



General Assembly

Distr.: General
14 February 2020

English only

Human Rights Council

Forty-third session

24 February–20 March 2020

Agenda item 4

Human rights situations that require the Council's attention

Written statement* submitted by 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.

[03 February 2020]

* Issued as received, in the language(s) of submission only.



Situation of Human Rights defenders in The Tibet Autonomous Region, China and adjacent areas where Tibetans live

Society for Threatened People is concerned at the grave situation of human rights defenders in The Tibet Autonomous Region and adjacent areas where Tibetans live. The government of China continues to persecute Tibetan human rights defenders denying them of the basic human rights including freedom of speech and expression and freedom of movement and peaceful assembly.

China is using vague terminologies and an arbitrary interpretation of laws to frame Tibetan human rights defenders with criminal charges. The crackdown on land rights advocates, environmental activists and language rights advocates have raised serious concerns over the abuse of laws by the Chinese authorities.

Despite accepting to guarantee and protect the rights of the human rights defenders during its third cycle of the Universal Periodic Review (UPR), China continues to persecute and violate the rights of the Tibetan human rights defenders.

Persecution of Human Rights defenders

Arbitrary detention with torture and cruel treatment

Arbitrary detention has become the “new normal” for every Tibetan human rights defender. It has often become the case where Tibetans- layperson and monastic people, are picked up from their respective places of residence in the middle of the night and nobody knows their whereabouts for months. The family members are not being informed about the reasons for such detention nor are they informed of the location of detention. During the detention, the human rights defenders are subjected to torture and other cruel, inhumane and degrading treatments forcing them to confess their “crimes”.

Lobsang Dorje, a monk from Ngaba County’s Kirti monastery was held under “incommunicado detention” since July 2018 and was later sentenced to three years after a hurried “trial” in September 2019. He was picked up from the monastery in the middle of the night on suspicion of contacting the outside world.

Unfair trial and arbitrary sentencing

Tibetan human rights defenders are often subjected to unfair trial with no possibility of defending themselves. Firstly, all the court documents are in Chinese and not Tibetan. This was also highlighted by the Committee on Elimination of Racial Discrimination in its observations published in 2018. Secondly, Tibetans are not even given a copy of the court documents nor are they allowed to render any evidence in their defence. They do not even have access to lawyers to defend against the charges laid against them. Often the so-called trials are merely a façade. Even the family members and relatives of the human rights defenders get to know about it after they have already been tried and sentenced.

Lodoe Gyatso also known as Sogkhar Lodoe was arrested for staging a peaceful protest in front of the Potala Palace in Lhasa in January 2018. His wife Gakyi was arrested for shooting a video clip of him before going to the protest. Lodoe Gyatso was sentenced to 18 years and his wife Gakyi was sentenced to 2 years in prison after secret trials of which the family members got to know only in November 2018.

Hostile conditions for defenders

Tibetan human rights defenders are forced to operate under hostile conditions with no civic space left whatsoever. There is no freedom of expression or association or peaceful assembly necessary for the human rights defenders to enable them to protect and promote the human rights of the Tibetans.

Freedom of expression

There is absolutely no freedom of expression in the Tibet Autonomous Region and adjacent areas where Tibetans live. Human rights defenders are frequently subjected to incommunicado detention, arbitrary arrests, unfair trial and arbitrary sentencing for expressing their concerns over the deteriorating human rights situation in the Tibet Autonomous Region and adjacent areas where Tibetans live.

Well-known language rights activist, Tashi Wangchuk was arrested and sentenced to 5 years in prison for “inciting separatism” only because he spoke to the New York Times about his intention to march to Beijing to ask for the rights to preserve the Tibetan language in schools. His appeals against the sentencing were dismissed and is even denied of his rights to meet his lawyer to discuss his case.

Sonam Palden, a monk from Kirti Monastery was arrested in Ngaba county in September 2019 for posting critical views on China’s policy on Tibetan language on WeChat, a social messaging app.

Wanchuk from Shigatse Prefecture was detained in March 2019 for sharing Tibetan books on Wechat.

Tsering Dorjee, resident of Peleb village in Tashi Zom Township, was detained on 20 February 2019 for having a phone conversation with his younger brother who is exile about the importance of Tibetan language. He was subjected to torture in detention.

Freedom of association and peaceful Assembly

Tibetans do not have the freedom of association and peaceful assembly. Every attempt of Tibetans to collectively fight for their rights against illegal mining, forceful resettlement of nomads and illegal land grabs are branded as “Black and Evil Crimes.” Their attempts to form small groups for conservation of environment is viewed as an “act of separatism.”

Nine Tibetans sentenced were sentenced for creating an informal organization urging Chinese authorities to return community land acquired by authorities in Rebgong County, Malho (Tongren) Tibetan Autonomous Prefecture. They were convicted for founding an “evil organization.”

Freedom of religion

Tibetans do not have freedom of religion or belief. The Sinicization of Tibetan Buddhism appears to be the top priority of the Chinese government. From demolishing Buddhist academies like the Larung Gar and the Yachen Gar to subjecting the Tibetan monks and nuns to forceful re-education camps, Chinese authorities are systematically persecuting the Tibetan Buddhists.

Elderly retired Tibetans are not allowed to go on kora, a religious circumambulation of holy shrines, Tibetan children are not allowed to participate in religious activities during their vacation and the admission of novices to monasteries and nunneries are highly curtailed. Tibetans are not even allowed to pray to the Dalai Lama nor allowed to possess his pictures. And yet, the Chinese governments aims to meddle in the age-long sacred practice of reincarnation and wants to appoint the next, the 15th Dalai Lama. This is in complete violation of Tibetans’ right to freedom of religion and belief.

Tibetans are often arrested and sentenced arbitrarily for celebrating any religious occasion in contravention to the arbitrary Chinese rules. Wangchen and his aunt Dolkar were sentenced to 4 years, 6 months and 1 year, 3 months prison terms respectively for praying for the release of the 11th Panchen Lama Gedhun Choekyi Nyima in April 2019. Rinso was detained in July 2019 and held over a week for sharing photos of the Dalai Lama on wechat.

Five Special Procedures have written a joint letter of allegation to China in May 2019 for sentencing of seven Tibetans for celebrating the 80th birthday of the Dalai Lama in 2015.

Abuse of laws to persecute Human Rights defenders

China has been misusing many of its laws with vague and over-broad definition of crimes to frame the human rights defenders of false charges.

The classic example is the misuse of counter-terrorism law. Twelve Special Procedures in their joint communication to China expressed grave concerns of this misuse leading to “arbitrary detention, enforced disappearance, absence of judicial oversight and procedural safeguards and restrictions of the right to freedom of expression, the right to freedom of thought, conscience and religion, the right to freedom of peaceful assembly, the right to education and the right to freedom of movement within an increasingly securitized environment, particularly for designated minorities, notably Uyghurs and Tibetans.”

In the name of campaign against “organized crimes” and “Evil and Black Forces” many Tibetan human rights defenders are targeted and persecuted. Anya Sengdra who is a well-known environmental activist and anti-graft crusader, was sentenced to 7 years imprisonment on 6 December 2019 for raising his voice against illegal land grabs and calling for the return of community land. He was charged for founding “evil organization.”

Such rampant persecution of Tibetan human rights defenders by the Chinese authorities raise serious concerns. Therefore, Society for Threatened People urges the Human Rights Council to call upon China to:

- Fulfil its obligations accepted by it to protect and guarantee the freedoms of human rights defenders in the Tibet Autonomous Region and adjacent areas where Tibetans live during its third cycle of UPR;
- Release all human rights defenders unconditionally;
- Guarantee fair trials, an independent judiciary and access to legal counsel;
- Cease the harassment and persecution of human rights defenders and their family members and cease house arrest and travel restrictions for people based on their rights defense work.
