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ECONOMIC, SOCIAL AND CULTURAL RIGHTS

**Written statement* submitted by the Movement Against Racism and for Friendship
Among Peoples (MRAP),
a non-governmental organization on the Roster**

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

[20 February 2006]

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

TIBET : Equal rights for all children

The right to education is enshrined in the International Convention on the Rights of the Child as well as in the International Covenant on Economic, Social and Cultural rights under article 29.1(b) and article 13.1 respectively. The People's Republic of China (PRC) is a State Party to both these international human rights treaties.

Furthermore, China's Constitution too acknowledges the right to education as fundamental rights, stating that, "...citizens of the People's Republic of China have the duty as well as the right to receive education".

Despite such commitments and obligations to international human rights standards, Tibetan children who are the indigenous children on the Tibetan plateau have been deprived of an education based on Tibet's history, culture, language and religion. For instance, study conducted a few years ago by the Tibetan Centre for Human Rights and Democracy¹ showed that 93% of Tibetan refugee children arriving in India and Nepal had no education about Tibet's separate history, its Buddhist religion or culture.

In 1996, the UN Committee on the Rights of the Child (**CRC**) expressed concern "about reports that school attendance in minority areas, including the Tibet Autonomous Region, is lagging behind, that the quality of education is inferior and that insufficient efforts have been made to develop a bilingual education system which would include adequate teaching in Chinese. These shortcomings may disadvantage Tibetan and other minority students applying to secondary and higher level schools."²

In August 2001, **the UN Committee on the Elimination of Racial Discrimination (CERD)** in its concluding observation on China's 8th and 9th periodic reports said that the "Committee is concerned about continuous reports of discrimination with regard to the right to education in minority regions, with particular emphasis on Tibet, and recommends that the State Party urgently ensure that children in all minority areas have the right to develop knowledge about their own language and culture as well as the Chinese, and that they are guaranteed equal opportunities, particularly with regard to access to higher education."

The Chinese government's close monitoring of Tibetan schools has led to a notable suppression of Tibetan culture and history in the education curricula. The International Commission of Jurists concluded in its report of 1997 that "rather than instilling in Tibetan children respect for their own cultural identity, language and values ... education in Tibet serves to ideologically indoctrinate Tibetan children and to convey a sense of inferiority of their own culture, religion and language."

Bangri Rinpoche [Ch. Jinmei Denzin) Bangri Tsamtrul Rinpoche (or Jigme Tenzin Nyima Rinpoche), the head of the former Gyatso children's school in Lhasa, was detained in August 1999. Bangri Rinpoche, who is in his early forties, is from Nangchen County, Yushu TAP, Qinghai Province. In the mid-1990s he became involved in the Gyatso children's home and school, a privately-funded orphanage and school for Tibetan children, after he married the founder, Nyima Choedron, a former nun. On August 26, 1999, the Public Security Bureau detained the Rinpoche and Nyima Choedron, and closed the home. Chinese officials have said that the home's operators were sentenced to imprisonment on

¹ www.tchrd.org/pubs/nextgen

² [http://www.unhcr.ch/tbsdoc.nsf/\(Symbol\)/d26a86d517d48050c125636300424a98?Opendocument](http://www.unhcr.ch/tbsdoc.nsf/(Symbol)/d26a86d517d48050c125636300424a98?Opendocument)

charges of 'splittism'. They were sent to Drapchi (TAR Prison) in Lhasa. Following the closure of the school, all the staff were arrested and imprisoned for varying periods, and many of the children were thrown out onto the streets following interrogation by police. According to unconfirmed reports he has now been moved to a new prison on the outskirts of Lhasa which is known as Chusul Prison (aka Nyethang Prison to Tibetans).

The case appears to reflect a harder line trend by the authorities in Tibet of undermining local community leadership by singling out for severe punishment individuals who have been involved with work focusing on Tibetan language, culture and religion. Sources now in exile say that although officials from the United States of America and former foreign donors to the school were assured that the children were being cared for in other homes after the Gyatso School's closure, many of them were left to beg on the streets of Lhasa with nowhere to go.

A member of staff who was arrested and imprisoned, a nun now in her forties, has recounted how she was dragged away from the school by security police with children clinging to her legs and begging the police not to take her away. She was beaten and tortured in custody. Several staff from the Gyatso school, and relatives of the late Tashi Tsering, the Tibetan who carried out the protest in the Potala Square, were also imprisoned following the incident and have now been released.

In 2003, the then UN **Special Rapporteur on Education** of the UN Commission on Human Rights (CHR), Ms. Katirina Tomasevski in a mission report on China³ said that she was dismayed at the illiteracy rate in Tibet, 39.5% and urged an education that would affirm minority rights necessitates full recognition by the majority of the worth of minority languages and religions in all facets of life. Otherwise, education is seen as assimilationist and, hence not compatible with China's human rights obligations.

In "State Growth and Social Exclusion in Tibet: Challenges of Recent Economic Growth" by Andrew Martin Fischer (Nordic Institute of Asian Studies Press, 2005), the author states that the above problems are compounded as the proportion of resources allocated to education in the **Tibet Autonomous Region** (TAR) has also dropped. He describes these decreases as "... alarming, particularly in light of the severe educational and health lags that the Tibetan areas experience relative to the rest of China.... Both education and health in the Tibetan areas require a much-more long-term, systematic well-planned expansion than they appear to be receiving if social crises in these two areas are to be averted."

The lack of educational policies that encourage and support the study and use of Tibetan language at all levels of scholastic curriculum is also a cause of major frustration for Tibetans and one of the major reasons many children and adults leave Tibet. Approximately 30% of Tibetan refugees escaping last year were children and students seeking a Tibetan education in exile.

Government policies and the competitive Chinese employment market penalize those who do not know the Chinese language. The national curriculum is taught in Tibetan language medium only in primary schools in Tibet. Beyond primary school, Tibetan language is typically an elective class, and all other subjects are taught in Mandarin Chinese. Children lacking the Chinese language skills needed to understand other subjects in upper grades often fall behind and lose interest in school. Prosperous Tibetan families often send their children to study in mainland China in order to improve their Chinese language skills and get a good degree from Chinese universities. **Majority of Tibetan families who live**

³<http://www.unhcr.ch/Huridocda/Huridoca.nsf/TestFrame/d2a0154274b5f3fc1256dff002ff8f4?Opendocument>

under low income cannot afford school fees. This situation makes them to send their children to study in India.

China claims that it has paid great attention to the right to study, and the use and development of Tibetan language. A report issued on 25 January 2003 by the official Chinese News Agency, Xinhua, praised the “Regulation on the study, Use and development of Tibetan language” as one of the major achievements in the “TAR”. According to this report, the regulations will “carry out China’s strategy of developing its west and conserve local cultures.” The overall emphasis of the regulations is on the “equality” of the Tibetan and “common national (Han Chinese)” languages. However, while safeguards and promotional measures for the Tibetan language are included in the regulations, the position of Chinese, which is already dominant in business, commerce and administration, is likely to be enhanced.⁴

At the same time, the role of the standard Chinese language (Putonghua) is being promoted throughout PRC. The central “Law on the common National language” was passed on 31 October 2000 by the National People’s Congress and came into force on 1 January 2001. The political nature of this law is evident from the article 5 which reads: “Use of the common national language must be of benefit to state sovereignty and dignity of the nationalities, be of benefit to national unity and unity of nationalities, and be of benefit to the construction of socialist material and spiritual civilization.” In accordance with that, the article 4 states: “Local governments and other relevant organs at all levels must adopt measures to popularise and to promote standard Han characters.”

According to Human Rights Watch, “World Report 2006”, schools in Tibet limit use of the Tibetan language and neglect to teach students Tibetan history and culture. Officials do not tolerate privately run Tibetan schools.⁵

In the recent report of the Tibet Information Network, “despite assertions from the government (China) that tuition for primary education is free in the TAR, reports indicate that many rural schools still impose a variety of non-tuition fees, particularly those that are outside the jurisdiction of county towns and are thereby extremely short of funds. These fees at the primary level continue to place a heavy burden on rural families, let alone the costs of secondary education and above, which are often prohibitive for poorer families.”⁶ This is in complete contrast with China’s policy of “Free Compulsory Education.

Recommendations:

- **Urge China to** implement “Free Compulsory education” as the Chinese law provides in all Tibetan areas of present-day China and to urge China to implement the recommendations made by the Special Rapporteur on Education on the right to education.
- **China should be urged to** allow Tibetan people to control the curriculum concerning Tibetan culture and history at all levels of education.
- **China should ensure** that Tibetan children are guaranteed full opportunity to learn and study in their mother tongue as well as the opportunity to develop knowledge about their own culture, history and religion.

⁴ <http://www.tibetinfo.net/news-updates/2003/3001.htm>

⁵ <http://www.hrw.org/english/docs/2006/01/18/china12270.htm>

⁶ Illiteracy and education levels worsen in the TAR despite development drive : TibetInfoNet [January 23, 2006]

- **Urge China to** commission a revision of all school and university textbooks to remove or revise any portion and references that contain racist elements or that could contribute to the penetration of racist and discriminatory perceptions and actions.
- **Urge China to** make schools available in sufficient quantity in all the remote areas of Tibet.
