

Free Tibet: Summary to the Conservative Party Human Rights Commission on the situation in Tibet, March 2013 – March 2016

About Free Tibet

Free Tibet (www.freetibet.org) is a London-based international campaign organisation. Our vision is a free Tibet in which Tibetans are able to determine their own future and the human rights of all are respected. Free Tibet's research partner, Tibet Watch (www.tibetwatch.org), promotes the human rights of the Tibetan people through monitoring, research and advocacy. It documents human rights abuse in Tibet using sources in Tibet, interviews with Tibetan refugees and monitoring of Chinese government websites and media. All of the information provided by Tibet Watch about events in Tibet is verified and corroborated as far as is possible within the limitations which apply in Tibet.

The task of evaluating and analysing the human rights situation inside Tibet is extremely challenging. Since the Tibetan Uprising in 2008, independent international media, human rights NGOs, diplomats, government and parliamentary representatives and institutions of the United Nations have been given almost no access to Tibet by the Chinese government and no free access at all – the rare, officially sanctioned visits are tightly-controlled. Tibetan communication with the outside world is very closely monitored and Tibetans transmitting information about human rights abuses or concerns both within and outside Tibet face heavy penalties. China has also stemmed the flow of refugees escaping Tibet (from thousands to less than 100 last year), who were previously useful sources of detailed information.

This report covers human rights concerns noted by Free Tibet between March 2013 and March 2016 within the entirety of Tibet, which has been under Chinese occupation since 1950. This includes the Tibet Autonomous Region (TAR) and regions of historical and cultural Tibet incorporated into Qinghai, Sichuan, Yunnan and Gansu provinces.

Summary of findings

During the period under review, the Tibetan people have continued to be systematically denied the exercise of civil and political and economic, cultural and social rights on a national scale.

Longstanding restrictions on civil and political rights such as freedom of expression and assembly remain in force or have been tightened during this period. They are enforced by organs of the state at every level, including security forces and legal institutions. Public protests are met with force – including lethal force – and both public protest and private dissent in Tibet are criminalised as “splittism”, or attempting to break up the People's Republic of China, empowering authorities to reduce the level of legal protection available to suspects and impose significant legal penalties upon their conviction. Tibetans are arbitrarily detained and held without charge and those detained incommunicado are at serious risk of torture and ill-treatment, including being denied access to necessary medical treatment. In recent years, several Tibetans have died in prison or police custody in circumstances that remain suspicious due to the absence of any independent investigations into the causes of death. Families of detainees who have died in prison have been arrested or threatened with incarceration or execution.

The state has also restricted religious freedom through tight controls on monasteries and enforced laws preventing Tibetans from expressing or preserving their culture and national identity. Tibetans continue to be marginalised in their access to education and employment through restrictions on the use of the Tibetan

language. China also implemented economic policies that have contributed to the increasing economic marginalisation of Tibetans, most notably 2.3 million rural Tibetans who were moved to urban areas through a large-scale relocation programme.

Background to the period under review

The nationwide Tibetan uprising in 2008 provoked an overwhelming response from authorities, characterised by the use of lethal force against protests, the widespread use of severe torture, large scale arbitrary detentions and punitive sentencing. This response intensified Tibetan grievances and politicisation. Further, peaceful demonstrations in the period 2010-2012, were also met with the use of force and severe legal penalties. In 2011, individual Tibetans also began staging self-immolation protests¹, peaking during the 18th Party Congress in November 2012 when Xi was appointed General Secretary of the Communist Party of China. Of the more than 140 immolations that have taken place in Tibet (most of them fatal), 27 took place in that month².

By the time of Xi's accession to the presidency in 2013, therefore, the Chinese government was strongly focussed on "stability maintenance" in Tibet, utilising a panoply of legal and extra-legal techniques of repression, including the use and threat of violence, close surveillance and political control, suppression of freedom of expression, propaganda and, in some cases, the use of collective punishment as a means of holding others accountable for the actions of protesters.

Key human rights concerns in Tibet, March 2013 – March 2016

1. Torture and ill-treatment

In November 2015 China underwent its review by the United Nations Committee on Torture, which issued its concluding observations in December 2015. The Committee found that that the practice of torture and ill-treatment is "still deeply entrenched in the criminal justice system", which "overly relies on confessions as the basis for convictions". This included "numerous reports from credible sources that document in detail cases of torture, deaths in custody, arbitrary detention and disappearances of Tibetans."³

Between 2013 and 2016 Free Tibet has noted repeated and systematic use of torture in prisons and police stations across Tibet. Tibetan political prisoners have been beaten and tortured into giving confessions before trials after prolonged periods of incommunicado detention and interrogation sessions over several days⁴. In August 2013, Dolma Kyab, the husband of a woman who died in a self-immolation protest was convicted of her murder on the basis of a confession, having earlier refused to submit to pressure from local authorities to say her death had been suicide. During his pre-trial detention, witnesses reported that Dolma Kyab was taken out of his cell every two to three days and would return unconscious⁵. Pre-trial detention also resulted in deaths of Tibetan detainees. Kunchok Drakpa and Ngawang Jamyang, arrested separately in Driru County in

¹ The first self-immolation protest in Tibet was carried out in February 2009. After the next one in March 2011, the first of 12 that year, self-immolation protests steadily became a more common occurrence in Tibet. 'Tibetan monk shot by Chinese police after setting himself alight in tense Ngaba', Free Tibet, 27 February 2009 freetibet.org/news-media/pr/2729

² Full list of self-immolations: <http://freetibet.org/about/self-immolation-protests>

³ Concluding observations on the fifth periodic report of China, United Nations Committee against Torture, 3 February 2016 (CAT/C/CHN/CO/5), paras. 20, 40 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/017/44/PDF/G1601744.pdf?OpenElement>

⁴ 'Blood on the Snows: Torture in Tibet 2008-2015', Tibet Watch, 2015, pp.9, 15

http://www.tibetwatch.org/uploads/2/4/3/4/24348968/blood_on_the_snows.pdf; 'Torture in Tibet:', Tibet Watch, p 7

http://www.tibetwatch.org/uploads/2/4/3/4/24348968/torture_in_tibet_-_february_2015.pdf

⁵ 'Blood on the Snows: Torture in Tibet 2008-2015', Tibet Watch, 2015, p.27

http://www.tibetwatch.org/uploads/2/4/3/4/24348968/blood_on_the_snows.pdf

the TAR in December 2013, both died in detention that same month. Their bodies were returned to their families, who both found signs on the bodies of torture and beatings⁶.

A number of political prisoners escaped from Tibet between 2013 and 2016 and provided testimonies about their treatment in prison in the years immediately before 2013, including beatings by police and other security services during interrogation sessions⁷, mock executions, receiving electric shocks during interrogations and being locked in cells that were pitch black or were so small that they could not move around⁸. There are also several clear indications that these practices continue. For example, several former prisoners, reported being shackled to a device known as an iron chair, which forces the detainee to bear their entire weight on their wrists and legs. The would be hung from this chair for periods of up to four or five hours at a time, sometimes accompanied by electric shocks and intervals when they are removed from the chair and beaten⁹. During China's review by the Committee against Torture in November 2015, a member of the Chinese delegation confirmed that this chair is still used, while claiming that its function is to "to guarantee the safety of the detainee".¹⁰ They also claimed that the chair was used "as a protective measure to prevent suspects from escaping, committing self-injury or attacking personnel, which the Committee in its concluding observations stated was "highly improbable"¹¹. Evidence also continued to come of Tibetans dying as a result of torture and ill-treatment in prisons, such as Tenzin Choedrak, who was released back to his family on 2 December 2014. He was physically emaciated, his jawbone was dislocated, all the bones in his feet were broken and he was vomiting blood because of a brain injury. He died in hospital three days later¹².

The use of torture is enabled by the tight restrictions imposed on political prisoners from the moment that they are detained and during their imprisonment. Access to doctors and lawyers is often denied¹³. Such an environment makes it almost impossible to verify the treatment of prisoners while they are in detention, or to carry out an independent and impartial investigation in the event of a death in prison. After Tenzin Delek Rinpoche died in prison in July 2015, having served 13 years in prison and after being denied medical parole, the prison authorities cremated his remains¹⁴ against the wishes of his family and in a violation of Article 55 of China's Prison Law¹⁵. Lobsang Yeshe, a 64-year-old political prisoner, died in hospital one week after Tenzin Delek Rinpoche and, despite repeated requests from his family, authorities again refused to hand over his body and cremated his remains¹⁶.

Despite China's Criminal Procedure Law setting out a clear prohibition on the use of torture, and Article 18 of this law explicitly describing torture as a "crime" that should be investigated, Free Tibet is unaware of a single case of torture in Tibet has been investigated or the perpetrators been held accountable. This conclusion was

⁶ 'Torture in Tibet', Tibet Watch, 2015, pp. 23-24 http://www.tibetwatch.org/uploads/2/4/3/4/24348968/torture_in_tibet_-_february_2015.pdf

⁷ 'Blood on the Snows: Torture in Tibet 2008-2015', Tibet Watch, 2015, pp.9, 15 http://www.tibetwatch.org/uploads/2/4/3/4/24348968/blood_on_the_snows.pdf; 'Torture in Tibet', Tibet Watch, 2015, pp. 7, 10-12 http://www.tibetwatch.org/uploads/2/4/3/4/24348968/torture_in_tibet_-_february_2015.pdf

⁸ 'Blood on the Snows', Tibet Watch 2015, pp.13, 16-17 http://www.tibetwatch.org/uploads/2/4/3/4/24348968/blood_on_the_snows.pdf

⁹ Ibid. pp.13-14 http://www.tibetwatch.org/uploads/2/4/3/4/24348968/blood_on_the_snows.pdf

¹⁰ Nick Cumming Bruce, 'China Insists to U.N. That It's Combating Torture', New York Times, 18 November 2015

http://www.nytimes.com/2015/11/19/world/asia/china-insists-to-un-that-its-combating-torture.html?_r=0

¹¹ CAT/C/CHN/CO/5, para. 26 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/017/44/PDF/G1601744.pdf?OpenElement>

¹² Remembering the fearless 'ghost' Tenzin Choedrak (1981-2014), Tibetan Centre for Human Rights and Democracy, 30 January 2015 <http://www.tchrd.org/2015/01/remembering-the-fearless-ghost-tenzin-choedrak-1981-2014>

¹³ 'Blood on the Snows: Torture in Tibet 2008-2015', Tibet Watch, 2015, p.14

http://www.tibetwatch.org/uploads/2/4/3/4/24348968/blood_on_the_snows.pdf

¹⁴ 'Tenzin Delek Rinpoche cremated in prison despite worldwide outcry', Free Tibet, 16 July 2015 www.freetibet.org/news-media/na/tenzin-delek-rinpoche-cremated-prison-despite-worldwide-outcry

¹⁵ Prison Law of the People's Republic of China (1994), Article 55 "if a prisoner dies an abnormal death, the people's Procuratorate shall immediately conduct examinations and make an appraisal on the cause of the death" [https://www.icrc.org/ihl-nat_nsf/0/01e13189da6b2950c125775000449262/\\$FILE/Prison%20Law%20of%20the%20People's%20Republic%20of%20China.pdf](https://www.icrc.org/ihl-nat_nsf/0/01e13189da6b2950c125775000449262/$FILE/Prison%20Law%20of%20the%20People's%20Republic%20of%20China.pdf);

CAT/C/CHN/CO/5, para. 24 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/017/44/PDF/G1601744.pdf?OpenElement>

¹⁶ 'After Tenzin Delek Rinpoche, another political prisoner dies in jail', Free Tibet, 27 July 2015 <http://freetibet.org/news-media/na/after-tenzin-delek-rinpoche-another-political-prisoner-dies-jail>

reinforced by the Committee against Torture in its 2015 concluding observations on China, in which it stated that it had not received any information on the number of investigations into torture allegations or information about criminal or disciplinary measures taken, and that past recommendations to China on “accountability for the events in the autonomous region of Tibet and neighbouring Tibetan prefectures and counties” had not been implemented¹⁷.

2. Arbitrary detention and enforced disappearances

Chinese authorities continue to detain many Tibetans either without charge or on the basis of ill-defined laws on state security or splitting the nation. Peaceful protestors and their family members, artists, musicians, academics and writers have all been detained under these laws for activities that are not recognised internationally as offences. Such activities include peacefully expressing criticism of the occupation and calling for the return of the Dalai Lama to Tibet or for his long life. In February 2016, two senior Tibetan monks, Khenpo Pagah and Geshe Orgyen, were detained following a large prayer ceremony held at their monastery for the good health of the Dalai Lama, who at the time was undergoing surgery in the USA¹⁸.

Upon being arrested, Tibetans effectively disappear, with little or no information provided to their families about where they are or why they have been arrested. Family members often do not know that their relatives have been detained and those that do find out are usually not permitted to visit the prison. In March 2015 two monks from Ngaba County, Gedon Phuntsok and Lobsang Kalsang, were arrested separately for carrying out solo protests in which they each walked along the road carrying a portrait of the Dalai Lama. They next appeared in public at their trial and sentencing in November 2015¹⁹. There has been no information provided by the authorities on monks Ngawang Gyaltsen (detained in February 2015), Lomig (April 2015) and Tsewang Choephel (May 2015), all of whom are being held in unknown locations and have yet to be tried²⁰.

3. Collective punishment

China has repeatedly violated international law by imposing collective punishment on communities in efforts to intimidate and deter protesters. There have been more than 140 self-immolation protests across Tibet since 2011. Initially at a loss to deter or punish them, regional authorities in Tibet began to implement measures threatening the families, monasteries and/or communities of self-immolation protesters. After Jigme Tenzin, a monk from Shador Monastery in Tsekhog county, set himself on fire on 16 May 2014, police went on to arrest and severely beat fourteen monks from Shador Monastery, while the monastery was subjected to one hundred days of “political re-education”. Jigme’s father and two brothers were also arrested²¹.

There have also been more systematic attempts to impose penalties on those linked to self-immolators. Further to the decision by China’s authorities in December 2012 to begin charging those that it deemed as collaborating with self-immolators with ‘intentional homicide’, in April 2013 the county-level government of Dzoerge County in the Ngaba Tibetan Autonomous Prefecture of China’s Sichuan province introduced the Notice of Interim Anti-Self-Immolation. The provisions contained in the note imposed restrictions on access to jobs, housing, land and government support to any family, community, village, or monastic institution deemed

¹⁷ CAT/C/CHN/CO/5, paras. 6, 22 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/017/44/PDF/G1601744.pdf?OpenElement>

¹⁸ '70-year-old Tibetan prisoner dies in detention', Free Tibet, 15 February 2016 www.freetibet.org/news-media/na/70-year-old-tibetan-prisoner-dies-detention

¹⁹ 'Two monks sentenced for peaceful protests', Free Tibet, 7 December 2015 www.freetibet.org/news-media/na/two-monks-sentenced-after-peaceful-protests

²⁰ 'Tibetan disappeared in Nagchu County, Tibet', Free Tibet, 25 March 2015 <http://freetibet.org/news-media/na/tibetan-disappeared-nagchu-county-tibet>; 'Young writer arrested by China's police', Free Tibet, 21 April 2015 <http://freetibet.org/news-media/na/young-writer-arrested-chinas-police-0>; 'More detentions in Tibet', Free Tibet 19, May 2015 <http://freetibet.org/news-media/na/more-detentions-tibet>

²¹ 'March 16 self-immolation protester identified as Jigme Tenzin', Free Tibet, 25 March 2014 <http://freetibet.org/news-media/na/march-16-self-immolation-protester-identified-jigme-tenzin>

to be associated with anyone that carried out a self-immolation protest. Monasteries or communities where a self-immolation took place could be punished through fines of between 10,000 to 50,000 yuan, or having government grants and investment withdrawn. Family members would have restrictions imposed on their freedom to leave the country or travel to the TAR²².

4. Violent suppression of demonstrations

Throughout the period between 2013 and 2016, demonstrations by Tibetans against the occupation and against environmental damage have been forcefully put down by police, security services and the military.

In the months following a large environmental protest in Driru County, TAR, in May 2013, officials and security forces were deployed in Driru to impose a political re-education campaign on the residents and in monastic institutions. After residents rejected orders to fly Chinese flags on their houses and instead threw them into the river, Chinese forces used live fire to control ensuing protests²³. During a protest on 3 October to call for the release of a detainee, protesters were dispersed with tear gas, guns and batons. At least 60 people were injured, mainly through beating, and at least one due to a gunshot wound²⁴.

In July 2013 in Tawu County, Kardze (Ch: Ganzi) Tibetan Autonomous Prefecture, Sichuan Province, Chinese security forces opened fire on a crowd that had gathered to celebrate the Dalai Lama's birthday. Security forces initially attempted to block the group of several hundred Tibetans and then fired on the group with live ammunition and rubber bullets. One Tibetan monk was shot in the head and at least six others received gunshot wounds²⁵. A peaceful protest in August 2013 in Yushu County in which hundreds of Tibetans camped at a proposed mining site was dispersed by police using tear gas, batons and firing guns in the air, resulting in 14 people being hospitalised²⁶.

On 12 August 2014 security forces in Kardze Tibetan Autonomous Prefecture, TAR, opened fire on a group of around one hundred Tibetans that had gathered outside the local government offices to call for the release of the leader of Shukpa village. At least four Tibetans died from injuries sustained during the shooting. The following day Shukpa village was surrounded by approximately 250 troops and security personnel. During this crackdown, security personnel beat and interrogated family members of the demonstrators, many of whom had fled in advance to avoid arrest. Those beaten included women and children²⁷.

5. Freedom of expression, assembly and association

A significant pillar of China's security policy in Tibet is to completely silence expressions of dissent that could foment or provoke further resistance. Expressions of opposition to Chinese rule or policies and certain expressions of Tibetan culture are categorised by the Chinese government as splittism. In responding to such

²² 'Dzoerge County: "Maintaining Harmony and Stability"', Tibet Watch, October 2013, pp.6-7 www.tibetwatch.org/uploads/2/4/3/4/24348968/dzoerge_county_thematic_report.pdf

²³ 'Driru County: The New Hub of Tibetan Resistance', Tibet Watch, April 2014, p.5

http://www.tibetwatch.org/uploads/2/4/3/4/24348968/driru_county_thematic_report.pdf

²⁴ Ibid., p.6 http://www.tibetwatch.org/uploads/2/4/3/4/24348968/driru_county_thematic_report.pdf

²⁵ 'Chinese forces open fire on Tibetan prayer gathering', Free Tibet, 9 July 2013 <http://freetibet.org/news-media/na/chinese-forces-open-fire-tibetan-prayer-gathering>; 'Tibetans in critical condition after Chinese armed police shoot into crowd celebrating Dalai Lama's birthday', TCHRD, 9 July 2013 <http://www.tchrd.org/tibetans-in-critical-condition-after-chinese-armed-police-shoot-into-crowd-celebrating-dalai-lamas-birthday/>

²⁶ 'Sound of China's machine guns on shocking video', Free Tibet, 21 October 2013 www.freetibet.org/news-media/na/sound-china-machine-guns-shocking-video; 'Machine guns used against environmental protesters' (Video), Free Tibet, 9 October 2013 <https://www.youtube.com/watch?v=7-6lQyzAi24>

²⁷ 'Crackdown in Kardze', Tibet Watch, November 2014, pp.5-7

http://www.tibetwatch.org/uploads/2/4/3/4/24348968/crackdown_in_kardze.pdf; 'Country Reports on Human Rights Practices for 2014: Tibet', US Department of State http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic_load_id=236434&year=2014#wrapper

acts, Chinese authorities repeatedly and systematically violate Tibetans' rights to peaceful freedom of expression and assembly. Images of and recordings by the Dalai Lama and the Tibetan flag, all integral to Tibet's unique culture, are prohibited and monks and nuns, musicians, writers and artists have been arrested for peacefully expressing their desire for Tibetan independence and the return of the Dalai Lama to Tibet. Tibetans are frequently denied their rights to organise and protesters face intimidation and arrest.

During the 2013 crackdown in Driru County, Thardhod Gyaltsen, a monk and chant leader from the county's Drongna Monastery, was arrested and later sentenced to 18 years in prison after police found prohibited images of the Dalai Lama and recordings of his speeches and teachings during a raid on the monastery²⁸. In neighbouring Sog County in March 2014, security forces carried out a wave of arrests of protesters, including six young Tibetans who allegedly write slogans in sand on a frozen river and a further five who allegedly used their mobile phones to exchange prohibited information and photographs²⁹.

Writers, bloggers and musicians are common targets. In February 2016, Druklo, pen name Shokjang, was sentenced to three years in prison for allegedly leading student protests and writing essays "disturbing social stability"³⁰. Also in February, Sonam Tsephel, who writes under the name Gangchenpa Getak, was arrested for a third time, having been under surveillance since being arrested in 2015 for writing articles critical of China³¹. Since 2012, at least eleven popular Tibetan musicians have been jailed for separatist activities. Pema Rigzin, a well-known Tibetan folk singer, was arrested on 7 May 2013, fined 50,000 yuan and jailed for two-and-a-half years. He had produced albums containing prohibited songs for the Tibetan singers Chakdor, Pema Thinley and Achok Phulshung, who had all been arrested in 2012 and remain in prison³².

In January 2016 a joint communique from the Public Security Bureau, the Cultural and Tourism Bureau, the Bureau for Religious Affairs and the department responsible for local businesses was sent to shopkeepers in Drango County in Kardze (Ch: Gansu) giving them a one-month deadline to turn in any photographs that they had of the Dalai Lama or they would face "severe punishment"³³.

6. Surveillance/harassment by security services

Rather than addressing the grievances that lie behind protests and self-immolations, China has instead developed more sophisticated and intricate methods of monitoring Tibet with the stated objective of maintaining "social stability". In 2012 the Chinese government introduced the 'grid' (Tib: *drwa ba*, Ch: *wangge*) management system into Lhasa's Chengguan district. The district was divided up into 175 sections, each monitored by a patrol made up of a Communist Party leader and civilian volunteers who gather comprehensive intelligence about the activities, loyalties and political views of Tibetans. Since 2013 the grid system has been expanded to cover the entire TAR³⁴.

"Benefit the Masses", a massive surveillance programme of Tibetan villages, introduced across the TAR in 2011 and scheduled to end in November 2014, has been indefinitely extended and possibly made permanent. As

²⁸ 'Driru County: The New Hub of Tibetan Resistance', Tibet Watch April 2014, p.12

http://www.tibetwatch.org/uploads/2/4/3/4/24348968/driru_county_thematic_report.pdf

²⁹ 'Clampdown in Sog County', Free Tibet, 18 March 2014 <http://freetibet.org/news-media/na/clampdown-sog-county>; 'Young Tibetans arrested over messages written in sand', 18 February 2014 <http://www.freetibet.org/news-media/na/young-tibetans-arrested-over-messages-written-sand>

³⁰ 'Writer sentenced to three years in prison', Free Tibet, 19 February 2016 www.freetibet.org/news-media/na/writer-sentenced-three-years-prison

³¹ 'Another Tibetan writer arrested', Free Tibet, 29 February 2016 www.freetibet.org/news-media/na/another-tibetan-writer-arrested

³² 'Another Tibetan musician jailed', Free Tibet, 17 April 2014 www.freetibet.org/news-media/na/another-tibetan-musician-jailed; 'Hero's welcome for released musician', Free Tibet, 26 October 2015 www.freetibet.org/news-media/na/heros-welcome-released-musician

³³ "'Severe punishments" for Dalai Lama photos', Free Tibet, 3 February 2016 <http://freetibet.org/news-media/na/severe-punishments-dalai-lama-photos>

³⁴ 'China: Alarming New Surveillance, Security in Tibet', HRW, 20 March 2013: <https://www.hrw.org/news/2013/03/20/china-alarming-new-surveillance-security-tibet>

part of the programme 21,000 Communist Party cadres, including party officials, police and security forces, are deployed throughout villages and towns to closely monitor the lives of Tibetans. These village-based cadre teams have also reportedly subjected Tibetan villagers to intrusive questioning about their political and religious views and attempted to indoctrinate them by putting pressure on them to oppose the Dalai Lama. A communique issued by TAR authorities in December 2014 referred to the “Benefit the Masses” initiative as “long-term” and official announcements in August and November 2015 confirmed that the programme is ongoing³⁵.

China has also increased surveillance of the internal affairs of Tibet’s monasteries and nunneries. Efforts by Chinese central government and the TAR authorities to restrict the activities of monastic institutions and convert them into institutions that reflect Chinese patriotism are outlined below in Section 10 on religious freedom.

7. Forced evictions/displacement

In January 2014, China’s official Tibet TV website announced the completion of its programme to rehouse the majority of the rural population of the TAR and Qinghai Province. Between 2006 and 2014, 2.3 million Tibetans were resettled from their land into urban settlements³⁶. This mass relocation was achieved without consultation or informed consent from those being moved and in spite of existing evidence that the majority of resettled people were struggling to make the transition from self-sufficient farming on their ancestral land to generating an income in an urban environment due to their lack of skills or education and the considerably higher costs of food and utilities³⁷. Furthermore, most rural Tibetans lacked the financial assets to meet the costs of the relocation and rehousing, requiring them to sell off some or all of their livestock and leaving others with unmanageable debts³⁸.

8. Restrictions on freedom of movement and freedom to leave one’s own country

Authorities confiscate passports from Tibetans that have family or community links to dissidents and individuals that have carried out self-immolation protests, a form of collective punishment that contravenes both international law and Chinese laws³⁹. Movement inside the TAR and TAPs is restricted for all Tibetans, particularly monks and nuns, mainly via roadblocks and checkpoints on major roads and the outskirts of cities and monasteries⁴⁰. Political prisoners are frequently subjected to restrictions on their movement and ability to communicate after their release, including being prevented from possessing a phone, having to register with authorities before travelling and being banned from travelling to the TAR.

9. Economic, social and cultural rights

The Chinese government has encouraged Han Chinese to settle in Tibet, where they then enjoy preferential access to employment and education. Almost all of the senior government, police and military positions in the

³⁵ ‘China: No End to Tibet Surveillance Program’, HRW, 18 January 2016: <https://www.hrw.org/news/2016/01/18/china-no-end-tibet-surveillance-program>

³⁶ ‘China Completes Controversial Nomad Relocation in Tibet’, Voice of America, 24 January 2014 <http://www.voanews.com/content/china-completes-controversial-nomad-relocation-in-tibet/1837288.html>;

³⁷ Zhou Huakun et al., “Difficulties of the Ecological Migrants of the Three River Area and Sustainable Development Strategy”, China Population, Resource et Environment, Vol. 20 Issue 3 (2010), cited in “‘They Say We Should Be Grateful’: Mass Rehousing and Relocation Programs in Tibetan Areas of China”, HRW, 2013, pp.100-101:

https://www.hrw.org/sites/default/files/reports/tibet0613webwcover_0.pdf

³⁸ “‘They Say We Should Be Grateful’: Mass Rehousing and Relocation Programs in Tibetan Areas of China”, HRW, 2013, pp.92,94,107, 109: https://www.hrw.org/sites/default/files/reports/tibet0613webwcover_0.pdf

³⁹ “A policy alienating Tibetans”: The denial of passports to Tibetans as China intensifies control’, International Campaign for Tibet, July 2015, p.2 <http://www.savetibet.org/wp-content/uploads/2015/07/A-policy-alienating-Tibetans.pdf>

⁴⁰ ‘Country Reports on Human Rights Practices for 2014: Tibet’, US Department of State http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic_load_id=236434&year=2014#wrapper

TAR and other Tibetan areas are held by Han Chinese members of the Chinese Communist Party. Tibetans also continue to be marginalised as a result of the exclusive use of Mandarin in several key areas of governance and education, despite Tibetan being an official language in the TAR and despite China's Regional Ethnic Autonomy Law stating that schools and other educational institutions should use appropriate "minority nationalities" languages where such languages are spoken by the majority of students. Mandarin is the official language for communications, the predominant language of instruction in public schools in many Tibetan areas and is used in courses for jobs that required technical skills and qualifications⁴¹. In February 2014, authorities forced a Tibetan-language competition in Ngaba TAP in Sichuan Province to be cancelled, warning the organisers of "serious consequences", on the basis that "the Tibetan language contains words that can be used to express opposition to Chinese rule"⁴².

Since this is the only available education system, for Tibetans, the state education system represents a threat to their culture. In 2015, the New York Times ran a story on Tashi Wangchuk, a businessman who had attempted to persuade local authorities in his native Yushu Prefecture to provide Tibetan language information in schools after the closure of local monasteries left his young nieces with nowhere to learn Tibetan. Tashi Wangchuk was arrested in January 2016⁴³.

10. Violations of freedom of religion

Chinese authorities regard Tibetan Buddhism and Tibet's monasteries and clergy with suspicion, seeing them as intrinsically disloyal to the Chinese Central Government and an obstacle to fully incorporating Tibet into China. They continue to implement policies that regulate how Tibetans practice their religion and how monasteries are run. This includes longstanding efforts to punish Tibetans into renouncing any allegiance to the Dalai Lama, a bond that is a fundamental part of Tibetan Buddhist culture.

China's treatment of monasteries is characterised by growing state intrusion into their day-to-day affairs and a drive to make monasteries loyal to Chinese central government. Historically it was the role of Tibetan monastic bodies to admit, train and teach monks and nuns, and to rule on spiritual matters such as reincarnation. Under Chinese rule these powers have been handed to Democratic Management Committees accountable to the Chinese government. The Chinese government has also placed controls on how many monks can stay in a monastery, monasteries have been ordered to fly Chinese flags and security cameras have been installed inside them⁴⁴.

When monks and nuns carry out protests, monasteries and nunneries can be shut down or subjected to month-long political re-education campaigns, where monks and nuns are forced to admit that Tibet is an inalienable part of China and denounce the Dalai Lama, causing them great distress. After the protests in 2013 in Driru County, monks were forbidden from carrying out prayer sessions and monasteries were temporarily closed down for political re-education, resulting in the aforementioned arrest of Thardhod Gyaltzen⁴⁵.

⁴¹ 'Country Reports on Human Rights Practices for 2014: Tibet', US Department of State

http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic_load_id=236434&year=2014#wrapper

⁴² 'Tibetan Language Promotion Event Blocked by China', Radio Free Asia, 22 April 2012 <http://www.rfa.org/english/news/tibet/language-04222014150658.html>

⁴³ Edward Wong, 'Tibetans Fight to Salvage Fading Culture in China', New York Times, 28 November 2015

http://www.nytimes.com/2015/11/29/world/asia/china-tibet-language-education.html?_r=2; 'Language campaigner disappears after international coverage', Free Tibet, 11 March 2016 <http://freetibet.org/news-media/na/language-campaigner-disappears-after-international-coverage>

⁴⁴ 'Communist Party orders all Tibetan monasteries to fly China flag', UCA News, 9 April 2015 www.ucanews.com/news/communist-party-orders-all-tibetan-monasteries-to-fly-china-flag/73351

⁴⁵ 'Eighteen-year sentence for Tibetan monk accused of "separatism"', Free Tibet, 1 April 2014 www.freetibet.org/news-media/pr/eighteen-year-sentence-tibetan-monk-accused-separatism#sthash.opyESpH8.dpuf

Monks and nuns that have refused to sign documents denouncing the Dalai Lama and accepting China's version of history during political re-education programmes have been detained, tortured and forced to leave their monastic institutions. In September 2014, 26 nuns were expelled from Jhada Gon Palden Khachoe Nunnery in Benkar (Ch: Baiga) Township, Driru County, TAR, after they refused to criticise the Dalai Lama. One year later, in late September 2015, authorities expelled a further 106 nuns from the nunnery, making many of them homeless, and then demolished the nuns' living quarters under the pretext of carrying out renovations to the nunnery.⁴⁶

Conclusion

While the situation in Tibet is grave, some developments over the last three years could convey a misleading impression of improvement. During the period covered by this report, there has been a reduction in a number of the most egregious forms of human rights abuses in Tibet, especially in comparison to the 2008-2012 period. For example, instances of lethal force being employed to control protests have become less frequent. Likewise, there has been a decline in the number of significant Tibetan protests during the period under review, in particular those with an explicitly political or Tibetan nationalist message. This does not indicate a softening of China's approach in Tibet, or greater acceptance of Chinese rule by Tibetans. Instead, it reflects China's current effectiveness in implementing policies that have so restricted Tibetans' ability to express opposition to its rule in both private and public spheres that the need to systematically employ violence arises more rarely.

The threat and use of force remains central to China's policy in Tibet. A wide range of indicators show that Tibetan opposition to Chinese rule remains deep and broad and, correspondingly, the depth and breadth of China's repression not only demonstrates a refusal on the part of Chinese authorities to address Tibetan grievances, but is also responsible for feeding them. For this reason it is likely that the current quiet will not be sustained and when Tibetan resistance finds public expression again, there is no reason to believe that China will not escalate its current abuse of human rights in Tibet to any level it deems necessary.

Recommendations to the British government

Human rights abuse in Tibet is the core policy employed by the Chinese government to manage Tibetan opposition to its rule. That very policy generates more opposition. As long as China's government refuses to recognise the legitimacy of Tibetan grievances and Tibetan aspirations, the cycle will continue. While many procedural and legal internal measures can and should be taken to reduce human rights abuse in Tibet, it is also essential to robustly challenge China's assumption that criminalisation and persecution of Tibetan dissent is legitimate. As a democratic country with a strong global voice, the UK can and must play a part in showing China that managing dissent by abusing human rights is unsustainable. The British government's strategy for addressing human rights abuse in Tibet (and China as a whole) must, therefore, include supporting the rights of Tibetans to freely celebrate and defend their national identity and freely express any aspirations for peaceful political change.

The British government, through all available channels, should ask China to:

- Publicly disclose the location of all Tibetan political prisoners that it is currently holding and the reasons for their detention. Any prisoners that are being held either without charge or without charge for an internationally recognised offence should be immediately and unconditionally released.

⁴⁶ 'Tibetan nuns expelled from nunnery', Free Tibet, 24 November 2014 <http://freetibet.org/news-media/na/tibetan-nuns-expelled-nunnery>; '106 nuns expelled from nunnery', Free Tibet, 9 November 2015 <http://freetibet.org/news-media/na/106-nuns-expelled-nunnery>

- Ensure that it is not carrying out torture or other ill-treatment in its prisons. Any allegations of torture should be investigated and those found culpable should be held accountable.
- Ensure that all prisoners held in Tibet are granted access to lawyers, medical treatment and contact with family members.
- Agree to specific dates for a visit by the UN Special Rapporteur on Torture, including unrestricted access to Tibet.
- Rescind all measures that impose collective punishments on Tibetans.
- Allow Tibetans to peacefully exercise their rights to freedom of expression, association and assembly without fear of arbitrary detention or excessive use of force by police or security services. Furthermore, ensure that police and security personnel that employ excessive force are held to account through prompt, independent and impartial investigations and appropriate disciplinary measures.
- End the “Benefit the Masses” surveillance network, the grid management system and internal surveillance of monasteries.
- Lift all restrictions on freedom of movement and permit Tibetans to freely move around Tibet, to leave the country and to access passports without undue restrictions.
- Implement all the recommendations that China accepted at its Universal Periodic Review at the Human Rights Council in 2013 and those issued by the Committee Against Torture in 2015.
- Ratify the International Covenant on Civil and Political Rights and honour all commitments arising from the Covenant in full.

The British government should also, publicly and at ministerial level:

- Explicitly support the right of Tibetans to free speech, including peacefully expressing their opposition to Chinese rule in Tibet.
- Explicitly support full religious freedom throughout China and endorse the exclusive right of Tibetan Buddhist institutions to manage their own affairs, including the identification of the Dalai Lama, without any interference from the state.
- Extend a welcome to the Dalai Lama during his next visit to the UK.
- Propose Tibet be a specific agenda item in all UK-China Human Rights Dialogues.
- In joint initiatives with the Chinese government to support human rights in China, propose projects in Tibet.
Push for open access to Tibet for British diplomats, journalists and NGOs to Tibet, including unimpeded movement within Tibet.

-end-

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