

Nya förordningar om religion i Kina

Giltiga från 1 mars 2005

Den nya religionspolitik som trädde i kraft 1 mars i år innehåller en del smärre förändringar som kan tolkas positivt. En nyhet är att det finns en uttaland öppning för medborgare att få teologisk utbildning i utlandet. Artikel 10 säger: "I enlighet med de behov som finns inom en religion kan utövare väljas ut och sändas för studier utomlands. Utländska medborgare kan också ges tillfälle för religionsstudier i Kina". I de nya förordningarna nämns också för första gången de troendes

enskilda rättigheter samt församlingars rätt till kyrkoegendom. Texten gällande registrering av församlingar verkar också ge dessa större möjligheter att tillvarata sina intressen.

Den som söker frihet för husförsamlingar, eller evangelisation utanför kyrkolokaler söker dock förgäves. Det mesta är sig likt och staten kräver fortfarande insyn i det mesta. Det innebär att husförsamlingsledare fortfarande kan fängslas till långa straff för att de utövat sitt ämbete. Biblar och annan

litteratur som ej tryckts med vederbörliga tillstånd kan fortfarande beslagtas och "skyldiga" ställas inför rätta. Ändå måste vi se de nya riktlinjerna som förändring i rätt riktning. Ett problem som kvarstår är rättsäkerhet och rättspraxis. Direktiven kan vara rättvisa och välskrivna men polis- och domstolsväsendet kan tolka dessa godtyckligt. Här följer några av förordningarna. Du kan hämta lagen i sin helhet från webbsiten www.amitynewsservice.org.

Decree of the State Council of the People's Republic of China No. 426

Regulations on Religious Affairs, adopted at the 57th Executive Meeting of the State Council on July 7, 2004, are hereby promulgated and shall become effective as of March 1, 2005.

Premier Wen Jiabao
November 30, 2004

Article 1

These Regulations are formulated in accordance with the Constitution and relevant laws for the purposes of ensuring citizens' freedom of religious belief, maintaining harmony among and between religions, preserving social concord and regulating the administration of religious affairs.

Article 2

Citizens enjoy freedom of religious belief. No organization or individual may compel citizens to believe in, or not to believe in, any religion; nor may they discriminate against citizens who believe in any religion (hereinafter referred to as religious citizens) or citizens who do not believe in any religion (hereinafter referred to as non-religious citizens). Religious citizens and non-religious citizens shall respect each other and co-exist in harmony, and so shall citizens who believe in different religions.

Article 3

The State, in accordance with the law, protects normal religious activities, and safeguards the lawful rights and interests of religious bodies, sites for religious activities and religious citizens.

Religious bodies, sites for religious activities and religious citizens shall abide by the Constitution, laws, regulations and rules, and safeguard unification of the country, unity of all nationalities and stability of society. No organization or individual may make use of religion to engage in activities that disrupt public order, impair health of citizens or interfere with the educational system of the State, or in other activities that harm State or public interests, or citizens' lawful rights and interests.

Article 14

A site for religious activities to be established shall meet the following conditions:

- (1) it is established for a purpose not in contravention of the provisions of Articles 3 and 4 of these Regulations;
- (2) local religious citizens have a need to frequently carry out collective religious activities;
- (3) there are religious personnel or other persons who are qualified under the prescriptions of the religion concerned to preside over the religious activities;
- (4) there are the necessary funds; and
- (5) it is rationally located without interfering with the normal production and livelihood of the Article 15 Upon approval of preparation for the establishment of a site for religious activities and completion of construction, an application shall be made for registration with the religious affairs department of the people's government at the county level of the place where such site is located. The religious affairs department of the people's

government at the county level shall, within 30 days from the date of receipt of the application, examine the management organization, formulation of internal rules, and other aspects of such site, and, if the site meets the conditions for registration, register it and issue the Registration Certificate of the Site for Religious Activities.

Article 19

The religious affairs department shall supervise and inspect the sites for religious activities in terms of their compliance with laws, regulations and rules, the development and implementation of management systems, the alteration of registered items, the conduction of religious activities and activities that involve foreign affairs. The sites for religious activities shall accept the supervision and inspection by the religious affairs department.

Article 30

The land legally used by a religious body or a site for religious activities, the houses, structures and facilities legally owned or used by such body or site, and its other legal property and proceeds thereof, are protected by law.

No organization or individual may encroach upon, loot, privately divide up, damage, destroy, or, illegally seal up, impound, freeze, confiscate or dispose of the legal property of a religious body or a site for religious activities, nor damage or destroy cultural relics possessed or used by a religious body or a site for religious activities.