their content for the next iteration.
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