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Human rights situations that require the Council's attention

Written statement* submitted by the Helsinki Foundation for Human Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

People's Republic of China (PRC): Tibetans lack basic human rights

In response to a media inquiry over human rights in China, officials from the People's Republic of China have recently stated that "The Chinese government has the responsibility to protect people's safety and property, and to curb violent activities," and that "is the most important human right for the people."¹ Maintaining public safety and property must not come at the cost of sacrificing the remainder of non-derogable human rights in China. The situation in Tibet has deteriorated to crisis levels of late, and few Tibetans have the free and full enjoyment of some of their most basic human rights. Below is a broad overview of the Tibetan human rights situation, however, such a brief statement is inadequate to fully describe the list of human rights abuses committed by the Chinese authorities in Tibet. The areas of concern listed below warrant immediate action from the various mechanisms of the UN Human Rights Council.

A cycle of repression has led from one human rights abuse to an assortment of others. Tibetans' lack of freedom of religious belief and freedom of speech has given rise to protests which have been violently suppressed—leading to extrajudicial killings, mass arrests, arbitrary detentions, enforced disappearances, limited access to due process and torture. Instead of bringing about the safety that the Chinese government has claimed paramount, this abuse of force and denial of rights has only served to endanger Tibetans and embolden many of them to defend their human rights. The more than 20 Tibetan self-immolations since February 2009 and the continued vocal protests calling for freedom and the return of the Dalai Lama to Tibet deserve international attention. Tibetans are speaking out against China's alien domination and the international community must take action to restore their basic rights and freedoms.

At the heart of the Tibetan culture is the strong belief in Tibetan Buddhism. Since the Chinese Communist invasion and takeover of Tibet in the late 1940s and 1950s Tibetan Buddhism has been under attack. During the Cultural Revolution of the 1960s, Chinese forces wrought irreparable damage to Tibetan Buddhist monasteries, shrines, and artwork and to the Tibetan Buddhist monastic community. While reforms have since taken place and the physical destruction has abated, the Chinese government has continued its assault on religious thought and expression in Tibet. In 2007 China placed restrictions on who can reincarnate, with the atheist Communist Party claiming the sole authority in these cases.² A vilification campaign against the Tibet's spiritual leader, the Dalai Lama, has aimed to delegitimize and denounce his leadership. Religious education has long been and continues to be a focal point of China's rhetorical campaign against the Dalai Lama – monks and nuns must swear allegiance to the Party and must publicly denounce their root teacher and leader, the Dalai Lama. Those who speak out are subject to detention, interrogation, torture and even disappearance.³

¹ http://www.washingtonpost.com/world/asia_pacific/china-us-clash-on-syria-other-global-issues-ahead-of-xi-visit/2012/02/09/gIQAQWNa0Q_story.html

² <http://www.savetibet.org/media-center/ict-news-reports/new-measures-reincarnation-reveal-partys-objectives-political-control>

³ <http://www.state.gov/g/drl/rls/irf/2010/148863.htm#tibet>

Tibetan authors and musicians who speak out against repressive policies of discrimination and control are not exempt from such harsh treatment. The recent arrest and sentencing of Tibetan author, Tashi Rabten to four years in prison is an example.⁴

During the 2008 demonstrations that swept across the Tibetan Plateau, Tibetan protesters were fired upon, arrested, detained en masse, and few received fair or free trials. Many Tibetans were arrested for simply telephoning or text-messaging news of the events.⁵ There were also reports of Tibetans returning from detention too weak to walk or stand following torture by Chinese authorities.⁶ This crackdown on free speech extended to Western media outlets that were barred from entering the region for almost a year afterward.

A similar crackdown is currently taking place in Tibet. Following a year of intensifying protests of Chinese rule, the Chinese government has fired upon peaceful protesters, killing at least five and injuring more,⁷ has instituted a media blackout,⁸ and has locked down and closed off Tibetan communities – limiting travel and communications, and instituting renewed patriotic education campaigns.⁹

These represent the Chinese authorities' most recent abrogation of human rights in Tibet, however other areas of concern include Chinese policies which serve to discriminate against Tibetans and dilute Tibetan culture. Discriminatory hiring practices at the private and public levels¹⁰ coupled with massive in-migration of Han into Tibet have also limited Tibetans' employment options and left many Tibetans unemployed.¹¹

Official policies of nomad settlement have exacerbated the Tibetans' situation. The policy of removing nomads from the grasslands and moving them to prefabricated communities, often far from towns, has been cited by the Special Rapporteur on the Right to Food, Olivier de Schutter, as resulting in herders "losing economic independence...loss of land, limited ability to keep livestock, relocation in areas unsuitable to agriculture, and generally a disruption of livelihood."¹² Nomad settlement removes Tibetans from their sources of sustainable livelihood and forces them to compete in an economy for which they lack the adequate skills.

Overtly racist behavior by many Han students at Chengdu's Railroad Engineering School resulted in a violent outburst on December 14, 2011 at the school in which Han students surrounded and attacked Tibetan students. The Han students allegedly rallied around the slogan "beat the Tibetans, get extra credit."¹³

⁴ <http://www.savetibet.org/media-center/ict-news-reports/tibetan-writer-tashi-rabten-sentenced-four-years-ngaba>

⁵ <http://www.savetibet.org/media-center/ict-news-reports/disappearances-continue-across-tibet-tibetan-woman-sentenced-talking-telephone>

⁶ <http://www.savetibet.org/media-center/ict-news-reports/tibetan-scholar-monk-who-gave-torture-testimony-detained-fourth-time>

⁷ <http://www.savetibet.org/media-center/ict-news-reports/three-tibetans-shot-dead-first-day-chinese-new-year>

⁸ <http://www.globalpost.com/dispatches/globalpost-blogs/china/tibet-dalai-lama>

⁹ <http://www.savetibet.org/media-center/ict-news-reports/serthar-under-lockdown-following-self-immolation-three-tibetan-herders>

¹⁰ <http://www.savetibet.org/media-center/ict-news-reports/evidence-overt-chinese-discrimination-against-tibetans-job-market>

¹¹ <http://savetibet.org/files/documents/TrackingTheSteelDragon.pdf>

¹² A/HRC/19/59/Add.1, para. 36

¹³ <http://chinadigitaltimes.net/2011/12/han-students-attack-tibetans-at-chengdu-railroad-engineering-school/>

Limited stakeholder involvement by Tibetans in infrastructure projects and mining operations has meant that economic development in Tibet has benefitted few and has disempowered many. Tibetans who disagree with the projects – on account of Chinese disrespect for sacred lands and disregard for negative environmental impacts – have repeatedly protested to block Chinese run mining operations in the Tibet Autonomous Region, with a recent string of protests in Dzogang county in May 2011. Chinese authorities have beaten and detained the protesting Tibetans, explaining that “the land belongs to local and county government,”¹⁴ and earlier protests in Palyul county of Kardze Prefecture were broken up when Chinese police fired upon the protesters.¹⁵

A final area of concern regards the enforced disappearance of the 11th Panchen Lama, Gedhun Choekyi Nyima, who at age six in 1995 was disappeared by Chinese authorities. Despite continued inquiries by the Working Group on Enforced or Involuntary Disappearance, Chinese officials maintain that the young man is not under house arrest and requests privacy. His whereabouts and well-being remain unknown.¹⁶

In conclusion, the Helsinki Foundation for Human Rights urges the High Commissioner for Human Rights seek a fact finding mission to China and continue to closely monitor the human rights situation faced by Tibetans in China.

¹⁴ <http://www.rfa.org/english/news/tibet/mine-08052011144110.html?searchterm=None>

¹⁵ <http://www.rfa.org/english/news/tibet/tibetans-resist-chinese-mine-09302010113540.html?searchterm=None>

¹⁶ A/HRC/19/58, para. 153