

Netherlands: Anti-Semitic vandalism in Holland rises 40% to highest level since 2007

JTA (10.03.2018) – <http://bit.ly/2tFggyJ> – The number of incidents involving anti-Semitic vandalism recorded in the Netherlands last year increased by 40 percent, to a 10-year high of 28 cases.

The increase in vandalism was part of a small overall rise in anti-Semitic incidents in 2017 over 2016, the Center for Information and Documentation on Israel, or CIDI, wrote in its annual incidents report, which the group published on 10 March (<http://bit.ly/2FISLtl>). CIDI recorded 113 incidents in 2017 compared to 109 in 2016.

The data was published amid unprecedented developments in public debate on anti-Semitism in the Netherlands. This month, almost all of the political parties contending in the municipal elections in Amsterdam signed a document vowing tougher action against anti-Semitism.

The move followed a Palestinian man's smashing of windows in December of a kosher restaurant in Amsterdam. Holding a Palestinian flag, he then broke in and stole an Israeli one before being arrested.

Last week, the rightist leader of the Party for Freedom, Geert Wilders, visited the restaurant. The Forum for Democracy party produced for the first time in the history of Dutch politics an ad campaign focused exclusively on anti-Semitism ahead of the March 21 municipal elections.

Four incidents recorded by CIDI in 2017 involved physical

violence against people.

In one case, two Israelis were stabbed in an elevator on July 18 in a suburb of Amsterdam. A witness later testified that the assault was anti-Semitic. Two 18-year-old men were sentenced to prison for the assault. The victims were not in the Netherlands during the trial and therefore the witness' testimony was not substantiated.

Another incident, dated 26 June, involved a Jew of Syrian descent who was assaulted on Amsterdam's Dam Square for wearing a Star of David pendant. He had been assaulted earlier this year at a fast-food eatery, where several men broke his arm, he said.

In its recommendations, CIDI urged the judiciary to impose heavier sentences on offenders to increase deterrence. It also recommended the Dutch government and judiciary adopt the European Parliament's definition of anti-Semitism. It features examples of demonization of Israel. In recent years, it was adopted by the United Kingdom and Romania, among other countries.

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Malaysian Federal Court refuses four people their right to affirm Christian identity

By Matt K. George

World Watch Monitor (27.02.2018) – <http://bit.ly/2FKuX61> – Malaysia's highest court dismissed an appeal today (27 February) against four appellants who wanted to be formally recognised as Christians.

The five judges of the Malaysian Federal Court ruled that in matters of conversion away from Islam, it was necessary for them to consult the Islamic Sharia courts.

The president of the court, Tan Sri Zulkefli Ahmad Makinudin, said the decision was unanimous.

He added that even though there are no specific provisions in the Sharia ordinance over conversions out of Islam, the religious court still has legal authority on what he termed "apostasy".

Raucous, unruly scenes and shouts of "Allahu akbar" ("Allah is the greatest") greeted the decision as a mob surrounded the Catholic Archbishop of Kuching, Simon Peter Poh, outside the

court complex. He was jostled while being escorted to his car amid fears that he might be assaulted.

Three of the appellants had previously converted from Christianity to Islam when they married Malay-Muslim spouses, but now want to affirm their Christian identity again. The fourth is a Malay-Muslim who embraced the Christian faith and was baptised in 2009.

The Federal Court, sitting in Kuching, the capital of Sarawak state, yesterday (26 February) heard the joint appeal of the four appellants who want their conversions legally recognised. The judges then adjourned their decision to today.

The lawyer for the appellants, Baru Bian, an opposition politician and a campaigner for the customary rights of indigenous Malaysians, many of whom are Christian, had been optimistic that the judges would base their decision on the substance of the country's civil law.

He said the argument of the state was that Sarawak Shariah Court Ordinance 2001 "has provisions on conversion into Islam". Since there is no provision for those who want to leave the faith, he argued that the civil court should have jurisdiction.

Three of the appellants – Mohamed Syafiq Abdullah, who has taken the name Tiong Choo Ting; Jenny Peter, who was formerly Nur Muzdhalifah Abdullah; and Salina Jau Abdullah – converted to Islam in order to marry Muslims. All four were asking the

Federal Court to have their names and their faith changed on their national identity cards.

In 2006 Jenny Peter divorced her Muslim husband and re-embraced Christianity. The Muslim husband of Salina Jau divorced her in 1992, and she too returned to Christianity. In the case of Tiong Choo Ting, he began to practise Christianity after his Muslim wife died in 2007.

The fourth appellant, Syarifah Nooraffyza Wan Hosen, is ethnic Malay and was raised as a Muslim. In her declaration she said she no longer practises Islam and was baptised in 2009. She wants her identity card to record her new faith and a new name, Vanessa Elizabeth.

According to local media, all four were required to undergo counselling for renouncing the Muslim faith. But they have remained adamant they want to renounce Islam, and have signed statutory declarations expressing this desire.

All four remain Muslims as far as official documentation is concerned.

Critics accused the court of failing to understand its powers to rule on an individual's choice of religion. "It means that freedom of religion, which is a constitutional right and a matter for the civil court, is subservient to Islamic laws," one Christian human-rights campaigner said.

Some social-media users said they felt disappointed by the Federal Court's decision. Some even nicknamed the case the Sharia Court's "Hotel California" clause, recalling the 1970s song by The Eagles about a hotel you could check into but never leave.

Islam is considered intrinsic to the identity of Malaysia's majority Malay people, and under Sharia (Islamic law), renouncing Islam is viewed as apostasy, a crime, although liberal Muslim theologians argue that conversion is a matter for the individual. Many of the country's sizeable Buddhist, Christian and Hindu populations are of non-Malay heritage.

In recent decades Islamists have become increasingly vocal in their demands that Malaysia be governed as a Muslim state, and analysts say the spread of a more conservative interpretation of Islam lies behind the rise in attacks on churches and church leaders.

At the same time, civil courts have handed jurisdiction over Islamic religious matters to the Sharia court system and at times taken a policy of non-interference between the two courts. This has left people wishing to leave Islam in legal limbo.

According to Malaysia's constitution, the country is a secular state with Islam as its main religion. However, Islamists refute this, saying that the colonial-era charter of rights is no longer valid, and they demand the precedence of religious law.

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France: Muslim leader urges Macron not to meddle too much in French Islam

By Julie Carriat

Reuters (14.02.2018) – <http://reut.rs/2EI6vnu> – A leading representative of French Muslims urged Emmanuel Macron not to meddle in the organization of France's second-largest religion, days after the president said he would try to redefine relations between Islam and the state.

The rebuke came from the leader of an organization set up 15 years ago in a bid to defuse concern about radical preachers and foster a more homegrown form of Islam that would fit better with France's traditional separation of church and state affairs.

“Everyone must stick to their role,” Ahmet Ogras, president of the French Council of the Muslim Faith (CFCM), told Reuters in an interview.

“The Muslim faith is a religion and, as such, takes care of its own household affairs. The last thing you want is the state to act as guardian,” said Ogras, a Frenchman of Turkish descent who has led the CFCM since mid-2017.

Macron, elected last May after a runoff victory over far-right leader Marine Le Pen, said in a Feb. 11 newspaper interview he planned to revisit the way Islam was overseen.

“What I’d like to get done in the first half of 2018 is set down markers on the entire way in which Islam is organized in France,” he told the Journal du Dimanche. The priority would be to “bring back what secularism is all about”.

Traditionally Catholic France is home to the largest Jewish and Muslim communities in Europe, with the latter estimated at five million out of a population of 67 million.

The official rule is strict separation between religion and state, with the former considered a strictly private matter. The rule that has been used to justify bans on the wearing of Muslim veils by public service employees as well as any wearing of fully concealing head-to-toe veils in public places.

Macron has been under pressure to deal firmly with radical preachers and mosques since a wave of attacks in which Islamist militants killed more than 230 people in France since 2015.

Emergency search-and-arrest powers introduced in the wake of the November 2015 attacks that killed 130 people in Paris have since been made permanent under tougher security legislation. Several mosques have been shut and imams expelled.

Macron's declarations in the Feb. 11 newspaper interview suggest he is considering a profound reorganization of the way in which the Islam faith is funded and its preachers schooled.

Back in 2003, Nicolas Sarkozy, interior minister at the time and president from 2007 to 2012, engineered an agreement among the country's main Islamic groups to create the CFCM.

The idea was to have a council to speak for Muslims similar to the way the French Bishops' Conference speaks for Catholics or the Consistory speaks for Jews.

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CHINA: Priest goes missing in Zhejiang province

UCANews (10.01.2018) – <http://bit.ly/2mCP4uc> – Father Lu Danhua of Lishui Diocese of China's eastern Zhejiang province has been missing since government officials suddenly took him away just after Christmas.

He is the only priest of Lishui Diocese and his predecessor

was Kenneth Roderick Turner of Scarborough Foreign Mission Society from 1948 to 1983. Wenzhou Diocese subsequently administered Lishui Diocese.

Father Lu was ordained by underground church Bishop Peter Shao Zhumin of Wenzhou on Dec. 14, 2016, and has served Lishui Diocese up to now.

Bishop Shao was released by authorities Jan. 3 after being detained since May 2017. A source who did not want to be named told ucanews.com that the reason for taking Father Lu away was not related to Bishop Shao.

But he said authorities had stated that Father Lu needed to go to Wenzhou for “re-educating” on new religious regulations coming into effect Feb. 1 and that he would return after obtaining a permit to be a priest.

At noon on Dec. 29, officials of the State Administration for Religious Affairs (SARA) took Father Lu away from a priests’ dormitory.

A Catholic who witnessed the incident told ucanews.com that the officials claimed Father Lu was only going for a brief chat.

The next day, the Catholic went to SARA’s office where officials claimed Father Lu had already been released. But he remains missing and calls to his mobile phone have not been answered.

SUISSE: Three-quarters of

Swiss back a burka ban

Swissinfo (08.01.2017) – <http://bit.ly/2Fyf7uz> – A nationwide ban on face-coverings – a de facto burka ban – would currently get the thumbs-up from 76% of Swiss voters, according to a poll in the SonntagsZeitung and Le Matin Dimanche. Around half also support the idea of Islam becoming an official Swiss religion.

Six out of ten respondents said they would definitely back the ban on face-coverings, put forward by the rightwing Swiss People's Party. Some 16.5% said they were leaning towards a ban, 7% were leaning against it, 13% were definitely against it and 3% said they had yet to decide.

Almost 70% of respondents also wanted to see headscarves banned from schools.

But while the Swiss appear to be against burkas and niqabs, that is not the case for Islam as a religion: 48% backed official recognition of Islam as a state religion, like Christianity. This idea has been proposed by the leftwing Social Democratic Party, on condition that the Islamic communities adhere to a moderate form of Islam and organise themselves transparently.

The online surveyexternal link by market researchers Marketagent asked 1,264 Swiss aged 18-75 in German- and French-speaking Switzerland between December 7-18.

Ticino is the only canton so far to introduce a total face-covering ban in public places. St Gallen has a less restrictive form of ban, but voters have rejected the idea in Zurich, Solothurn, Schwyz, Basel City and Glarus. Valais lawmakers recently outlawed a cantonal vote on the wearing of headgear on the grounds that it would violate the constitution.

TAJIKISTAN: Another religious figure imprisoned for Salafism propaganda

Ferghana News Agency (20.11.2017) – <http://bit.ly/2Bz9Wf1> – Ilhomiddin Abdulloev, the Imam Khatib (rector) of the mosque of the village of Churuk-Darron in Guliston (formerly Kairakkum), has been sentenced to five and a half years of imprisonment in Tajikistan, the Asia Plus news agency reported, with reference to the criminal court of Guliston.

The investigation found that Abdulloev received religious education in Kuwait during 1994 to 1998, where he joined the ranks of the Salafis. Serving in a mosque in the Choruk-Darron village, he urged worshippers to join this movement. In September 2017, he was detained by law enforcement officers. At the same time, the detention of four parishioners of the same mosque was reported. Their fate remains unknown.

The court found the 42-year-old imam guilty of creating an extremist organisation in accordance with Article 307 of the Criminal Code of Tajikistan.

Meanwhile, in early November, the Committee for Religious Affairs of Tajikistan ordered the removal of all imam khatibs, who received an education abroad, from their posts. This decision was motivated by the risk of extremist propaganda and the order must be executed within a fortnight.

The fight against foreign religious education has been conducted in Tajikistan before. In 2010, President Emomali Rahmon said many foreign Islamic educational centres have an extremist focus. After this, Tajik students, studying in such

institutions, began to return to their homeland in great numbers.

And since 2015, imam khatibs, who have studied abroad, regularly become involved in criminal cases. In particular, in the summer of 2017, seven priests of Sogd mosques were convicted in the city of Bobojon, Gafurov district, and were found guilty of propagating the ideas of the banned "Muslim Brotherhood" organisation. In 2016, in the north of Tajikistan, a total of 20 imam khatibs were sentenced on similar charges.

In total, about 4,000 mosques are officially registered in Tajikistan, of which 370 are conciliar.

Viewpoint of Human Rights Without Frontiers International

The teachings of the Salafists are in egregious contention with Article 5 of the ICCPR which reads as follows:

Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein or at their limitation to a greater extent than is provided for in the present Covenant.

Salafists promote an "Untermensch" worldview in which Muslims are superior to and have more rights than non-Muslims, men are superior to and have more rights than women. They promote segregation between men and women. They promote physical judicial punishments which blatantly contradict Article 7 of the ICCPR: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

While such teachings and practices are unacceptable from a human rights point of view, sentencing 'controversial' imams and preachers to prison terms because they promote such an ideology is a violation of human rights. Imprisoning them is

not a solution to the security issue that they may pose. Although it is the right of a state to protect its population against radicalization and nefarious foreign ideologies that promote degrading and inhumane treatments, its policies must remain in line with international human rights standards.

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GREECE/ EUROPEAN COURT: GRAND CHAMBER HEARING ABOUT APPLICATION SHARIA TO INHERITANCE DISPUTE (MOLLA SALI v. GREECE)

HRWF (08.12.2017) – On 6 December, the European Court of Human Rights held a Grand Chamber hearing in the case of Molla Sali v. Greece (application no. 20452/14). The case concerns the

application by the Greek courts of Islamic religious (Sharia) law to a dispute concerning inheritance rights over the estate of the late husband of Ms Molla Sali, a Greek national belonging to the country's Muslim minority. After the hearing the Court, the deliberations were held in private. Its ruling in the case will, however, be made at a later stage.

Registrar of the European Court of Human Rights (06.12.2017) – On the death of her husband, Ms Molla Sali inherited his entire estate under the terms of a will drawn up by her late husband before a notary. The deceased's two sisters contested the will, on the grounds that their brother had belonged to the Thrace Muslim community and that all matters relating to his estate were therefore subject to Islamic law and to the jurisdiction of the mufti rather than to the provisions of the Greek Civil Code. They relied in particular on the 1920 Treaty of Sèvres and the 1923 Treaty of Lausanne, which provided for Islamic customs and Islamic religious law to be applied to Greek nationals who were Muslims.

The two sisters' claims were dismissed by the Greek courts at first instance and on appeal. In September 2011 the Thrace Court of Appeal found that the decision by the deceased, a Greek Muslim and a member of the Thrace religious minority, to request a notary to draw up a public will, determining for himself the persons to whom he wished to leave his property and the manner in which this was done, was an expression of his statutory right to have his estate disposed of after his death under the same conditions as other Greek citizens. However, the Court of Cassation quashed that judgment on the grounds that questions of inheritance within the Muslim minority should be dealt with by the mufti in accordance with the rules of Islamic law. It therefore remitted the case to a different bench of the Court of Appeal for fresh consideration. On 15 December 2015 the Court of Appeal ruled that the law applicable to the deceased's estate was Islamic religious law and that the public will in question did not

produce any legal effects. Ms Molla Sali appealed against that judgment on points of law, but the Court of Cassation dismissed the appeal on 6 April 2017.

The applicant, Ms Chatitze Molla Sali, is a Greek national who was born in 1950 and lives in Komotini (Greece).

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the appeal on 6 April 2017.

Relying on Article 6 § 1 (right to a fair hearing), taken alone and in conjunction with Article 14 (prohibition of discrimination), Ms Molla Sali complains of the application to her inheritance dispute of Sharia law rather than the ordinary law applicable to all Greek citizens, despite the fact that her husband's will was drawn up in accordance with the provisions of the Greek Civil Code. She also alleges that she was subjected to a difference in treatment on grounds of religion.

Under Article 1 of Protocol No. 1 (protection of property), Ms Molla Sali contends that, by applying Islamic religious law rather than Greek civil law to her husband's will, the Court of Cassation deprived her of three-quarters of her inheritance.

Procedure

The application was lodged with the European Court of Human Rights on 5 March 2014.

Notice of the application was given to the Greek Government, together with questions from the Court, on 23 August 2016.

On 6 June 2017 the Chamber to which the case had been allocated relinquished jurisdiction in favour of the Grand Chamber.

The following organisations were granted leave to intervene in the written proceedings as third parties: Greek Helsinki Monitor (GHM), Christian Concern et Hellenic League for Human Rights.

Composition of the Court

The case will be heard by a Grand Chamber, composed as follows:

Guido Raimondi (Italy), President,
Angelika Nußberger (Germany),

Linos-Alexandre Sicilianos (Greece),
Ganna Yudkivska (Ukraine),
Helena Jäderblom (Sweden),
Robert Spano (Iceland),
Ledi Bianku (Albania)
Kristina Pardalos (San Marino),

GREECE: Country to confront controversy over historic sharia law

AFP (21.11.2017) – <http://bit.ly/2y0EM0y> – On Greece's rural border with Turkey, a sizeable Muslim minority has lived for decades, regulating their family affairs under Islamic sharia law, a legacy traced back to century-old treaties.

Now, the leftist government of Prime Minister **Alexis Tsipras** has announced plans to make sharia optional for such disputes, following recurring criticism by rights groups and a looming ruling by the European court of human rights.

Tsipras last week said his administration would pass legislation to allow litigants to opt for a Greek court to resolve family disputes, instead of appealing to Islamic jurists known as muftis.

For family law matters, Greek Muslims generally seek recourse to muftis for things like divorce, child custody and inheritance. Rights groups say it is a system that frequently discriminates against women.

Similar fears are raised in Britain, where so-called sharia

councils have operated in an unofficial capacity for over 30 years.

“Over the next few days we will table an amendment in parliament... making the mufti’s jurisdiction optional,” Tsipras said from Thrace, the poor, mostly rural northeastern region bordering Turkey, where the 110,000-strong Muslim minority mainly resides.

The issue has its origins in the period after World War I, and treaties between Greece and Turkey that followed the collapse of the Ottoman Empire.

The 1920 Treaty of Sevres and the 1923 Treaty of Lausanne stipulated that Islamic customs and Islamic religious law would apply to thousands of Muslims who suddenly became Greek citizens.

“As a European Union nation, this does not bestow honour upon us,” Tsipras said.

The move comes as the European Court of Human Rights (ECHR) is examining a complaint brought against Greece by a 67-year-old widow, **Hatijah Molla Salli**, who is locked in a heritage dispute with her late husband’s sisters.

When Salli appealed to Greek secular justice, she initially won her case. But the Greek supreme court in 2013 ruled that only a mufti had the power to resolve Muslim heritage rights.

The ECHR is to discuss the case on December 6, and Salli’s lawyer **Yannis Ktistakis** says Tsipras’ timing is no coincidence.

“The government is only acting to prevent condemnation by the court, which, as everyone knows, is inevitable,” Ktistakis told AFP.

He added that what Greece should do is completely eliminate the rule of sharia law on its territory, noting the

patriarchal nature of Greece's Muslim community.

Terse relations

"The compulsory application of sharia is a clear violation of the minority's rights to self-determination," the Hellenic human rights league said in a statement.

It added that Greece's *"sad privilege of being the sole (EU) country still employing religious law"* was constantly leading to criticism from global rights organisations

Tsipras said that under the amendment, which has not yet been tabled, litigants can still voluntarily agree to bring their dispute before a mufti for judgment.

But if one of the two sides disagrees, the case will go to a secular court.

The issue is complicated by still-terse relations between traditional rivals Greece and Turkey.

Ankara takes a close interest in the Muslim community – which it sees as Turkish, although it also includes Pomaks and Roma – and frequently complains to Athens on its behalf.

In turn, Greece rejects this as interference in its domestic affairs. Greek nationalists have also long regarded the Muslim minority as overtly susceptible to Turkish influence.

Another source of tension is Turkey's insistence that muftis be elected by the community, instead of appointed by the Greek state.

But Athens admits that the Islam preached by the Thrace muftis is generally more moderate than the teachings of more hardline imams elsewhere in Europe.

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CHINA: Four members of the Church of Almighty God arrested and tortured in Huaiyang County

HRWF (27.11.2017) – The Chinese government has conducted nationwide mass arrests of members of the Church of Almighty God on charges of “endangering the social stability” and “subverting the government”. Church members claim that the government has fabricated rumors, slander, and used radio, television, the internet, and media channels to propagate derogatory reports against the group. Members report being subject to arbitrary searches of private property, secret arrests, extorted confessions through torture, and imprisonment in labour camps.

In early March 2017, the Chinese government began a new campaign titled “Door-knocking Action” for mass arrests of members of the Church of Almighty God. As a result, many have

been arrested, detained and tortured.

The following four members were arrested on 28th March 2017 for having church meetings:

- Zhang Ming, age 48 from Xiangcheng City
- Tangrong, age 53 from Huaiyang County
- Huangying, age 56 from Huaiyang County
- Zhao Beibei, age 16 from Huaiyang County

The arrest and torture of four members of the Church of Almighty God in Zhoukou City: A Timeline

It is reported that at 9:00am on 28 March 2017, the four members were meeting in the village of Huaiyang County. During their meeting, three police officers from the local station arrived in a white van. Without showing any identification, they broke into the home and searched the house. They seized more than twenty books, an MP5 player and four 32GB memory cards.

Zhang Ming tried to flee but was captured and handcuffed. All four were forcibly put into the police car and brought to the local police station.

Around 11:00am, the four were transferred to the National Security Brigade of the Public Security Bureau in Huaiyang County.

Here, the police forced Zhang Ming to sit on a 'torture-rack'.

Thirty minutes later, the four were searched and interrogated separately by the police. Zhang Ming had a letter, a 32GB memory card and a 16GB memory card confiscated from his person.

At approximately 14:00 that same day, the captain of the National Security Team and another officer interrogated Zhang Ming. It is reported that they attempted to get Zhang Ming to confess to fabricated charges, which he denied. The captain

and the officer then began to physically torture Zhang Ming, stomping on his toes, slapping him, and whipping him across the face with a leather belt. It is reported that the captain then threatened Zhang Ming, saying "If you do not admit [to these charges], we will let you drink 'Laohai' (heroin) and inject it into you...The stomping, slapping, and whipping continued and the officers increased their brutality to the use of electric sticks, pliers and other instruments. The torture reportedly lasted until 23:00 when the police left Zhang Ming to sit on the torture-rack throughout the night.

Around 8:00am the next day, the torture of Zhang Ming began again. The policemen apparently attempted to brainwash Zhang Ming using computer material and continued with a violent interrogation; they asked him to give details about his religious group, threatened him with grotesque acts and increased prison sentences, while beating him continuously throughout the day. Zhang Ming's requests to use the lavatories were reportedly refused by the authorities. As a result, Zhang Ming had the difficulty with movements for nearly a month due to serious injuries caused by electric sticks and beatings.

Tangrong also experienced violence during her interrogation. Authorities pulled her hair while asking her for the details of her own belief and those of Zhang Ming. When Tangrong did not answer their questions, they beat her and threatened to kill her. Tangrong was left with a swollen face and other various injuries. The authorities held Tangrong for fifteen days. When she was released, she was forced to pay 140 yuan. The police warned her that they would not hesitate to arrest her again if she continued her religious activities.

Huangying faced a similar fate. The authorities reportedly beat her with a book and hit her eyes and her head violently until she became numb when she refused to answer questions. The authorities presented names of Christian individuals to Huangying, asking her to identify them, which she also

refused. Around 1:00 in the morning, they released Huangying due to her physical injuries and ailments.

On 29 March, Zhao Beibei was released to her family. The police threatened that she can be arrested again and demanded that she calls the police once a month for additional monitoring.

On 1 April, Zhang Ming was sent home. The police issued him a phone, and reportedly called him several times to question his contacts with members in the church and asked him to act as an undercover agent and supply information about the Church to the police. Zhang Ming and his family remained paranoid and scared after his release and eventually he left home to flee possible further arrest, torture, or worse.

North Korea and the escalation of a global crisis: any role for the European Union?

By T. Novotna

GEM-STONES (08.11.2017) – <http://bit.ly/2Ann7ey> – On 10 October 2017, [the GEM STONES PhD School](#) at the [Institute for European Studies at Université libre de Bruxelles](#) (IEE-ULB) hosted a seminar on [“North Korea and the Escalation of a Global Crisis: Any Role for the European Union?”](#) The event marked the start of the new academic year as well as bid a

farewell to Dr. Tereza Novotna, previously an FNRS Post-doctoral Researcher at [REPI](#), IEE-ULB and current Senior Associate Research Fellow at [EUROPEUM](#), Institute for European Policy whose post-doctoral fellowship in Brussels came to an end while she embarks on her new Korea Foundation-funded research project on the EU-(North) Korea at Seoul National University. The two-hour seminar was co-organized by various units at ULB (GEM-STONES, REPI and [EaST](#)) and EUROPEUM Brussels Office.

Ahead of the EU's Foreign Affairs Council and European Council "sanctions package" against the DPRK from mid-October 2017, the speakers, Mr Willy Fautré (director at Human Rights Without Frontiers), Dr. Zsuzsa Anna Ferenczy (political advisor at the European Parliament and a member of Group of Experts on North Korea and China at HRWF), Mr. Glyn Ford (founder and executive director at POLINT and former Labour MEP) and Dr. Tereza Novotna (IEE-ULB and EUROPEUM) discussed what can be done about the situation in North Korea from a short- and long-term perspective and reflected on any potential solutions to the exacerbating global crisis, including various roles for the EU. The debate was chaired by Prof. Mario Telò (IEE-ULB, LUISS Guido Carli and the Belgian Royal Academy).

After welcome remarks, Mario Telò introduced the event by putting the nuclear issue on the Korean peninsula into a broader perspective: with the unpredictability of the DPRK regime and belligerent rhetoric from the White House, do we find ourselves at the eve of a preventive war? What are the options for international community to prevent a collapse of the global non-proliferation regime? What are the practical and theoretical implications for multilateral cooperation? Given that the US has been turning to protectionism while the EU has been building a web of free trade deals in the region (ROK, Japan; an investment treaty negotiations with China), is the EU becoming a crucial geo-economic actor in the area?

Therefore, is the EU pursuing its foreign policy through economics as it happened in the past? As a result, could the EU be called to be a part of the diplomatic game?

The first panelist, Glyn Ford, started with a description of his rich experience in dealing with North Korea, including his over 40 visits to the country since 1997. He pointed out that there was a dialogue between the DPRK and the EU, but that the obstacles in pursuing it further were also on the European side, including refusal by then Commissioner for External Relations, Chris Patten (1999-2004) to join the Six Party Talks and disagreements between hardline and pro-engagement EU Member States. According to Ford, Kim Jong-Un has learned the lessons of Libya, Syria and Iraq and realized that he needs nuclear arms to safeguard its regime since he cannot compete with his conventional weapons. At the same time, however, Kim is the most pro-market oriented leader that the DPRK has ever had, delivering 4% economic growth in 2016 (including Western-style package holidays, new entertainment centers, etc.) aimed particularly at about 1.5 million of people living in the capital of Pyongyang, i.e. those who matter for the regime's survival. From this perspective, even though the UN sanctions were unanimous, they won't work: the Pyongyangers can still buy Rolex watches and pizzas for prices equaling to an official several-month salary. Nonetheless, as Ford explained, in order to fully industrialize the country as Kim would like to, he would have to bring the workforce from the army to factories. Similarly, although the Rason special economic zone has flourished from fish, seafood and textile processing, its success has not been replicated around the country due to sanctions and rampant corruption, hence benefitting mainly to small traders.

To conclude his talk, Ford outlined four policy options: 1) pre-emptive war (leading to large numbers of casualties on the entire Korean peninsula); 2) regime change (a preferred option by the Chinese, but made more difficult through murders of

China's allies, i.e. ThaeK and Kim Jong-Nam); 3) sanctions (stopping all oil deliveries, but the DPRK has stocks for about a year); 4) negotiations (the DPRK wants simultaneous bilateral talks with the US and ROK rather than any multilateral negotiations that would include China, hence it is a mistake to think that China can solve the problem). In the Q&A session, Ford recommended to the EU to restart the human rights dialogue with the DPRK in order to indicate that the EU is serious about solving the issue and to use the EU's diplomatic relations with the DPRK to open an EU Delegation in Pyongyang as well as let North Korea to have an embassy in Brussels. Ford also warned all EU Member States that had participated in the Korean War (e.g. the UK) not to get 'sucked into' a coalition of the willing against the DPRK on the US side, especially through various joint operations and exercises.

After thanking her colleagues for five years of a productive and friendly collaboration at ULB, Tereza Novotna focused on the role of the EU on the Korean peninsula. In answering the question 'why should the EU care about North Korea?', Novotna listed, among others, these reasons: 1) missile range (although the DPRK's missiles would have to fly over China and Russia, all Europe is already covered by their range); 2) transatlantic alliance (the US may invoke NATO's Art. 5 should it get attacked by the DPRK missiles, hence most of EU Member States would be involved; even without NATO's engagement, any US-led military intervention may lead to a repetition of the Iraq war split among the Europeans); 3) the EU's own 'rebalancing' to Asia (if the EU manages to "download" its policy preferences on the DPRK nuclear issue, it may upgrade its standing vis-à-vis other regional actors). Moreover, Novotna emphasized the EU's unique toolkit and experiences. For Novotna, in contrast to the US which, in the words of Secretary of State Tillerson, has three channels of communication with the DPRK, the EU has many GEM-STONES November 2017 more such channels but has so far been reluctant

to use them in a coordinated manner: a) 7 EU Member State missions in Pyongyang; b) North Korean ambassadors in EU capitals, such as in Prague and London (which, with Brexit, should be offered as a 'carrot' to relocate to Brussels); c) former diplomats, e.g. former Member State ambassadors to the DPRK or retired EEAS officials who led the previous dialogues with the DPRK (e.g. political dialogue from 2015).

Although the Iran deal negotiations cannot be fully replicated, they can be used as a method: the EU as a mediator, isolating the goal of negotiations from other issues and using female diplomats as negotiators (even in the US administration, Ambassador Haley seems to be the only member to get things done). On the latest sanctions, Novotna reminded that although they put pressure on the regime now, some of them might be counterproductive in the long-term perspective. We should therefore put ourselves in the shoes of ordinary North Koreans and think what worked during the Cold War, drawing on experiences of the EU's formerly communist Member States. Novotna argued that instead of isolation, we should boost contacts and information flows between 'the West' and the North Koreans through people to people exchanges (e.g. bringing the North Koreans to Europe as a Swedish institute does), while encouraging Western tourism to the DPRK rather than banning it. Similarly, Novotna highlighted that international community has so far focused on 'sticks', but should also use 'carrots' with the DPRK regime and, for instance, trade off 'targeted sanctions' for 'targeted economic assistance', including support for the black-market economy and a distinct type of DPRK's consumerism. Novotna concluded that in the Soviet bloc, there were various types of transition and if North Korea goes along the Chinese model, turning into a 'DPRK 2.0', it would be good for the country as well as international community.

In her presentation, Zsuzsa Anna Ferenczy, provided a brief overview of the EU's critical engagement policy towards North

Korea. In particular, she focused on activities of the European Parliament as the most vocal EU institution when it comes to speaking up against human rights violations. Given the current escalation in tensions on the Peninsula and focus on the nuclear threat posed by the DPRK regime, it is important, according to Ferenczy, that human rights are not marginalized in ongoing efforts to address the global threat. The EU has been at the forefront of efforts to prioritize human rights when dealing with North Korea, including being a leading force behind recent resolutions on the UN Human Rights Council and General Assembly. Similarly, the EU's critical engagement policy continues to aim at political dialogue with focus on human rights, humanitarian assistance and diplomatic pressure with targeted sanctions.

Ferenczy emphasized that the EU should not give up on dialogue and engagement with Pyongyang and should remain the voice of human rights in all international multilateral discussions and negotiations. Moreover, the EU should be the voice of moderation and reason in order to help tone down the increasingly belligerent discourse which will help ensure unity in the international community in the face of Pyongyang's provocations. For Ferenczy, the EU should also intensify cooperation with international partners, particularly China, which remains Pyongyang's closest ally albeit on increasingly shaky grounds. Brussels should therefore build on Beijing's recent constructive support for UNSC resolutions which is indispensable in order to work out a sustainable international strategy to the crisis. In the long run, as Ferenczy highlighted, the EU-China strategic partnership, which is complex but globally crucial, could equally benefit from working together on bringing a nuclear-free Pyongyang back to the international community. Joining forces would eventually help end North Korea's isolation along international norms and principles, gradually opening up and building a society where human rights and human dignity are safeguarded. For Ferenczy, this is where the EU must lead the

way forward.

In the light of the latest UN and EU sanctions targeting Pyongyang, Willy Fautré addressed the issue of North Korean workers in Poland and their continuous exploitation. According to Fautré, the Polish authorities have for decades issued visas and work permits to North Korean workers and private companies have continued to hire the cheap and docile workers, turning a blind eye to their grave situation. These laborers are under constant surveillance of a North Korean 'supervisor' who confiscates their passports and prevents them from having any contact with the local population or journalists. These overseas workers do not have any individual work contract with their employers and are not allowed to have a personal bank account; their work hours range between 12 and 16 hours per day with one or two days of rest a month and their salaries get filtered through Pyongyang, which confiscates 80-90% of the income and leaves them only €120-140 per month. The hard currencies generated by their work is suspected by the UN to be used to finance the DPRK's nuclear program. In Fautré's view, if Warsaw does not stop providing hard currencies to North Korea, the European Commission could be asked to start a full investigation of the situation in Poland and, if necessary, move on to an infringement procedure. Finally, as Fautré highlighted, the private companies hiring North Korean workers could be targeted by the next UN and EU sanctions, as is the case with Russia on other issues. In the Q&A session, the issue of North Korean workers in the EU created much interest and discussion with others pointing out that, despite horrendous working conditions, the ordinary North Koreans consider an overseas work a privilege and source of much-wanted foreign revenues and, in fact, they are willing to bribe the DPRK's authorities in order to get these jobs.

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