

RELIGION

A. National.

1. ***Regulations on Religious Affairs*** (effective March 1, 2005; adopted on July 7, 2004 by the 57th Session of the Standing Committee of the State Council and issued on November 30, 2004 by Premier Wen Jiabao).

(a) These Regulations have been formulated, in accordance with the Constitution and relevant laws, to guarantee the religious freedom of citizens, protect religious concord and social harmony and regularize the administration of religious affairs.

(b) Citizens shall have the freedom to hold religious beliefs. No entity or person may force citizens to believe in any religion or not to believe in any religion. Citizens who believe or do not believe in any religion may not be discriminated against.

Religious adherents and non-adherents and citizens who believe in different religions shall interact in mutual respect and harmoniously.

(c) The state protects normal religious activities and safeguards the legitimate rights and interests of religious organizations, places of religious activity and religious adherents.

Religious organizations, places of religious activity and religious adherents shall observe the Constitution, laws, regulations and rules and safeguard the unity of the state, the unity of ethnic groups and social stability.

No entity or individual may use religion to destroy social order, harm the persons of citizens or obstruct the state education system or to carry out other activities that are harmful to the interests of the state, the public good of society or the legitimate rights and interests of citizens.

(d) All religions shall support the principles of independence, self-governance and self-management. No religious organizations, places of religious activity or religious affairs may receive the support of foreign forces.

Religious organizations, places of religious activity and religious instructors shall develop foreign exchanges on the basis of friendship and equality. Other entities and individuals who are engaged in foreign economic or cultural cooperation or exchanges may not accept ancillary religious conditions.

(e) The people's government at all levels shall listen to the advice of religious organizations, places of religious activity and adherents and coordinate the work of the administration of religious affairs.

(f) The Regulations stipulate provisions on the establishment of religious organizations, the publishing and distribution of religious publications, and the establishment of religious schools.

(g) Nationwide religious organizations may, in accordance with the needs of the religion and provisions, send out and receive religious students.

(h) Group religion activities shall generally be carried out in registered places of religious activity (fixed places of religious activity such as monasteries, temples, mosques and churches) and shall be organized by places of religious activity or religious organizations and convened by religious personnel or other persons who satisfy the provisions of the religion and shall be carried out in accordance with the religion's doctrines and rules.

(i) The Regulations stipulate the process for establishing places of religious activities, as well as their merger, demerger or termination.

(j) Places of religious activity may receive donations from citizens in accordance with the customs of the religion, but may not force donations to be made or levy charges.

Non-religious organizations and places that are not places of religious activity may not organize or hold religious activities and may not accept donations of a religious nature.

(k) Places of religious activity may sell religious utensils, religious art and religious publications. Monasteries, temples, mosques and churches that are registered places of religious activity may, in accordance with the relevant provisions of the state, print internal materials for such religion.

(l) The Regulations set forth procedures for applying to hold large scale religious activities that extend outside or are outside a place of religious activity and the construction of statues in open spaces.

(m) Places of religious activity shall guard against major accidents occurring in such places or incidents that violate religious taboos and harm the feelings of adherents, destroy the unity of ethnic groups or affect social stability.

(n) The succession of the Living Buddha in Tibetan Buddhism shall be handled in accordance with religious practice and history, under the guidance of Buddhist organizations. The matter shall be submitted to the religious affairs department of the people's government at the municipality level or above or to the people's government at the municipal level or above for their approval.

(o) The land legally used by religious organizations or places of religious activity and the rooms, buildings and facilities that are legally owned or used by them and other legal property, rights and interests shall be protected by the law. No entity or individual may occupy, cheat, divide for personal use, destroy or illegally close

up, mortgage, freeze, confiscate or sanction the legal property of religious organizations or places of religious activity and may not destroy the cultural relics occupied or used by them.

The rooms, buildings and ancillary living quarters of religious personnel of places of religious activity may not be transferred, mortgaged or used to make an investment in-kind.

(p) Religious organizations and places of religious activity may organize social welfare enterprises. The earnings and other legal revenues shall be subject to financial and accounting control and shall be used for activities that are consistent with the objectives of such organization or place and the social welfare enterprises.

(q) Religious organizations and places of religious activity may, in accordance with relevant provisions, receive donations from domestic and foreign entities and individuals to use for activities consistent with their objectives. Religious organizations and places of religious activity shall report their financial situation and the situation of the receipt and use of donations to the religious affairs department of the local people's government at the county level and above and shall in an appropriate manner make a public notification to their adherents.

(r) Chapter 6 of the Regulations sets forth various sanctions if the Regulations are violated.

B. Tibet Autonomous Region.

1. ***Interim Measures of the TAR on Religious Affairs*** (effective January 1, 2007; adopted on May 18, 2006 by the Eleventh Session of the Standing Committee of the TAR People's Government and issued on September 19, 2006 by Decree No. 73 of the TAR People's Government).¹

(a) These Measures have been formulated, in accordance with the Constitution, the Regulations on Religious Affairs of the State Council and other relevant laws and regulations, taking into account the actual circumstances of the TAR, to safeguard religious freedom of citizens, protect religious concord and social harmony and regularize the administration of religious affairs.

(b) Citizens have the freedom to hold religious beliefs. No entity or person may force citizens to believe in any religion or not to believe in any religion. Citizens may not be forced to believe in one religion or another. Citizens who believe or do not believe in any religion may not be discriminated against.

¹ These Measures repeal the *Interim Measures of the TAR on the Administration of Religious Affairs* of December 20, 1991.

(c) Religious adherents and non-adherents, citizens who believe in different religions or sects, as well as citizens who believe in the same religion or sect shall interact in mutual respect and harmoniously.

(d) Normal religious activities and the legitimate rights and interests of religious organizations, places of religious activity, religious personnel and religious adherents shall receive legal protection.

Religious activities convened by and participated in by religious organizations, places of religious activity, religious personnel and religious adherents shall respect the law, regulations and rules and shall safeguard the unity of the state, the unity of ethnic groups and social stability.

Religious organizations, places of religious activity and religious personnel may not use religion to threaten the safety of the state or public safety or be harmful to social order, infringe the personal rights or democratic rights of citizens or encroach upon public or private property.

(e) All religions shall support the principles of independence and self-governance and self-management. Religious organizations, places of religious activity and religious affairs may not receive support from foreign governments or overseas influences.

(f) The people's governments at all levels shall actively lead religious organizations, places of religious activity and religious personnel to be patriotic, protect the state and be beneficial to the people, further unity and guide religion to be appropriate for a socialist society.

(g) Places of religious activity may not revive or covertly revive religious feudal prerogatives or oppressive systems that have already been abolished and may not revive or covertly revive the Living Buddha labrang system (*i.e.*, the estate system for the reincarnation of lamas) or the hierarchy relationship of temples or monasteries.

(h) The religious affairs departments of the people's governments at the county level and above shall, according to the principles of duties of different levels and the administration of areas within their control, carry out supervision, inspection and guidance over the observance of laws, regulations and rules by religious organizations, places of religious activity and religious personnel, the situation of the establishment and implementation of a system of premise management, changes to registration and the situation of religious activities and outside activities.

(i) The registration of the establishment of, or changes to or cancellation of religious organizations shall be handled in accordance with the Administrative Regulations on the Registration of Social Organizations and the Implementing Measures for the Administration of Registration of Religious Social Organizations. The establishment of, or changes to and cancellation of religious

organizations in the localities (cities) must be submitted to the religious affairs department of the TAR people's government for the record.

Religious organizations shall, in accordance with law, accept the supervision and management of the religious affairs departments and civil affairs department of the local people's government.

(j) Religious organizations shall be responsible for formulating Democratic Management Bylaws for Places of religious activity and organize and implement religious studies examination and promotion work.

(k) Religious organizations and places of religious activity may print publications that are internal religious materials in accordance with the Measures for the Administration of Publications of Internal Materials. Religious publications and recordings that are publicly distributed shall be handled in accordance with the Regulations for the Administration of Publishing, the Regulations for the Administration of Recordings and the Interim Provisions of the TAR Concerning Further Strengthening the Administration of the Religious Publications Market.

(l) Publications and recordings that contain religious content shall comply with the Regulations for the Administration of Publishing and the Regulations for the Administration of Recordings and may not contain any of the following:

(i) content that destroys the harmonious interaction of adherents and non-adherents;

(ii) content that destroys the harmony between different religions or the harmony within a religion;

(iii) content that is discriminatory against or insulting to adherents or non-adherents;

(iv) content that propagates or glorifies ethnic splittism, religious extremism or terrorism;

(v) content that violates the principles of religious independence, self governance or self management;

(vi) other content that violates laws or regulations.

(m) Religious organizations or places of religious activity that establish scripture printing houses require the approval of the religious affairs department and news and publishing department of the TAR people's government.

(n) Religious organizations and places of religious activity may receive donations from their adherents in accordance with the religious custom to use for activities consistent with their aims, but they may not force people to contribute or levy charges on them.

Religious organizations and places of religious activity that accept donations from abroad shall implement the Measures of the TAR for the Administration of the Receipt of Donations and Assistance from Non-Governmental Organizations or Individuals from Abroad.

Non-religious organizations and places that are not places of religious activity may not organize or convene religious activities and may not accept religious donations.

(o) Religious organizations and places of religious activity that intend to build large scale open air religious statues outside places of religious activity shall handle the matter in accordance with the State Council's Regulations on Religious Affairs.

Entities or individuals other than religious organizations or places of religious activity may not build large scale open air religious statues, Buddhist pagodas, prayer wheel temples or other religious buildings.

(p) Group religious activities for adherents shall generally be conducted in registered places of religious activity or places designated by the religious affairs departments of the people's governments at the county level or above, and shall be conducted by religious teachers or persons who satisfy the conditions set forth in these religion provisions.

(q) Persons wishing to establish a place of religious activity shall seek approval in accordance with the procedures stipulated by the state and the TAR. Places of religious activity shall handle registration procedures in accordance with relevant provisions of the state and the TAR.

The merger, splitting up or termination of places of religious activity and other items requiring a modification of registration shall require the handling of change of registration procedures at the original registration agency.

(r) Persons who wish to rebuild, expand or repair/restore places of religious activity require the consent of the religious affairs department of the local people's government at the county level and the matter shall be submitted to the religious affairs department of the administration (people's government) of the local area (municipality) for their examination and approval (which must be given within 30 days after receipt of the report). Places of religious activity that are culturally protected units must also submit the matter to the departments in charge of cultural relics in accordance with the laws and regulations on the protection of cultural relics.

(s) Places of religious activity that conduct scripture study classes shall comply with the following conditions:

(i) such place has experience in conducting scripture study classes;

(ii) they have appropriate numbers of teaching personnel who have a certain level of religious knowledge;

(iii) the purpose of the studies is proper and the content of the training is legal;

(iv) the number of students does not exceed the capacity of the place of religious activity;

(v) they have effective and complete measures on the management of students.

(t) After obtaining the consent of the religious affairs department of the administration (people's government) of the local area (municipality), the establishment of scripture study classes by places of religious activity shall be submitted to the religious affairs department of the TAR people's government for examination and approval (which is to be determined within 30 days following receipt of the application).

(u) Religious objects, souvenirs and publications may be sold in places of religious activity.

(v) Places of religious activity may, in accordance with relevant provisions of the state and TAR, conduct businesses, travel and hospitality service businesses and social service enterprises with the aim of supporting themselves.

Any profits and other revenues received from such businesses shall be subject to financial and accounting controls.

(w) The roads, water, lighting, broadcasting and other infrastructure of places of religious activity shall be included in the master construction plans of the local townships or villages.

(x) Places of religious activity that are major tourist sites may allocate a portion of the economic revenues from entrance fees to use for repairs, protection of cultural relics and improvement of tourist facilities and the clean up of surroundings.

(y) Places of religious activity shall be on guard against accidents in their premises or incidents that harm the unity of ethnic groups or affect social stability. If accidents or incidents occur, places of religious activity shall immediately report them to the religious affairs department of the people's government of the local county and shall assist the relevant departments in handling the same in accordance with law.

(z) Large scale religious activities that extend beyond a place of religious activity or that are held outside a place of religious activity shall comply with the following:

(i) they comply with the religious doctrine and rules of the religion and are customary traditions of the religion;

(ii) there is a detailed activity plan, including the time, place, route, number of people, main rituals and emergency plans.

The people's government and neighborhood offices of the village (towns) and the religious affairs, public security, traffic and other departments of the people's government at the county level and above where large scale religious activities are to be held shall, in accordance with their respective duties, guarantee the safety and orderly progress of these activities.

(aa) Religious personnel who convene religious activities, conduct religious ceremonies and religious succession ceremonies and engage in the arrangement of religious texts, carry out the study of religious culture or appraisal of scripture studies, as well as research, exchange and other activities involving religious culture, shall receive the protection of law.

(bb) Single religious ceremonies may be carried out by religious personnel, at the request of adherents, in the open air burial sites or the adherent's home.

(cc) Religious personnel may, in accordance with the provisions of the state and TAR, enjoy applicable social security.

(dd) Except as described in clause (bb), without the approval of the religious affairs department of the people's government at the county level or above, religious personnel may not engage in religious activities such as initiations as monks/nuns, consecrations, recitals of scripture, proselytizing or development of followers outside places of religious activity.

(ee) Religious personnel and adherents may not disseminate books, cards or materials that destroy the unity of ethnic groups or threaten the safety of the state. Adherents may not request religious personnel to recite from banned religious texts.

(ff) People who have been expelled from temples and do not hold a Religious Personnel Certificate may not engage in religious activities as religious personnel.

(gg) The succession/reincarnation of the Living Buddha in Tibetan Buddhism shall be handled by places of religious activity under the guidance of religious organizations, in accordance with the relevant provisions of the state and TAR and religious procedures and historic practices.

Without the approval of the religious affairs department of the TAR people's government, no entity or individual may seek or confirm the child who will be the reincarnation of the Living Buddha.

(hh) The seeking or confirmation of the child who will be the reincarnation of the Living Buddha outside the TAR, shall require consultation by TAR religious organizations with the religious organizations of the relevant province (region,

municipality) and the matter shall be reported to the religious affairs department of the TAR people's government for the record. With respect to those persons from other provinces (regions, municipalities) who come to the TAR to seek or confirm the child who will be the reincarnation of the Living Buddha, the religious organizations of those other provinces (regions, municipalities) shall consult with TAR religious organizations and the matter shall be reported to the religious affairs department of the TAR people's government for the record.

(ii) The agencies that manage religious organizations and places of religious activity shall organize and implement, in accordance with relevant provisions, Buddhist activities such as the enthronement of the child who is the reincarnation of the Living Buddha, his initiation into monkhood and his academic advancement. The religious affairs department shall send personnel to participate in the supervision and guidance of such activities.

(jj) Places of religious activity shall formulate effective and feasible measures to strengthen the training, education and management of the reincarnated Living Buddha. The reincarnated Living Buddha must abide by the organization and management of the local place of religious activity.

The agency that manages the place of religious activity where the reincarnated Living Buddha is located shall give its advice on the selection of the religious and cultural teachers of the reincarnated Living Buddha, which teachers shall be subject to the approval of the religious organizations in the locality. The matter shall be reported to the religious affairs department of the local people's government at the county level and above.

(kk) A place of religious activity shall own the materials earned by the Living Buddha when leading or convening religious activities in such place of worship (other than donations), as well as the materials provided by such place of religious activity to the Living Buddha and the religious items and utensils used in the sleeping quarters of the Living Buddha in such place of religious activity. The reincarnated Living Buddha may use and manage them.

(ll) Religious personnel who leave their local place of religious activity to practice Buddhism must carry certification from the religious affairs department of the local people's government at the county level or above and the Religious Instructor Certificate and shall report to the religious affairs department of the local people's government at the county level where they practice Buddhism. After the period for practicing Buddhism has expired, a religious instructor shall promptly return to his original place of religious activity.

(mm) Religious personnel in the TAR who are invited to engage in religious activities outside the TAR shall take the invitation letter and apply to the religious affairs department of the regional (municipal) administration (people's government) where they are located, and submit the request to the religious affairs department of the TAR people's government for its examination and approval. The

religious affairs department of the TAR people's government shall consult with the religious affairs department of the people's government of the outside province (region, municipality) and make its decision within 30 days after receipt of the report.

A similar process is stipulated for religious personnel from outside provinces (regions, municipalities) who are invited to come to the TAR to conduct religious activities.

(nn) TAR religious personnel who cross areas (municipalities) to study scripture shall obtain the approval of the religious affairs department of the regional (municipal) administration (people's government) where the place of religious activity is located and the matter shall be submitted to the religious affairs department of the TAR people's government for the record.

For TAR religious personnel who go outside the TAR to study scripture and religious personnel from outside provinces (regions, municipalities) who come to places of religious activity in the TAR to study scripture, the approval of the religious affairs department of the people's government at the county level of the two parties is required.

During their study, religious personnel shall observe the rules and regulations of the place of religious activity and abide by the management of the religious affairs department of the local people's government and the management organization of the place of religious activity.

(oo) The Measures stipulates procedures for the approval of applications for foreign religious personnel to be invited to come to the TAR to visit or for religious study exchanges.

(pp) Foreign or overseas Tibetan compatriots may come to the places of religious activity in the TAR and participate in religious activities, but they may not lead religious activities and may not engage in activities such as becoming a monk/nun, consecrations, reciting scriptures, proselytizing or the development of followers.

(qq) Chapter 4 of the Measures sets forth various sanctions if the Measures are violated.

2. ***Resolution of the Third Meeting of the Sixth People's Congress of the TAR Concerning Resolutely Opposing the Dalai Lama's Illegal Acts of Unilaterally Declaring the Reincarnation of the Panchen Lama*** (adopted on May 25, 1995 by the Third Session of the Sixth TAR People's Congress).

(a) The Resolution recites that since 1792 in the Qing Dynasty, the central government has issued the Golden Urn lottery system where after several names of the reincarnation of the Dalai Lama or Panchen Lama have been created in accordance with religious doctrine, the soul child will be selected. After verification by the Golden Urn in front of the Sakyamuni statue, the selection will be submitted to the central

government for formal approval. This has already become historical practice and settled. In the last six years, Buddhist persons have organized groups to seek the soul child and have done a great deal of work in accordance with religious doctrine and procedures and have achieved significant progress. Just as the seekers had entered into the final confirmation stage in accordance with procedures and complying with religious doctrines and historical practice, the Dalai Lama, without regard to historical precedent and breaking religious doctrine and violating the wishes of the people and the great mass of adherents and monks of all ethnic groups in the entire TAR, suddenly and unilaterally proclaimed in India on May 14, 1995, a child in the TAR as the reincarnation of the Panchen Lama. This act of his is completely illegal and without effect. The people and the great mass of adherents and monks of all ethnic groups in the TAR have expressed extreme indignation and resolute opposition to this.

(b) The Dalai Lama has in recent decades traveled abroad and has for a long time engaged in activities to divide the motherland and destroy the unity of ethnic groups. He is the head of the splittist groups. After failing in their political activities to divide the Motherland, the Dalai Group has used the issue of the reincarnation of the Panchen Lama to continue to carry out splittist activities with the evil aim of deceiving those persons who do not understand historical practice, religious doctrine or the facts and disturbing the normal conduct of the work of the reincarnation of the Panchen Lama, seeking to split up the Motherland, obstruct the economic development of Tibet and cause chaos in Tibet, destroying the stability of TAR's society, stability and unity. This long premeditated interference and destructive tricks have again revealed the reactionary nature of the Dalai splittist group.

(c) We resolutely, under the concern of the Communist Party Central Committee and the State Council, under the leadership of the Party Secretariat of the TAR and with the support of the people of all ethnic groups in the entire TAR, in the search and verification of the reincarnation of the 10th Panchen Lama, are certainly able to expel interference, and complete the work with full satisfaction in accordance with the decisions of the State Council and observing religious doctrine and historical precedent.

(d) The meeting calls on the people of the entire TAR to understand clearly the reactionary nature of the Dalai Group, to reveal the bad motives of the Dalai Lama, resolutely take the high road with the Party and the State Council and stand firm and fight against the illegal acts of the Dalai Group in interfering and destroying the work for the search of the reincarnation of the 10th Panchen Lama, and with one heart and one mind, safeguard the power of the central people's government and seriously implement the spirit of the third session of the Tibet Work Meeting of the central government to ensure the security and development of Tibet and promote the full progress of Tibetan society.

3. ***Notice of the TAR People's Government Concerning the Priority of the Interim Measures on the Administration of the Conferment of the Lharampa Geshe Degree on Religious Followers*** (effective January 30, 2003, Zangzhengfa [2003] No. 10).

(a) These Interim Measures have been formulated, in accordance with the relevant laws and regulations of the state, to fully implement the policies of the Party on religious freedom, safeguard the legitimate rights and interests of monks to study scripture, encourage monks to improve their religious knowledge, satisfy the needs of the normal religious activities of adherents and actively cause religion to be appropriate for a socialist society.

(b) The normal promotion of a student in Tibetan Buddhism shall be carried out in the major temples. The conferment of the Lharampa Geshe degree shall be carried out in an orderly manner in accordance with the terms and procedures that are stipulated for new situations, and shall support standards and guarantee quality.

(c) The conferment of the Lharampa Geshe degree to a monk shall be made in accordance with customary methods and religious practice will follow the requirements of the time. After fully soliciting the views of Tibetan Buddhist persons, the form and procedures of the activities shall be improved. Content and forms that reflect feudal religious prerogatives shall be abolished.

(d) The conferment of the Lharampa Geshe degree to monks shall be based on training Buddhist talent who are patriotic and religious and shall safeguard the normal religious order of the TAR. The work shall be under the leadership of the people's government of the TAR and the administrative departments of religious affairs in the TAR shall be specifically responsible for its management. The Tibet Branch of the China Buddhist Association shall organize its implementation.

(e) Monks who are conferred the Lharampa Geshe degree must observe the laws of the state, safeguard the unity of the Motherland and the unity of ethnic groups, be patriotic in their religion and have good morals and ethics and relatively high religious achievement. Those who violate criminal laws and seriously harm society may not participate.

(f) The Interim Measures set forth the process of selecting candidates and their evaluation.

(g) The expenses of monks who are conferred the Lharampa Geshe degree is to be taken care of by such persons' monastery. The expenses and costs of preparing certificates, forms and materials in the organizational work is to be allocated by the finance departments of the TAR.

4. ***Notice of the Office of the TAR People's Government transmitting the Interim Provisions of the News and Publications Bureau and Other Departments of the TAR to Further Strengthen the Control of the Religious Publications Market*** (effective May 14, 2004, Zangzhengbanfa (2004) No. 37).

(a) These Interim Provisions have been formulated in accordance with the Regulations on the Control of Publishing and Regulations on the Control of the Printing Industry to strengthen the control of the religious publications market.

(b) The work of controlling religious publications affects the great development and long term stability of our Region's economy and society. It must take into account the actual circumstances of our Region, and fully and correctly understand and grasp the religious policies of the Party and diligently implement the policies, principles and work requirements of making a clear distinction between two boundaries, striving for one responsibility, safeguarding the right of citizens to freedom of religion and in accordance with law resolutely fighting against infiltrating and destructive activities by the Dalai Group and splittists using religious texts and religious publications.

(c) Religious publications means religious texts or documents (sermons, prayers), tangkes, printed materials, picture cards, engravings (wood or stone), videotapes and electronic publications that have religious content.

(d) It is forbidden to sell the following religious publications in markets:

(i) Books with reactionary content such as those that advocate Tibetan independence;

(ii) Recorded products that advocate reactionary politics under the guise of scripture;

(iii) Traitorous foreign pictures of the Living Buddha;

(iv) Domestic or foreign pictures of the Living Buddha that have not been approved by the central or TAR authorities, as well as pictures of the Living Buddha that the Dalai has illegally certified.

(e) The department-in-charge of the administration of ethnic religions of the TAR shall be responsible for examining the content of religious publications. Those that are not approved may not be printed or distributed. Printing units or reproduction units may not accept assignments for non-publishing units or individuals to print religious text or books (sermons, prayers) or to copy pictures, engravings (wood or stone), tangkes, recordings or electronic materials with religious content.

(f) Temple/monasteries and civil organizations that establish printing houses must apply to the departments-in-charge of news and publishing in the TAR or the local (municipal) cultural markets administration departments that are authorized by them. The Provisions stipulate a licensing process for these organizations.

(g) The public security, customs and industrial and commercial departments-in-charge shall confiscate religious publications that contain reactionary content that are brought into the country privately and disseminated. The carrier will also be punished in accordance with law. All confiscated materials are to be destroyed.

(h) Persons who spread or recite reactionary religious texts or documents in temples/monasteries or in public shall be handled in accordance with law.

(i) The TAR's news and publishing bureau, copyright bureau, office against pornography and against illegal publications, minority religion commission, industrial and commercial bureaus, public security and other units shall strengthen their supervision and control over the religious publications market and conduct joint inspections on a regular and random basis.

C. **Gansu Province.**

[Intentionally omitted.]²

D. **Qinghai Province.**

1. ***Provisions of Qinghai Province for the Administration of Places of Religious Activity*** (effective October 1, 1992; adopted on August 28, 1992 by the 28th Session of the Standing Committee of the Seventh People's Congress of Qinghai Province).

(a) The term "places of religious activity" means Buddhist temples, Muslim mosques, Daoist temples, Catholic and Protestant churches and places of religious activity that have been approved in Qinghai Province.

(b) Approval is required from the people's government or administrative offices for the opening or building of a new place of religious activity. No place of religious activity may be repaired or built in any agency, school or enterprise. Any cancellation, merger or modification in the address or name of a place of religious activity requires the approval of its original approval authority.

(c) Places of religious activity are to be democratically managed by patriotic religious groups and religious personnel under the leadership of the local people's governments and the ethnic religious affairs departments at the county level and above. The democratic governance agencies of a place of religious activity shall be comprised of persons democratically selected by religious personnel or people of the faith. The members must support the leadership of the Chinese Communist Party and socialism, be patriotic and observe the law, safeguard the unity of the State and of ethnic groups, and be fair and honest, have religious knowledge, comply with religious rules and have administrative capabilities and credibility with the masses. Their term of office shall be one to three years, and they may be reelected for consecutive terms. State personnel may not participate in the governance agencies for places of religious activity.

² The *Interim Provisions of Gansu Province on the Administration of Religious Affairs* (effective November 16, 1991; adopted in 1991 by the 21st Session of the Standing Committee of the People's Government of Gansu Province), were repealed, effective August 15, 2005, by a decision of the 71st Session of the Standing Committee of Gansu Province, made on July 30, 2005, Decree No. 22 of the Gansu Provincial People's Government.

Such Decree provides that the management of religious affairs is to be conducted in accordance with the provisions of the *Regulations on Religious Affairs of the State Council*.

(d) Religious activities must be carried out within the scope permitted by the Constitution, laws, regulations and religious policies. Religious activities may not obstruct social order, production or work or affect the work, study or lives of residents. Religious feudal preferences and systems of oppression that have been abolished may not be restored.

(e) The use of places of religious activity to create conflict or incite disputes between sects or to affect the unity of ethnic groups or social order and stability is strictly forbidden.

(f) Upon the approval of and registration by relevant government departments, places of religious activity may sell religious books, religious articles and religious art work.

(g) Places of religious activity that organize training classes for religious personnel must obtain the approval of the ethnic religious affairs departments at the county (area or municipal) level or above. It is strictly forbidden for a private person to establish any form of religious schools, scripture classes or voluntary work classes.

(h) In external exchanges, places of religious activity must support the principles of independence and autonomy in religious affairs and implement self governance, proselytizing by themselves and self maintenance, and shall not receive the support of any foreign religious forces. Patriotic religious groups and personnel who have exchanges with foreign religious groups, personnel or adherents must respect the principles of mutual respect, mutual status and non-interference. Foreign religious personnel and adherents who come to Qinghai are permitted to live a religious life in approved open places of religious activity, but may not interfere with internal religious affairs, lead religious activities, designate religious responsibilities or develop disciples. Without approval, they may not broadcast tapes or videos of sermons by foreign religious personnel or distribute religious tracts.

E. Yunnan Province.

1. ***Provisions of Yunnan Province on the Administration of Religious Affairs*** (effective January 1, 1998; adopted on December 2, 1997 and issued on December 25, 1997 by the 39th Session of the Standing Committee of the People's Government of Yunnan Province).

(a) These Provisions follow in the vein of the regulations described above for Qinghai Province. Only certain variances are noted.

(b) Provincial level religious groups may apply to establish religious schools, by submitting an application to the religious affairs departments of the Provincial people's government and following the consent of such departments obtaining the approval of the Provincial people's government. Religious schools shall be subject to the supervision, inspection and guidance of the relevant departments of the government.

(c) Provincial level religious groups may print religious texts, doctrines and canons that are used internally by their religions, but prior to publication must obtain the consent of the religious affairs departments of the provincial people's government and the approval of the provincial news and publications administrative bureaus.

(d) Religious groups, schools and places of religious activity may accept unconditional donations from foreign religious organizations and persons.

F. Sichuan Province.

1. ***Regulations of Sichuan Province on Religious Affairs*** (effective May 9, 2000; adopted on May 9, 2000 by the 16th Session of the Standing Committee of the Ninth People's Congress of Sichuan Province and amended on November 30, 2006 by the Decision of the Standing Committee of the People's Congress of Sichuan Province to Amend the Regulations of Sichuan Province on the Administration of Religious Affairs adopted by the 24th Session of the Standing Committee of the Tenth People's Congress of Sichuan Province).

(a) These Regulations have been formulated, in accordance with the Constitution and relevant laws and administrative laws and regulations, and taking into account the actual circumstances of Sichuan Province, to protect the religious freedom of citizens, to administer religious affairs in accordance with the law and to cause religion to be appropriate for a socialist society.

(b) The term "religion" as used in the Regulations means Buddhism, Taoism, Islam, Catholicism and Protestantism. The term "religious affairs" as used in the Regulations means the social public affairs that exist between a religion and the state, society and citizens.

(c) The legitimate rights and interests and normal religious activities of religious organizations, religious schools, places of religious activity, religious personnel and adherents are protected by the law. No entity or person may infringe or interfere with such rights, interests or activities.

(d) No entity or person may use religion to harm the sovereignty of the state, destroy the unity of ethnic groups or social public order, harm the persons of citizens or interfere with or obstruct the administrative, judicial or education systems of the state.

All religions shall support the principles of independence, self-governance and self-management. They may not receive the support of foreign forces.

(e) Citizens have the freedom to believe in any religion and not to believe in any religion. In the freedom to choose a religion, a person shall also have the freedom to leave a religion.

(f) No entity or person may use any means to force citizens to believe in a religion or not believe in a religion. Adherents may not be discriminated against or insulted.

Propaganda and disputes between different adherents or different religions may not be carried out in places of religious activities. Different religions have equal legal status.

(g) Adherents have the freedom, in accordance with the rituals, rules and customs of the religion, to participate in religious activities in places of religious activity, and also have the freedom to conduct a religious life in their homes.

(h) The term “place of religious activity” as used in the Regulations means temples, monasteries, mosques and churches, as well as other fixed places of religious activity, that are registered in accordance with law and that conduct religious activities.

(i) The establishment and registration of places of religious activity is to be handled in accordance with the Regulations on Religious Affairs of the State Council.

(j) Places of religious activity may, in accordance with religious custom, accept voluntary donations of alms, offerings, gifts and other donations, but may not levy charges or covertly levy charges.

(k) The administration of places of religious activity may sell, in accordance with law, religious items, religious arts and crafts and legally published religious literature, recordings and electronic items in such places.

Relevant units and individuals may renovate or build buildings in places of religious activity to establish commercial service points, organize exhibitions or take photos or videos, but shall first obtain the consent of the place of religious activity and the religious affairs department of the local people’s government at the county level or above.

If a place of religious activity is a major tourist site, the local people’s government at the county level or above shall coordinate and handle the interests of the place of religious activity with the parks, cultural relics and tourism interests and shall safeguard the legitimate rights and interests of the place of religious activity, religious personnel and adherents.

(l) The term “religious personnel” as used in the Regulations means (i) in the case of Buddhism: monks, nuns, the Living Buddha, lamas, *zhaba* (Tibetan Buddhist monks) and *juemu* (Tibetan Buddhist nuns); (ii) in the case of Taoism, male and female Daoist priests; (iii) in the case of Islam, imams; (iv) in the case of Catholicism: cardinals, priests, monks or nuns; and (v) in the case of Protestantism, ministers, assistant ministers, presbyters, preachers, etc.

(m) The qualifications and positions of religious personnel shall be verified by religious organizations in accordance with relevant administrative provisions and processes and shall be reported to the religious affairs department of the government.

Major religious personnel shall be verified by provincial religious organizations in accordance with relevant administrative provisions and processes and the matter reported to the religious affairs department of the provincial government.

The reincarnation of the Living Buddha in Tibetan Buddhism and the succession of Catholic cardinals shall be handled in accordance with the relevant provisions of the Regulations on Religious Affairs of the State Council.

(n) Religious personnel may, in accordance with provisions, engage in religious activities and affairs, receive religious education, carry out religious studies research and upon the request of adherents, carry out religious rites.

(o) Religious personnel shall be aware of and observe the laws and regulations of the state, safeguard the unity of the state, the unity of ethnic groups and social stability and shall be subject to the control and supervision of the religious affairs department of the government, religious organizations and the administration of places of religious activity.

(p) The term “religious activities” as used in the Regulations means Buddha worship, sutra chanting, sutra lectures, ordination, *abhisheka* (empowerment), pilgrimage, consecration, religious rituals, Ramadan, praying, church services, sermon lectures, baptism, Holy Communion, Mass, last rites, wedding ceremonies, memorial services, choral services and observance of religious festivals.

(q) Group religious activities of adherents shall generally be held in places of religious activity that are registered in accordance with law, be organized by the place of religious activity or religious organizations, convened by religious personnel or other persons who comply with the provisions of the religion and shall be carried out in accordance with the rules of the religion.

The Regulations also stipulate the process for applying for permits to hold religious activities that extend over county boundaries.

(r) No entity or person may accept the evangelic activities of foreign entities or persons.

(s) Religious organizations shall, in accordance with relevant provisions, supervise and guide the activities of places of religious activity and may organize social public interest enterprises and economic entities for the purpose of being self sustaining, accept offerings, carry out studies and research and develop friendly foreign exchanges.

(t) When religious schools recruit students, students shall be adherents who voluntarily apply, who are recommended by religious organizations, and who are

tested and selected based on merit. The matter shall be reported to the religious affairs department of the province. Students shall receive directional training.

Religious schools may, in accordance with law, receive financial assistance and donations.

(u) Religious schools that intend to invite religious teachers of foreign nationalities to teach shall handle the matter in accordance with the provisions of the state on religious schools that employ foreign experts.

(v) The term “religious property” as used in the Regulations means rooms, land, gardens, buildings and all types of facilities, utensils, arts and crafts, relics, religious revenues and donations, as well as other legitimately owned property, owned or managed and used by religious organizations, religious schools and places of religious activity.

(w) The religious property owned or managed and used by religious organizations, religious schools or places of religious activity shall be protected by the law. No entity or person may damage or infringe upon such property.

(x) The normal operating activities of places of religious activity shall enjoy the preferential policies of the state and their legitimate revenues may not be misappropriated or infringed upon by any entity or person.

(y) When religious personnel die, their personal property, based on religious rules and customs, may be bequeathed in accordance with law.

(z) Religious organizations, religious schools and religious personnel who carry out interaction and religious study exchanges with foreign religious entities or persons shall observe the principles of independence, self-governance, mutual respect, mutual non-interference; equality and friendship.

If religious personnel receive invitations or religious organizations, religious schools or religious personnel invite foreign entities with religious persons to visit, the matter shall be handled in accordance with the relevant provisions of the state.

(aa) The receipt by religious organizations, religious schools, places of religious activity or religious personnel of donations from foreign entities or individuals shall be handled in accordance with the relevant provisions of the state.

(bb) In foreign interactions by state agencies, social organizations and enterprise units, they shall support the principle of the separation of religion and may not accept ancillary religious conditions. When the interaction involves religious affairs, the opinion of the relevant religious organization and religious affairs departments of the government should be obtained.

(cc) The term “religious publications” as used in the Regulations means magazines, recordings and electronic publications the main content of which is religious.

The publication and printing of religious publications shall be handled in accordance with the Regulations on the Administration of Publications and Regulations on Religious Affairs of the State Council.

Religious organizations and places of religious activity may print publications that are internal materials for the religion in accordance with the relevant provisions of the state.

No entity or person may illegally sell or reproduce religious publications or disseminate religious publications that have been brought into the country illegally.

(dd) The Regulations set forth sanctions for violations of various provisions of the Regulations.