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## **Human Rights Council**

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Human rights situations that require the Council's attention

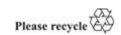
# Written statement\* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

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

[26 May 2016]

GE.16-08792(E)







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

# **Human Rights Situation in the Tibet Autonomous Region** and adjacent areas where Tibetans live

The human rights situation in the Tibet Autonomous Region and adjacent areas where Tibetans live continues to remain grim. Due to the systematic suppression and violation of universal basic rights of its people, the United States Commission on International Religious Freedom (USCRIF) named China a "Country of Particular Concern".

#### **Self-Immolation Protests**

Since 2009, 143 Tibetans have self-immolated in the Tibet Autonomous Region and adjacent areas where Tibetans live. 124 of them have died on the spot or shortly thereafter. The whereabouts and conditions of the surviving selfimmolators remain unknown. The Chinese authorities have responded to these self-immolations by heightening restrictions and dismissing the self-immolations as an "act of terrorism" and criminalizing partners, friends and relatives of the self-immolators. According to the USCIRF, the self-immolation protests are directly related to Chinese efforts to control religious practice and culture of Tibetans, but Chinese authorities view these expressions of protest as criminal activities.

#### **Collective Punishment**

Labelling self-immolation as an "act of terrorism" incited by the so-called "Dalai Clique", the Chinese authorities have issued guidelines aimed at punishing family members and the relatives of Tibetan self-immolators. The guidelines bar family members of self-immolators from travelling, applying for loans and licences, employment opportunities and governmental aid.

In April 2013 officials in Ruo'ergai (Dzoege), Aba (Ngaba) Autonomous Prefecture, issued new rules extending criminal penalties to family members, fellow villagers, and monasteries of self-immolators. The document issued consists of 16 Articles: blacklisting family members of self-immolators (Art. 16), deprivation of political rights (Art. 2), deprivation of government employment (Art. 1), exclusion from all welfare benefits for 3 years (Art. 4), denial of ownerships of lands and houses (Art. 10), preventing from starting business (Art. 10), travelling embargo to Lhasa and foreign countries (Art. 11), deprivation of financial assistance (Art. 5) and villagers, monks and nuns are subjected to 'legal education' campaign (Art. 13). Furthermore, the rule also requires villages and monasteries to deposit 16,000-500,000 Yuan to ensure that no self-immolations occur and in case self-immolation occurs, the deposit is forfeited and a new deposit is required (Art. 7).

#### **Detention and Sentencing Family Members of Self-immolators**

In January 2014, Gedun Gyatso, 47, a monk from Bora monastery was sentenced to six years in prison by Sangchu County People's Court for his alleged role in the self-immolation protest of Sungdhue Kyab on 2 December 2012. On 4 October 2014, eight Tibetans from Meruma, Aba (Ngaba) County, Sichuan province, were sentenced to varying prison terms from two to five years by the Intermediate Court in Aba for their alleged involvement in the self-immolation protest of Kunchok Tsetan on 3 December 2013. There are more than 50 known cases of Tibetans who have been sentenced to varying prison terms from one to 15 years under the alleged link with self-immolation protests.

#### Freedom of Religious Belief and Practice

Today, in the Tibet Autonomous Region and adjacent areas where Tibetans live, monasteries and nunneries are forbidden to give traditional monastic education which forms an integral part of Tibetan Buddhism. Monks and nuns are instead subjected to regular "patriotic education" and other political campaigns that are fundamentally against the basic tenets of Tibetan Buddhism.

<sup>&</sup>lt;sup>1</sup> As of 5 May 2016

A leaked document<sup>2</sup> obtained by Tibetan Centre for Human Rights and Democracy shows the Chinese authorities' systematic efforts to convert Tibetan monastic institutions into Chinese government offices. The Document titled 'document 22' issued by the Biru (Driru) County government on 19 September 2015 contains a set of regulations divided into three chapters, 24 sections and 74 articles. The regulation identifies 24 activities through which religious institutions like monasteries, temples, and hermitage will be "purged and reformed" in the county. For instance, the Chinese authorities will control all financial activities of religious institutions including offerings made to reincarnate or senior monks and the authorities will keep an account of all monastic properties and retain the sole authority to decide over the storage and repair.

#### Ban on Pictures of the Dalai Lama

One of the biggest concerns in the Tibet Autonomous Region and adjacent areas where Tibetans live today is the harassment, imprisonment, torture, and harsh sentencing of lamas and other Tibetan spiritual leaders for their loyalty towards the Dalai Lama. Possessing an image of the Dalai Lama or any object which resembles devotion to him and other spiritual teachers is 'political' in nature and perceived as 'insufficient' loyalty to the Chinese state which results in punishment.

On 3 January an order was issued by three government departments in Luhuo (Draggo) county in the Ganzi (Kardze) Tibetan Autonomous Prefecture, which mandates all the shopkeepers to hand over all stocks and photos of the Dalia Lama.<sup>3</sup>

On 17 February, the People's Intermediate Court in Huangnan (Malho), Tibetan Autonomous Prefecture sentenced Gomar Choephel, a Tibetan monk from Rongwo monastery in Tongren (Rebgong) to two years in prison. Choephel was sentenced under charges of possessing a photo of the Dalai Lama.

#### **Interference over Reincarnation of Lamas and Trulkus**

In January 2007, China's State Administration of Religious Affairs issued a new regulatory measure called "Order no. Five" on "Management Measures for the Reincarnation of Living Buddhas in Tibetan Buddhism". The decree makes it compulsory for all the tulkus (reincarnated teachers) to get government approval.

In one of its attempts to control the centuries-old Tibetan reincarnation system, on 18 January 2016, the Chinese authorities launched an online system to check the "authenticity of living Buddhas" of Tibetan Buddhism<sup>4</sup>. The first list of 870 "verified Buddhas" was also published. 400 more names were added later<sup>5</sup>. The Chinese government's interference in the Tibetan Buddhist reincarnation practice is a violation of religious freedom enshrined in the Universal Declaration of Human Rights and the Chinese constitution.

### Enforced Disappearance of the XI<sup>th</sup> Panchen Lama

The Panchen Lama is one of most revered Tibetan religious leaders. On 14 May 1995, Gedhun Choekyi Nyima, then six years old, was recognized by the 14<sup>th</sup> Dalai Lama as the reincarnation of the 10<sup>th</sup> Panchen Lama. Within three days, he was abducted by the Chinese authorities. Since then, Gedhun Choekyi Nyima's and his family's whereabouts remain unknown. On 8 April 2011, the United Nations' Working Group on Enforced and Involuntary Disappearances has publicly stated that Gedhun Choekyi Nyima disappeared in 1995 when he was six years old.

A number of human rights bodies including the UN Committee against Torture, the UN Committee on the Rights of the Child, as well as the Special Rapporteur on Freedom of Religion or Belief, have all called for the Panchen Lama's whereabouts to be made known. However, the Chinese authorities have continually refused to divulge any information about him or his whereabouts.

http://www.tchrd.org/document-exposes-intensification-of-state-sanctioned-religious-repression-in-troubled-tibetancounty/

<sup>&</sup>lt;sup>3</sup> http://www.rfa.org/english/news/tibet/deadline-02012016171612.html

<sup>&</sup>lt;sup>4</sup> China launches system to check authenticity of living Buddhas, http://news.xinhuanet.com/english/2016-01/18/c\_135019961.htm

#### **Demise of Tenzin Delek Rinpoche in prison**

On July 12, 2015, the Tibetan spiritual teacher Tenzin Delek Rinpoche, aged 65, passed away under unclear circumstances in prison. He was a philanthropist, known for his social works such as establishing schools, clinics, orphanages, and old-age homes in the Ganzi Tibetan Autonomous Prefecture, Sichuan Province.

Along with Lobsang Dhondup, Tenzin Delek Rinpoche he was charged with masterminding a bomb blast in Chengdu, capital of Sichuan Province and sentenced to death. Lobsang Dhondup was executed on 26 January 2003 and Tenzin Delek Rinpoche's sentence was commuted to life imprisonment on 24 January 2005.

After Tenzin Delek Rinpoche's death the performance of a final ritual according to traditional Tibetan Buddhism was denied. His body was cremated in prison against the wishes of his family and disciples and later his ashes were taken away from his family.

#### Freedom of Opinion, Expression and Information

Tibetans who speak to foreign reporters, share information on the peaceful protests against the denial of their basic rights through mobile phones or e-mail are charged with "leaking state secrets" and are given lengthy prison sentences. Tibetan writers, bloggers, singers, teachers, documentary filmmakers and environmentalists have been especially targeted since 2008.

Druklo, known by his pen name Shokjang, a Tibetan writer, intellectual and blogger was sentenced to imprisonment for three years and two years' deprivation of political rights on 17 February 2016, for writing on the massive deployment of Chinese security forces in area of Tongren (Rebgong). He was accused for "inciting separatism".

In conclusion, Society for Threatened Peoples calls upon the members of the United Nations Human Rights Council and its relevant mandatory bodies to urge China:

- To end repressive policies and practices in the Tibet Autonomous Region and adjacent areas where Tibetans live,
- To repeal collective punishment on the villagers and family members of the self-immolators,
- To provide verifiable and genuine information on the whereabouts and well-being of Gedhun Choekyi Nyima and his family,
- To allow for an independent international investigation into the circumstances surrounding the sudden death of Tenzin Delek Rinpoche,
- To allow UN human rights mandate holders to visit the Tibet Autonomous Region and adjacent areas where Tibetans live.

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