

NEW ADMINISTRATIVE MEASURES FOR THE RELIGIOUS ACTIVITIES OF FOREIGNERS IN CHINA

On 18 November 2020, China Foreign Ministry downloaded on its website the new set of *Administrative Measures for the Religious Activities of Foreigners in China*. It is still a draft to solicit opinions from the public within a month, before being finalized. The text states that it follows the Decree No. 144 dated 31 January 1994, the *Regulations for the Administration of the Religious Activities of Foreigners in China* (no. 1), but, it does not mention the Measures for the same purpose and on the same topic issued on 27 September 2000: it substitutes them. The present document has 40 articles divided into four chapters.

By foreigners, the document includes not only everyone who does not have Chinese nationality according to the *Nationality Law* (no.2), but also all overseas Chinese, Chinese of Taiwan, Hong Kong and Macao origin, during their stay in mainland China (no. 39).

Article 3 specifies the “religious activities of foreigners” dealt with by the document, are namely “religious ceremonies organized or participated in by foreigners in China” and all kinds of “religious exchanges”.

Articles 5 and 21 seems to provide the core content of the document. Art. 5 states that foreigners shall obey China's laws, regulations, and rules; respect China's principle of religious independence and self-management; accept the lawful management of the Chinese government; and must not use religion to harm China's national interests, citizens' lawful rights and public order. Art. 21 lists the forbidden activities: interfering with or controlling the affairs of any Chinese religious institutions; interfering with the identification and management of religious professionals; establishing religious groups or bodies, religious activity sites, and religious schools; promoting and supporting extremist or illegal activities; Illegally proselytizing among Chinese citizens, recruiting followers, and accepting religious donations from Chinese citizens; carrying out religious education and training and other illegal activities under the cover of religion.

Chapter 2 reserves large space to the organization of collective religious ceremonies in public temples or churches (nos. 6-11) or in temporary sites chosen by Chinese authorities (nos. 12-14), as well as the role and the responsibility of the organizers (15-20): it sets up a lot of detailed requirements.

Chapter 3 deals mainly with individual exchanges and activities (nos. 22-29), such as giving lectures or homilies (nos. 22-24), importing religious literature (nos. 25-26.28), and recruiting students (no. 27).

Worth noting is that for the first time a public document mentions religious organizations which do not belong to the five official religions and states the requirements for their contacts and exchanges with Chinese religious counterparts (no. 29).

Chapter 4 (nos. 32-36) deals with the Legal Responsibilities and for the various violations of the present Measures, it refers to the provisions of other concerned laws, mainly to the Regulations for Religious Affairs, implemented in February, 2018.

Articles 37-40 give supplementary provisions.

According to the Global Times (24-11-2020) the purpose of the new document is to “*highlight that foreigners should not advocate religious extremism, support or fund illegal religious activities, use religions to undermine China's unity and ethnic solidarity, or conduct terrorist activities.*” As it has been noted, such an emphasis seems rather objective. The impression of the official worry about negative and illegal activities of foreigners is validated by the simple reading of the detailed and numerous requirements for organizing religious activities and exchanges, both from the foreign side and from its Chinese counterpart. Although the main content of the present new Measures is

not generally new, these requirements make collective activities practically quite difficult. The strong worry for illegal and terrorist activities can be explained by the recent change of the social conditions in China, but also it can show the present attitude of the Chinese authorities, who seem to see enemies everywhere, even among their overseas compatriots.

The new *Administrative Measures for Religious Personnel*, issued at the same time, regarding Catholic Bishops, states as follows:

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| <p>宗教教职人员管理办法 (征求意见稿) 2020-11-18 来源: 国家宗教事务局</p> <p>十六条: 天主教的主教由中国天主教主教团批准并祝圣。中国天主教爱国会和中国天主教主教团应当在主教祝圣后二十日内, 填写天主教主教备案表, 报国家宗教事务局备案, 并提交下列材料:</p> <p>(一) 该主教的户口簿复印件和居民身份证复印件;</p> <p>(二) 省、自治区、直辖市天主教团体出具的民主选举该主教的情况说明;</p> <p>(三) 中国天主教主教团批准书;</p> <p>(四) 主持祝圣的主教签署的祝圣情况说明。</p> <p>天主教主教备案表式样由国家宗教事务局制。</p> <p>第十七条: 宗教事务部门应当自收到宗教团体提交的备案材料之日起二十个工作日内, 作出书面答复, 逾期未答复的, 视为已完成备案程序。</p> | <p>Administrative Measures for Religious Personnel (Draft for Soliciting Comments) 2020-11-18 by State Administration of Religious Affairs</p> <p>Article 16: Catholic bishops shall be approved and ordained by the Chinese Catholic Bishops' Conference. The Chinese Catholic Patriotic Association and the Chinese Catholic Bishops' Conference shall fill in the Catholic Bishop's Record Form within 20 days after the bishop's ordination, and report it to the State Administration of Religious Affairs for the record, by submitting the following materials:</p> <p>(1) A copy of the bishop's residence booklet and a copy of the resident ID card;</p> <p>(2) A statement on the democratic election of the bishop issued by a Catholic organization in a province, autonomous region, or municipality directly under the Central Government;</p> <p>(3) Approval letter of the Chinese Catholic Bishops Conference;</p> <p>(4) A statement on the ordination signed by the bishop in charge of the ordination.</p> <p>The format of the record form for Catholic bishops is formulated by the State Administration of Religious Affairs.</p> <p>Article 17: The religious affairs department shall provide a written reply within 20 working days from the date of receipt of the materials submitted by the religious group. If the reply is not made within the time limit, it shall be deemed to have completed the filing procedures.</p> |
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