

Statement on the Raid of the Qiuyu Blessings Church, by the Chengdu Police and the Chengdu Administration for Religious Affairs¹

Issued by the Chengdu Qiuyu Blessings Church

On May 2, 2008, more than 40 people from the Chengdu Administration for Religious Affairs and Police conducted a raid on an indoor gathering of the Qiuyu Blessings Church. Church members who were present were photographed and forced to register, while the leaders of the gathering were isolated and questioned. Under the pretense of "suspicion of being involved in illegal religious practices," personal belongings of church members were seized, and the legal gathering was forcibly put to an end. In our opinion, such actions by the Chengdu Police and the Chengdu Administration for Religious Affairs had no legal basis. In fact, these heavy-handed actions meant to "enforce the law" actually violate the law. Such actions constitute an attack on the government's wish for a harmonious society, on civilized methods of law enforcement, on China's human rights situation—which has received much attention domestically and abroad in the run-up to the Olympics—and in particular, on our religious freedom, personal freedom and private property.

We believe that the heavy-handed actions of the Chengdu Administration for Religious Affairs and Police:

1. Run contrary to the spirit of Article 12 of the 2004 Regulations on Religious Affairs, which states that "Collective religious activities should, in general, take place in registered places of worship."
2. Run contrary to the spirit of Article 8 and 24 of the 2007 Sichuan provincial *Regulations on Religious Affairs*. Article 8 states that "In accordance with the religious doctrines, church rules and customs, religious practitioners have the freedom to participate in religious activities in places of worship, and are also free to practice their religion in their homes." Article 24 states that "Collective religious activities should, in general, take place in legally registered places of worship."
3. Violate the 1997 promise that the People's Republic of China State Council made to the international community "allowing people to pray, read the Bible, and participate in other religious activities (in what Chinese Christians commonly term 'family gatherings') without registration." That the Chengdu Administration for Religious Affairs and Police "enforced the law" in such a heavy-handed manner casts the Chinese Central government as unjust and untrustworthy.
4. Directly contradict Hu Jintao's December 18, 2007, statements on religion, in which he stated that he would "persist in putting the people first, and unite China's masses of believers."
5. Come in direct opposition to the open-minded comments made by Ye Xiaowen, Director of the State Administration for Religious Affairs, in a March 2008 *Nanfang Weekend* interview. In this interview, Ye stated: "We only regulate religious affairs, not religion."

It has also come to our attention that on May 1, several United States Congressmen joined twelve international human rights organizations in a news conference, vehemently condemning the human rights situation in China ahead of the Beijing Olympics. One of the areas mentioned was religious freedom. As religious

¹ Translated from the original Chinese by Human Rights in China.

practitioners, we feel distressed at such criticism leveled against China. That the harsh treatment we received from the Chengdu Administration for Religious Affairs on May 2 only lends credence to such criticism makes us feel even more distressed.

Hence, we have decided to:

1. Express our views on this matter to the Chengdu Administration for Religious Affairs.
2. Inform other house churches, other members of society, and those at home and abroad who are concerned about religious freedom, of the true facts of what happened, and our views on this matter.
3. Patiently await the Administration for Religious Affairs' administrative decision.
4. Maintain a calm attitude that is in compliance with the law, and submit to the procedures of recourse that the law permits us. We will use means of administrative redress and administrative action, filing complaints, charges and petitions to the State Administration for Religious Affairs. We will file petitions and ask the Chengdu, Sichuan and the National People's Congress to supervise this case and conduct investigations into the Constitutional violations committed by the Chengdu Administration for Religious Affairs and Police. In accordance with Article 41 of the Constitution, we will submit criticism, suggestions, complaints, charges and reports to the government and certain law enforcement mechanisms in a public manner, in order to express our disapproval of any behavior that infringes upon religious freedom.
5. Pray for the government, and for blessings on the country. We will help the government enforce the law in a civilized manner while maintaining respect for its citizens' freedom of religion. We will work to conquer the fear of a diverse society with religious freedom, and strive to fulfill our duty as Christians to be good citizens.

1. Timetable of Events

On May 2, 2008, the Qiuyu Blessings Church and some Christian house churches reserved and occupied 14 hotel rooms and 1 conference room at the Shuanglongyuan Resort of Shuangliu County in Chengdu for a church retreat during the Labor Day holiday. The events planned included a 6-hour "all-inclusive worship" session, praise and worship, baptism, games, and various other activities. This fellowship consisted of 11 families, some with children, with 44 participants in total. We were scheduled to begin at 10 a.m. on May 2 and end at 3 p.m. on May 3.

On May 2, 2008, at 3:44 p.m., approximately 20 plainclothes law enforcement officers burst into the room where the practitioners were singing hymns. There were also approximately 20 officials standing outside the room, including plainclothes and uniformed officers from the Administration for Religious Affairs, district substation police officers, and other public security officers of undisclosed identity, as well as a few officers from the Joint Defense Force. Two officials from the Shuangliu Bureau of Ethnic and Religious Affairs and the Chengdu Administration for Religious Affairs then produced law enforcement certificates signed by Chengdu Administration for Religious Affairs Deputy Director Hong Xiao. They claimed they had received reports that our gathering was "suspected of being involved in illegal religious practices."

Wang Yi, the leader of the Qiuyu Blessings Church, showed his identity card to the officers and said that he was willing to help in the investigation. The three main officials of Qiuyu Blessings Church, Wang Yi, Zhou Maojian, and Chen Zhongdong,

had a 30-minute conversation with the commanding officer from the Administration for Religious Affairs and a public security officer of undisclosed identity. The conversation circled mainly around the following issues –

1. Whether registration is required for “family gatherings mainly with relatives and friends”;
2. How to define the scope of “relatives and friends”;
3. The definition of “public places,” and whether rooms rented at a resort village constitute public places;
4. The definition of “missionary activity”, and whether the internal fellowship activities of a house church are considered “missionary activities”;
5. Whether the Christians of an unregistered house church can be considered “religious citizens” as stipulated in the *Regulations on Religious Affairs*, and “masses of believers” mentioned in Hu Jintao’s statements calling for unity.

The main opinions of the three church representatives on the above questions are as follows:

Firstly, ours was a gathering consisting primarily of family and friends. The hotel rooms were private places. The congregation of religious practitioners in a hotel room had the same legal meaning as the congregation inside a family home.

Secondly, our congregation was an internal fellowship activity, which proceeded in a closed non-public place and did not involve any “missionary activities”—that is, activities which are public and aimed at non-believers. Even without considering the Chinese Constitution’s protection of the freedom of religion, according to the *Regulations on Religious Affairs*, our gathering was not in violation of any laws.

Thirdly, the group of religious practitioners who reserved rooms at the resort is not only protected under freedom of religion, but also under personal freedom, property freedom, and civil contractual relationship. Regardless of whether one applies the *Regulations on Religious Affairs* or the *Regulations on the Administration of Peace and Order* to this situation, no one had the right to force or even request us to leave.

Deputy Director Hong Xiao stated that he completely disagreed with our views, save our point that the house church practitioners are part of the “masses of believers” that need to unite. The three representatives requested that the officers provide legal basis for the raid and observe proper law enforcement procedures, and agreed to wait for the officers’ on-site enforcement decision.

While our three representatives spoke with law enforcement officials, other law enforcement officers detained the rest of the congregation inside the conference room, photographing and taping the practitioners and demanding that they provide their identity cards to be registered. During the process, there were many instances of heavy-handed behavior exhibited by the officers, such as officers not showing their law enforcement certificates, threatening practitioners who did not have their identity cards with them, and attempting to seize personal belongings. After registering, photographing, and videotaping the practitioners inside the conference room, the officers threatened and forced some church members to return to their rooms to pack their belongings and leave. Following the conversation between our three representatives and the law enforcement officials, one public security officer of

undisclosed identity maneuvered the representatives into another room, to prevent them from returning to the conference room.

After an hour-long on-site meeting among the law enforcement officers, we were informed that the Chengdu Administration of Religious Affairs had decided to temporarily seize all materials related to the allegedly illegal activities under "suspicion of illegal religious practices." Our three representatives indicated that they were unconvinced but willing to accept their decision. A law enforcement officer then demanded Wang Yi's personal laptop. Wang Yi refused to turn over his laptop, but was willing to give the officers a copy of the PowerPoint documents for Bible study classes, praise and worship, and game activities saved on its hard drive, in order to facilitate the investigation. However, due to Wang's being isolated during the questioning and due to the other practitioners not being in the room, three law enforcement officers tried to restart Wang Yi's personal computer without his permission or knowledge, a serious infringement upon his personal right to property and privacy. This was eventually discovered and stopped.

Law enforcement officers listed articles which they temporarily wanted to confiscate. These included a Bible and other religious publications, all of which were legally printed in China. Three practitioners objected, arguing that these items had nothing to do with the "illegal acts", as Chinese citizens have the right to carry, read, and distribute legal publications at any place and any time. However, after the law enforcement personnel insisted on confiscating them, we allowed them to take the items, once again showing our willingness to cooperate with the investigation.

Materials that the Bureau of Ethnic and Religious Affairs of Chengdu confiscated included²:

1. 10 choir robes;
2. 12 copies of psalms and hymns;
3. 10 copies of the Bible and two additional books;
4. An empty donation box owned by the house church;
5. 18 DVDs designated as prizes for games.

The officers also confiscated some course materials and notes without our permission, as well as some of Wang Yi's personal items, including a notebook which had been inside his Bible.

A half hour later, law enforcement officers questioned Wang Yi, Zhou Maojian and Chen Zhongdong separately, recording their conversations in writing. The three representatives admitted that they were the organizers of the meeting, which they believed was legal. The representatives also expressed that they were unable to agree with the decisions and conclusions of the law enforcement officers.

Deputy Director Hong Xiao announced that the on-site investigation was over and promised to return the confiscated articles after the end of their investigation. However, some public security officers then began to intimidate the owner of the resort village, requesting that they suspend partnership with us, thus indirectly putting an end to our meetings and vacation. We did not want to stir up any further disputes with the resort, so we agreed to leave.

² Since the release of this open letter, HRIC has learned from Wang Yi that all items seized on May 2 have been returned to the church.

At around 7 p.m., we all left the resort village. The 40 or so law enforcement officers only began to leave once they were certain that we had all boarded vehicles and were ready to depart.

While we did not agree with the actions and decisions of the officers and the Administration for Religious Affairs, we were compliant and cooperated with the law enforcement officers during the entirety of the raid.

2. Our Opinion

This raid was essentially an illegal administrative investigation, lacking legal basis and running contrary to legal procedures.

1. Throughout the entire “law enforcement” procedure, public security officers did not provide us with any search/investigative warrant. When Wang Yi asked for clarifications regarding who was in charge that day of “enforcing the law”, Deputy Director Hong Xiao replied that the Shuangliu and Chengdu Bureaus of Religious Affairs were in charge of enforcing the law according to the *Regulations on Religious Affairs*. The entire time, one plainclothes security officer acted in a particularly heavy-handed, brusque manner; even when Wang Yi repeatedly asked him to provide documentation, he did not. As such, we could not consider them governmental law enforcement officers according to the law. Depending on how this situation develops, we will consider publicly releasing this “illegal officer's” personal information, which we have obtained.
2. Throughout the entire “law enforcement” procedure, law enforcement officers from the Administration for Religious Affairs did not provide us with any legal basis for the raid, not even citing from the *Regulations on Religious Affairs* or the *Chengdu Municipal Regulations on Religious Affairs*. None of the coercive measures that they took—such as registering, photographing, recording, detaining individuals and confiscating/seizing personal belongings—were permitted under any of the rules and regulations on handling religious affairs of Chengdu, Sichuan, or at the national level, which provide the main basis for enforcing the law. Thus, according to this main legislation, this is an act of illegal administrative investigation.
3. Throughout the entire “law enforcement” procedure, they did not issue any administrative decision in writing, nor did they provide any formal evidence for administrative enforcement. They had only a list of items to seize, which was hand-written at the scene. This list was not signed by any law enforcement officer, and it did not provide any proof that such action had been approved by the person in charge at the administrative organ. For this reason, the seizure decision was also an illegal coercive administrative measure lacking legal basis.

3. Our Demands

1. We urge the Chengdu and Shuangliu Bureaus of Religious Affairs to address this incident by rescinding the enforcement decision made at the scene, undertaking serious discipline measures against the officers who violated the law, and returning any seized personal belongings of church members.
2. We demand that Chengdu Administration for Religious Affairs Deputy Director Hong Xiao offer both a written and oral apology to the members of the Qiuyu

Blessings Church, on behalf of the law enforcement bodies, for the illegal actions that the officers performed during the course of the raid.

3. We demand that the Chengdu and Shuangliu Bureaus of Religious Affairs compensate us for the raid, which obstructed and put an end to our private gathering. Compensation should include the long-term financial and personal resources that have gone into organizing this event. When the time is appropriate, we will submit to the Chengdu Administration for Religious Affairs an inventory of all the items for which we are seeking compensation.
4. We ask that the Chengdu Administration for Religious Affairs seek clarification from the State Administration for Religious Affairs on details regarding the implementation of the 2004 *Regulations on Religious Affairs*, especially on the provision stating that “Collective religious activities should, in general, take place in registered places of worship.” It is not clear whether this provision carries an exception for non-public gatherings of house churches. It is also unclear what the definition of “a gathering consisting primarily of family and friends” encompasses, and in particular, the implications of the word “primarily”. As such, it is questionable that a gathering primarily composed of family and friends would fall within the scope of the provision restricting collective religious activities. There should also be legal clarification on whether a house church’s gathering is permitted to take place on private, rented property. Such a clarification would prevent the local authorities’ exploitation of their discretionary powers, the worsening of the relationship between the government and house churches, as well as any further tarnishing of China’s international image.
5. We demand that the Chengdu Administration for Religious Affairs provide an explanation as to whether the May 2 action was an instance of “joint enforcement” with the police. If so, what is the legal basis for this action? If not, based on the *Regulations for Religious Affairs*, why were the police necessary? We strongly doubt that the usage of police to conduct administrative investigations into house churches and to threaten practitioners—as if these were public security or even criminal cases—has any place in the relationship between the state and religious practitioners. We regretfully point out that this is often the main reason that the Department of Religious Affairs and house church practitioners cannot communicate effectively.

We believe that this incident not only exposes problems with the Chengdu Administration for Religious Affairs’ low standards for administrative law enforcement and its indifference towards the law, but also deficiencies in the administrative procedural requirements of the *Regulations on Religious Affairs*. We await the Chengdu Administration for Religious Affairs’ conclusions regarding this investigation, and we will consider, for now, only filing an administrative suit regarding the illegal coercive measure of seizing personal belongings. With love, patience, and perseverance, we will wait, monitor, and supervise the approach of the Chengdu Administration for Religious Affairs and other governmental departments toward this issue before deciding upon our next course of action. We will continue to employ moderate and appropriate legal measures, while advocating and safeguarding religious practitioners’ rights to the freedom of religion.

4. Our Wishes

1. We ask that the religious affairs bureaus invite house church representatives to exchange ideas on how to unite practitioners and how house church members can contribute to society, to facilitate mutual understanding between the government and house churches, and to discuss the issues of respect and healthy communication between the two parties.
2. We ask that the religious affairs bureaus arrange a series of hearings to consult the public on issues such as the reform of government management of religious affairs, the existing problems in the implementation of the *Regulations on Religious Affairs* and other religious affairs, the protection of religious freedom for Chinese citizens who are house church members, and the problems with group registration. These measures are recommended as an attempt to promote these areas of society in a positive manner and in adherence to the rule of law.
3. We ask that religious affairs bureaus at all levels hire legal or academic consultants who are legally trained and understand Christianity. These consultants would organize lectures, discussions and training sessions on issues of law and religion. Chengdu University Professor of Law and member of the Qiuyu Blessings Church Wang Yi is willing to serve as a legal consultant for the Chengdu Administration for Religious Affairs. The Qiuyu Blessings Church is also happy to provide staffing and financial support for such lectures, discussions, and training sessions.
4. As the State Council's White Paper and the *Regulations on Religious Affairs* (of Sichuan and at the national level) recognize unregistered house church congregations as legal, we cordially invite director of the State Administration of Religious Affairs Mr. Ye Xiaowen, director of the Bureau of Ethnic and Religious Affairs of Chengdu Mr. Zhao Lu, deputy director Mr. Hung Xiao, and any religious affairs officers or other civil servants to visit and participate in Qiuyu Blessings Church congregations whenever it may be convenient.

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May 6, 2008 (Tuesday)

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