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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.

[20 August 2020]

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

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Human Rights situation in the Tibet Autonomous Region, China and adjacent areas where Tibetans live

Society for Threatened People is deeply concerned at the collective repression of fundamental freedoms and worsening human rights situation in the Tibet Autonomous Region, China and adjacent areas where Tibetans live. We join the 50 United Nations (UN) independent experts from 30 UN Special Procedure Mandate Holders' urgent call for decisive measures against repressive Chinese human rights practices. The suppression has forced 154 Tibetans to self-immolate in the Tibet Autonomous Region, China and adjacent areas where Tibetans live since 2009 as a mark of peaceful protest.

25 years of Enforced Disappearance of 11th Panchen Lama Gedhun Choekyi Nyima

This year marks the 25th year of the enforced disappearance of the 11th Panchen Lama Gedhun Choekyi Nyima and his entire family by the Chinese government. Born on 25 April 1989 in Lhari district of Nagchu province in Tibet Autonomous Region, he was recognized as the 11th Panchen Lama by the Dalai Lama on 14 May 1995. On 17 May 1995, he and his entire family were kidnapped by the Chinese authorities. Jadrel Rinpoche, head of the Chinese constituted search party as well as abbot of Tashi Lhunpo monastery, who had requested the Dalai Lama to identify 11th Panchen Lama was also arbitrarily detained. China has refused to divulge any sufficient and satisfactory information and instead installed its own candidate. The case of Panchen Lama Gedhun Choekyi Nyima's enforced disappearance is pending at the UN Special Procedure - Working Group on Enforced or Involuntary Disappearance as well as the Committee on the Rights of the Child since 1995. On 2 June 2020, five UN experts have demanded information on the Panchen Lama and access to him.

Violation of Right to Freedom of Religion

The Chinese constitution guarantees the right of the citizens to freedom of religion and prohibits any discrimination based on religion. But Tibetans are deprived of the right to freedom of religion or belief. The Sinicization of Tibetan Buddhism appears to be the top priority of the Chinese government. The recent demolitions of Larung Gar and Yachen Gar started in 2016 has left an indelible scar on the religious and spiritual beliefs of Tibetans. More than 10,000 monks and nuns have since been forcefully evicted and put into internment camps for "political re-education." The situation in these camps are so harsh that recently a Tibetan nun was driven to commit suicide. 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 admissions 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. China wants to appoint its own 15th Dalai Lama. The state agencies are directly interfering in the administration of monasteries and nunneries through "monastic management committees." 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 UN independent experts from five Special Procedures have written a joint letter of allegation to China in May 2019 for sentencing nine Tibetans for celebrating the 80th birthday of the Dalai Lama in 2015. The nine Tibetans are: Monk Drugdra, also known as Dukda or Drukdra; Monk Lobsang Khedrub; Monk Lobsang Gephel; Monk Lodro; Ms. Ta're Kyi; Ms. Bonkho Kyi, also known as Wonkho Kyi; Mr. Trotsik Tsultrim; Mr. Tsultrim, also known as Tsulte; and Mr. Akyakya.

Violation of Freedom of Expression and Opinion

Tibetans who try to express their thoughts are punished and persecuted. The 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. He is even denied his rights to meet his lawyer. 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 application. 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 in exile. He was tortured in detention.

No Right to Education in Mother tongue language Tibetan

Tibetan citizens, though considered “ethnic minorities” by China, do not have any language rights. The Tibetan language has been replaced by Mandarin as a medium of instruction in Tibetan schools. Monasteries which were the secondary source for learning Tibetan have been banned from teaching the Tibetan language during vacations to school children. Tibetan students graduating with a specialisation in the Tibetan language are deprived of work prospects. Language rights advocates like Tashi Wangchuk, Sonam Palden, Tsering Dorje are all being persecuted.

No Freedom of Movement or Assembly

Tibetans do not have the right to move freely. They have to register and seek permission to travel and for travelling abroad their applications for passports are routinely rejected. They do not have the right to assemble.

Racial Discrimination against Tibetans

The UN Committee on the Elimination of Racial Discrimination has raised concerns about the discriminative practices against Tibetans and the issuance of passports to Tibetans.

Arbitrary detention with torture and cruel treatment

Tibetans, layperson and monastic people are often picked up from their respective places of residence in the middle of the night and nobody knows their whereabouts for months. Family members are neither informed about the grounds for detention nor the location. At the detention centres, they are subjected to torture and other cruel, inhumane and degrading treatments to procure false “confessions.” The case of Tulku Tenzin Delek is just one of many unknown unnamed Tibetan prisoners who are subjected to severe torture resulting in custodial deaths. Many former Tibetan political prisoners are passing away after prolonged health crisis resulting from torture, e.g. Yeshe Gyatso, Pema Wangchen and Lekshey Thupten. 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 sham trial in September 2019. He was picked up from his monastery in the middle of the night on suspicion of contacting the “outside world.”

Unfair trial and arbitrary sentencing

Tibetans are often subjected to unfair trials. Firstly, all the court documents are in Mandarin and not in Tibetan. This was also highlighted in 2018 by the Committee on the Elimination of Racial Discrimination in its observations. Tibetans are not even given a copy of the court documents nor are they allowed to render any evidence in their defense. Neither do they have

access to lawyers to defend themselves in the court of law. 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 his video message prior to the protest. Lodoe Gyatso was sentenced to 18 years and his wife Gakyi was sentenced to 2 years in prison after secret trials. The family members found out about the sentencing after many months had passed.

Society for Threatened People urges the Human Rights Council (HRC) to:

- Hold a special session to evaluate the egregious human rights violations being carried out in China including in the Tibet Autonomous Region and the adjacent areas where the Tibetans live, Hong Kong, China, and the Xinjiang Uighur Autonomous Region, China;
- Establish an impartial and independent United Nations mechanism – such as a United Nations Special Rapporteur, a Panel of Experts appointed by the HRC, or a Secretary-General Special Envoy – to closely monitor, analyze and report annually on the human rights situation in China, particularly in the Tibet Autonomous Region and the adjacent areas where Tibetans live, Hong Kong, and the Xinjiang Uighur Autonomous Region;
- Call upon the Member States and UN agencies to demand that China fulfills its human rights obligations in their dialogues and exchanges with China.

Society for Threatened People urges the Human Rights Council to call on the Government of China to:

- Release 11th Panchen Lama Gedhun Choekyi Nyima, his entire family, Chadrel Rinpoche and all Tibetan political prisoners;
- Stop meddling in the religious practices of the Tibetan Buddhists;
- Allow an independent fact-finding mission to assess the human rights violations perpetrated against Tibetan citizens;
- Guarantee fair trials, an independent judiciary and access to legal counsel to all Tibetans;
- Fulfil its obligations accepted by it to protect and guarantee the basic human rights of Tibetans including their language rights, religious freedom, freedom of speech and expression, movement and assembly in the Tibet Autonomous Region and adjacent areas where Tibetans live during its third cycle of Universal Periodic Review.
