



Joint submission on the Universal Periodic Review on the People's Republic of China, Fourth Cycle, July 2023

Free Tibet, Tibet Watch

Information about the organisations

Free Tibet 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. We campaign for an end to China's occupation of Tibet and for international recognition of Tibetans' right to freedom.

Tibet Watch works to promote the human rights of the Tibetan people through monitoring, research and advocacy. We are a UK registered charity with an office in London and a field office in Dharamsala, India. We believe in the power of bearing witness, the power of truth.

1. Overview

1.1. This submission will review human rights records of the People's Republic of China (China/PRC) in Tibet¹ since 2018. Sections 2 to 9 will examine China's response to recommendations relevant to human rights in Tibet that it accepted in the third cycle in 2018. It will highlight China's failure to act on these recommendations and cases where existing problems have been exacerbated. It will conclude with a series of recommendations to China, which, if accepted and implemented, would demonstrate tangible progress towards protecting the human rights of people in Tibet.

1.2. During the period under review, China has introduced or expanded policies that systematically target key aspects of Tibetans' unique identity, including imposing restrictions on their religion, history, language and culture, and on the traditional way of life of rural Tibetans and nomads. A

¹ This submission will cover all of Tibet, which, prior to the Chinese invasion and occupation in 1949, comprised three provinces: Amdo, Kham and U-Tsang. Under the Chinese occupation, the eastern half of Tibet (Amdo and eastern Kham) has been divided into units called Tibetan Autonomous Prefectures, which have been incorporated into Gansu, Qinghai, Sichuan and Yunnan Provinces. The remaining western half of Tibet (western Kham and U-Tsang) is administered as the Tibet Autonomous Region (TAR).

notable trend in this period has been the targeting of children, with the housing of hundreds of thousands of Tibetan children in residential boarding schools, while other avenues of Tibetan-language education are systematically closed off, presenting a threat to the long-term existence of Tibetans' distinct identity.

1.3. These violations of Tibetans' economic, social, cultural and religious rights have been accompanied by persistent violations of civil and political rights, including the widespread use of arbitrary detention and state security legislation to penalise dissent and the prevalence of torture in places of detention, which has resulted in the deaths of several detainees.

1.4. Obtaining information about human rights abuses in Tibet has never been more challenging, and this is the result of conscious policy decisions by the Chinese government. Chinese authorities subject Tibetans to close surveillance, forcing Tibetans to self-censor when communicating inside Tibet and with the outside world, thereby elevating the risk of human rights monitoring. Meanwhile, tight border security and the government of Nepal's cooperation in returning Tibetans seeking refuge to China have led to a dramatic drop in the number of refugees escaping, and with it, the number of testimonies from released political prisoners and torture survivors.²

1.5. Human rights monitors cannot access Tibet, and journalists who have travelled there have only been on official delegations with government minders. The surveillance and security infrastructure is particularly heavy in the western and central parts of Tibet governed as the Tibet Autonomous Region (TAR), which includes the capital Lhasa. Therefore, while the cases detailed in this submission have been verified, it is likely that there are numerous other cases of human rights violations that remain unknown, further emphasising the need for international human rights monitors to be granted unrestricted access to Tibet.

Developments since the previous review

2. Freedom of expression, association and assembly

² 'China Clamps Down on the Tibetans Escaping for Freedom', *Byline Times*, 22 January 2020, <https://bylinetimes.com/2020/01/22/china-clamps-down-on-the-tibetans-escaping-for-freedom>

2.1. China accepted 13 recommendations related to freedom of expression in 2018, two of which specifically pertained to the rights of “minorities” and one explicitly to Tibetans³.

2.2. This contrasts with the actions of Chinese authorities, including police and security forces, who have continued to use detention and imprisonment as a way to punish protests or other forms of criticism of the occupation and human rights abuses.

2.3. **Sonam**, a student at Minzu University in Lanzhou City, was arrested in 2019 after an essay he wrote for his civil service entrance exam, criticising the decrease in government job opportunities for Tibetans, was shared widely on social media.⁴

2.4. Six Tibetans - **Tsegyal, Yangphel, Dudul Lhagyay, Norsang, Shewang Namgyal and Sithar Wangyal** - were arrested in Tarchen Township, Nagchu, in September 2019 after they refused to participate in official events to mark the 70th anniversary of the PRC.⁵

2.5. Tibetans who have not expressed dissent but merely expressed their culture in a form that the ruling authorities deemed to be “separatist” have also been punished. Among the activities that are integral to Tibetans’ identity but were punished with arrest were writing and performing patriotic songs and celebrating the Dalai Lama’s birthday.

2.6. Tibetan lyricist **Khado Tsetan** and singer **Tsegao** were arrested in July 2020 in Zeku County after composing a song praising the exiled 14th Dalai Lama. The pair were charged with subversion of state law and leaking information to the outside world, state security crimes. Khado Tsetan was sentenced to seven years in prison and Tsegao three years.⁶

2.7. **Zumkar**, a devout Buddhist, was arrested in Tsarang Township in Nagchu in June 2022 after police found a photo of the Dalai Lama in her home. Four days later, the police transferred her nearly 500 kilometres away to a facility in Lhasa. Her sister **Youdon** was arrested in July. The reason has not been confirmed.⁷

³ 28.205 Guarantee freedom of expression, assembly and association including in Hong Kong, and remove obstacles to freedom of information on the Internet, in particular for human rights defenders (France); 28.337 Take the necessary measures to guarantee that human rights defenders can exercise their freedom of expression and peaceful association (Belgium); 28.338 Guarantee the full exercise of the freedoms of association and expression of human rights defenders and minorities, in accordance with international human rights law (Costa Rica); 28.206 Consider further measures to ensure a safe environment for journalists and other civil society actors to carry out their work (Greece); 28.207 Guarantee freedom of opinion and expression, enhancing efforts to create an environment in which journalists, human rights defenders and NGOs can freely operate in accordance with international standards (Italy); 28.208 Protect and guarantee respect for freedom of information and expression, in particular by journalists, bloggers and human rights defenders (Luxembourg); 28.340 Take immediate action to allow human rights defenders and lawyers to exercise their right to freedom of expression and opinion without threats, harassment or repercussions (Ireland); 28.199 Expedite the reforms necessary for freedom of expression to be fully protected in law and practice (Australia); 28.200 Respect, protect and ensure the freedom of expression of all citizens (Norway); 28.201 Remove restrictions on freedom of expression and press freedom, including on the Internet, that are not in accordance with international law (Sweden); 28.204 Enable unrestricted use of the Internet by all members of society by ensuring cybersecurity and the safe flow of information without violating freedom of expression (Estonia); 28.195 Respect the rights to freedom of religion or belief, opinion and expression, peaceful assembly and culture, including for Tibetans, Uighurs and other minorities (Germany); 28.322 Fully respect the rights of ethnic minorities, freedom of religion and expressions of cultural identity (Croatia)

⁴ Information acquired by Tibet Watch, February 2022. Tibet Watch uses a network of contacts within Tibet and the Tibetan diaspora to obtain information on human rights abuses from within Tibet. The information that Tibet Watch has supplied for this report has been carefully checked and corroborated to ensure accuracy at all times. Sources are kept confidential to prevent reprisals against those who have given testimony or against their families and communities.

⁵ Information acquired by Tibet Watch, September 2019

⁶ Information acquired by Tibet Watch, July 2020

⁷ Information acquired by Tibet Watch, June 2022

2.8. **Lhundrub Drakpa**, a well-known Tibetan singer, was detained in May 2019 after writing a song critical of local government activities in his native Driru County. After over a year in detention, he was sentenced to six years in prison in June 2020.⁸

2.9. Demonstrations by Tibetans against the occupation, human rights abuses and environmental damage are often met with large deployments of police and security services, who have attempted to intimidate protesters or simply resorted to force.

2.10. In November 2019, five young Tibetan monks from Dza Wonpo Village were arrested while holding a peaceful demonstration outside the local police station in which they threw leaflets in the air, calling for Tibet's independence. Among them was Tenzin Nyima (see 5.6).⁹

2.11. A recommendation by Czechia, that China "[r]epeal or amend laws and practices, such as censorship, which prevent the right to freedom of expression and free access to information" was not supported.¹⁰ Heavy censorship remains in Tibet with no independent media outlets. Internet blackouts are imposed on areas where demonstrations or self-immolation protests have occurred. The social media application WeChat is heavily surveilled with Tibetans punished for failing to register WeChat groups with local authorities.

2.13. In August 2021, 110 Tibetans were detained after they posted photos showing the scale of a police deployment to Lithang at the time of its annual horse-racing festival.¹¹

2.14. A group of three teenagers, **Dadul** (see 5.4), **Kansi** and **Sangye Tso**, were arrested in Kyegudo, eastern Tibet, in February 2021 for failing to register a WeChat group containing 240 members.¹²

2.15. **Lotse**, 57, was arrested in July 2022 in Sershul County for failing to register a WeChat group containing around 100 members from across Tibet he had created several days earlier with local authorities.¹³

3. Arbitrary detention

3.1. Several recommendations put to China in the previous cycle that it end the practice of arbitrary detention, including specific recommendations to end arbitrary detentions of those who promote

⁸ Tibetan Singer Sentenced to Six Years in Prison in Driru: China Committing 'Crimes against Humanity' in Tibet, *Tibetan Centre for Human Rights and Democracy*, 30 October 2020, <https://tchrd.org/tibetan-singer-sentenced-to-six-years-in-prison-in-driru-china-committing-crimes-against-humanity-in-tibet/>

⁹ Information acquired by Tibet Watch, November 2019

¹⁰ 28.203 Czechia "Repeal or amend laws and practices, such as censorship, which prevent the right to freedom of expression and free access to information"

¹¹ Information acquired by Tibet Watch, August 2021

¹² Information acquired by Tibet Watch, March 2021

¹³ Information acquired by Tibet Watch, July 2022

human rights, were only noted.¹⁴

3.2. The years between 2018 and 2023 yet again saw swathes of arbitrary detentions of Tibetans including human rights defenders, activists, monks, teachers and Tibetans expressing their distinct culture peacefully. Tibetans “attempting to split the Chinese state”, a crime under China’s State Security Law that strips those charged of a raft of legal protections (see next section). In many cases, Tibetans disappeared after their detention, with family members unable to contact them or hand over food or a change of clothes.

3.3. On 4 September 2018, **A-Nya Sengdra**, a prominent advocate against corruption and for the rights of Tibetan nomads, was arrested in Gade County. He was held without charge until August 2019 and stood trial in December 2019. He was found guilty of “provoking trouble” and “organising a mob to disturb social order” and sentenced to seven years in prison.¹⁵

3.4. **Choedon**, a university student, was arrested in Riwoche County in February 2022 and has not been seen since. Authorities did not disclose the official reason for her arrest but her family believe it was connected to her teaching the Tibetan language to children in her native village of Yamda during the school holidays.¹⁶

3.5. **Rinchen Kyi**, a teacher, was detained in August 2021 shortly after the closure of her Tibetan language school in Golog Prefecture, which prompted her to stop eating.¹⁷ She was charged with “inciting separatism” and held in administrative detention until her release in April 2022.¹⁸

4. The right to a fair trial

4.1. Several broad recommendations were accepted in 2018 related to guaranteeing fair trials,¹⁹ although specific recommendations by Czechia and Germany to guarantee more transparency

¹⁴ 28.175 Cease the arbitrary detention of Uighurs [sic] and other Muslim groups in Xinjiang (Australia); 28.177 Abolish all forms of arbitrary detention, including internment camps in Xinjiang, and immediately release the hundreds of thousands, possibly millions, of individuals detained in these camps (United States of America); 28.181 End the arbitrary detention of those who defend and promote human rights (Iceland); 28.178 Halt the practice of detaining ethno-religious minorities who have not been lawfully convicted for a criminal offence in re-education camps and release those currently detained under such circumstances (Belgium); 28.179 Release Uighurs and other Muslims who have been detained arbitrarily and without due process for their ethnicity or religion (Canada); 28.180 End all unlawful detention, including the unconstitutional mass detention of Uighurs and other Muslims in Xinjiang, and residential surveillance at a designated location (Germany); 28.191 Ensure freedom of religion or belief and end the detention, harassment and so-called re-education of ethnic minorities, including in Xinjiang (Czechia)

¹⁵ Mandates of the Special Rapporteur on minority issues; the Working Group on Arbitrary Detention; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the situation of human rights defenders; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, UA CHN 11/2020, 12 May 2020 <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?glid=25253>

¹⁶ Information acquired by Tibet Watch, February 2022

¹⁷ Information acquired by Tibet Watch, August 2021

¹⁸ Information acquired by Tibet Watch, April 2022

¹⁹ 28.214 Continue to implement initiatives for a comprehensive and far-reaching reform of the judicial system with a view to strengthening judicial guarantees in the field of human rights (Democratic Republic of the Congo); 28.215 Continue to strengthen the role of the judiciary in the protection of human rights (Egypt); 28.217 Further strengthen its national capacity with the aim of pursuing measures taken in the judicial sphere (Gabon); 28.221 Continue to promote openness of the judicial system and fully use the four major platforms for the openness of the approval process, trial procedure, judgement documents and information on the execution of judgments (Kyrgyzstan)

around trials and access to legal counsel were only noted.²⁰

4.2. The criminal justice system in China remains under the effective control of the Chinese Communist Party (CCP), with the party's Central Political and Legal Affairs Commission, whose Secretary is a member of the CCP Politburo, supervising courts and playing an influential role in verdicts and sentencing.

4.3. In Tibet, the lack of judicial independence is compounded by the frequent use by authorities of state security crimes to charge Tibetan human rights defenders, protesters or those peacefully expressing their culture. These crimes, including "spreading rumours", "endangering state security" and "splittism", are loosely-defined and broad in their application.

4.4. Under the Chinese Criminal Procedure Law, those accused of such state security crimes have no right to a lawyer²¹ or an open trial²² and can be detained for indefinite periods of time in an undisclosed location.²³ The accusation of state security crimes overrides the requirement for family members of the accused to be notified about the detention within 24 hours.²⁴ Evidence collected during the investigation process for criminal cases related to state secrecy is kept undisclosed, complicating any attempts for Tibetans to seek redress.²⁵ Tibetans held in these secretive and uncertain conditions are at risk of torture and ill-treatment. This results in Tibetan defendants overwhelmingly being subjected to closed trials and routinely denied access to legal representation.

4.5. Monk and public intellectual **Go Sherab Gyatso** was sentenced to 10 years in prison in November 2021 in a closed trial, 13 months after his arrest. Key details of his case only came to light after the Permanent Mission of the PRC to the UN Office in Geneva responded to a letter from the UN Human Rights Council's Working Group on Enforced or Involuntary Disappearances. In its reply, the Chinese Mission insisted that Go Sherab Gyatso's case had been handled "in strict accordance with the law" and refused to acknowledge that an arbitrary detention had taken place.²⁶

5. Torture

5.1. China supported a recommendation from Australia that it "[s]trengthen measures preventing torture and ill-treatment"²⁷. Domestic legislation also exists outlawing the practice, with Article 18 of China's Criminal Procedure Law describing the extortion of confessions by torture as a "crime" that should be investigated.²⁸

²⁰ 28.218 Guarantee fair trials; allow all defendants unhindered access to their chosen lawyers, prompt notification of their families and transparent legal procedures (Germany); 28.213 Guarantee fair trials, an independent judiciary and access to legal counsel, release all human rights defenders, including lawyers, and refrain from persecuting those who exercise their rights or defend others (Czechia);

²¹ Criminal Procedural Law of the People's Republic of China, Article 37 <https://www.cecc.gov/resources/legal-provisions/criminal-procedure-law-of-the-peoples-republic-of-china>

²² Ibid., Article 183

²³ Ibid., Article 73

²⁴ Ibid., Article 83

²⁵ Ibid., Article 52

²⁶ No.GJ/43/2021, Permanent Mission of the People's Republic of China to the UN Office in Geneva, 27 August 2021

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?glid=36528>

²⁷ 28.170 Strengthen measures preventing torture and ill-treatment (Australia);

²⁸ Criminal Procedural Law of the People's Republic of China, Article 18

5.2. In practice, testimonies of torture of Tibetan detainees and prisoners continue to emerge with no evidence of any concrete steps to eradicate its use, including no evidence of a single case of torture in Tibet being investigated or the perpetrators being held accountable. The stripping of protections for Tibetans charged with state security crimes, such as holding them indefinitely in administrative detention, fosters an environment where torture can take place with impunity.

5.3. A Tibetan who reached Dharamsala in early 2023 recounted to Tibet Watch researchers how he and four other Tibetans were detained by police in March 2022 after burning Juniper incense to celebrate Tibetan New Year. He stated that, during their 40-day detention, they were "beaten repeatedly" and that police "put us in handcuffs and tied our feet, removed our pants, and administered electric shocks to our private parts and legs." After his release from detention, he was hospitalised for ten days with his family having to pay the hospital fees.²⁹

5.4. **Dadul**, (see 2.14) was hospitalised with two broken legs following his arrest in February 2021. Dadul's family was summoned by the police and asked to bring 40,000 yuan (around 6,000 US dollars), ostensibly to pay for surgery.³⁰

5.5. In several cases, the treatment of Tibetans in detention, in conjunction with poor prison conditions, resulted in their deaths. There is no evidence of any of the following cases being formally investigated or anyone being held to account.

5.6. **Tenzin Nyima**, a 19-year-old monk from Dza Wonpo Monastery in Sershul County, died from injuries inflicted on him in prison in January 2021. Police contacted his family in October 2020, informing them that he was now in a comatose state. Tenzin Nyima's family took him to a nearby hospital in the city of Chengdu, where his admission was delayed due to the family's inability to afford the expensive medical charges.³¹

5.7. **Kunchok Jinpa**, a 51-year-old tour guide and environmental activist, died in Lhasa in February 2021 following injuries sustained in prison. He had been serving a 21-year prison sentence when he was secretly taken to hospital in November with severe injuries.³²

5.8. Compounding the harm caused by torture, there were numerous cases of Tibetans during this period being denied essential medical treatment, either in prison or upon release, on several occasions resulting in deaths.

5.9. **Gendun Sherab**, a monk who was arrested in Lhasa after sharing a message from the Dalai Lama on WeChat, died in April 2020. He was severely beaten in prison and reportedly blacklisted from accessing various health facilities in Lhasa, depriving him of the medication he needed.³³

5.10. One month later, **Choekyi**, a monk from Phugu Monastery in Serthar County, died from a longstanding illness. He was known to have been in poor health before his arrest in 2015 and was

²⁹ Interview with Tibetan refugee, April 2023

³⁰ Information acquired by Tibet Watch, March 2021

³¹ Information acquired by Tibet Watch, January 2021

³² Information acquired by Tibet Watch, February 2021

³³ Information acquired by Tibet Watch, April 2020

subjected to brutal treatment and hard labour in prison, damaging his liver and kidneys. Prison authorities refused to grant any medical consultation or treatment. He continued to be prevented from consulting doctors following his release in January 2019.³⁴

5.11. China has yet to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and merely noted two recommendations in 2018 that it do so.³⁵

6. Freedom of thought, conscience and religion

6.1. China accepted nine recommendations in 2018 calling on it to accept the general principle of protecting the right to freedom of religion, including one that explicitly mentioned Tibetans' religious freedom.³⁶ Three further recommendations explicitly calling on China to address its ongoing interference in Tibetan Buddhism or persecution of Buddhists were noted.³⁷

6.2. For decades, the Chinese government has imposed stifling regulations on fundamental tenets of Tibetan Buddhism and mandated strong state intervention in the affairs of Tibet's monasteries and nunneries to ensure they display loyalty to the CCP and to one unified China. Monasteries have been ordered to fly Chinese flags and hang portraits of CCP leaders, while images of the Dalai Lama are forbidden. Responsibilities historically carried out by senior monks and nuns are now overseen by Monastery Management Committees and Monastic Government Working Groups, comprising CCP members, government officials and government-approved monks.³⁸ Authorities have imposed controls on the training of new monks, the number of monks permitted to enrol in monasteries and have forbidden Tibetans under the age of 18 from enrolling.

6.3. In October 2021, security officers in Bayan County entered Jakyung and Deetsa Monasteries, expelling 80 teenage monks. The monks were returned to their homes with officials stating it was

³⁴ Information acquired by Tibet Watch, May 2020

³⁵ 28.2 Adhere to all human rights instruments to which it is not yet a party, in particular the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and accede to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Honduras); 28.13 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark) (Estonia);

³⁶ 28.195 Respect the rights to freedom of religion or belief, opinion and expression, peaceful assembly and culture, including for Tibetans, Uighurs and other minorities (Germany); 28.322 Fully respect the rights of ethnic minorities, freedom of religion and expressions of cultural identity (Croatia); 28.186 Take the necessary measures to allow all citizens to enjoy the free exercise of religion or belief and to ensure that ethnic minorities can freely practise their religion and exercise their culture (Austria); 28.182 Fully protect freedom of religion or belief by ensuring Chinese law supports the rights of individuals to freely practise their religion (Australia); 28.185 Ensure full implementation of its international human rights obligations regarding freedom of religion or belief (Poland); 28.188 Continue to promote freedom of religious belief in accordance with the law; safeguard social and religious harmony among its people (Turkmenistan); 28.192 Continue to fight against cult organizations to safeguard the people's welfare (Democratic People's Republic of Korea); 28.193 Continue promoting freedom of religion or belief in accordance with the context of national laws (Egypt); 28.194 Guarantee freedom of religion or belief, including in Tibet and in Xinjiang (France)

³⁷ 28.319 Take urgent steps to respect the rights of persons belonging to ethnic minorities, including the rights to peaceful assembly and to manifest religion and culture, in particular in Xinjiang and Tibet (Sweden); 28.189 Cease interference in the selection and education of religious leaders, such as Tibetan Buddhist lamas (United States of America); 28.190 End prosecution and persecution on the basis of religion or belief, including for Muslims, Christians, Tibetan Buddhists and Falun Gong (Canada)

³⁸ 'China: Tibetan Monasteries Placed Under Direct Rule', *Human Rights Watch*, 16 March 2012, <https://www.hrw.org/news/2012/03/16/china-tibetan-monasteries-placed-under-direct-rule>

not permitted for individuals below 18 years of age to enrol in the monasteries.³⁹

6.4. Chinese government interference in religion in Tibet has expanded under Xi Jinping, who has openly stated that religion should be “Chinese in orientation”⁴⁰. In 2018, the United Front Work Department assumed direct responsibility for regulation of religion in Tibet and, in May 2021, issued the “Administrative Measures for Religious Clergy,” requiring “religious personnel” to “support the leadership of the Communist Party of China” and prohibiting a range of acts including “splitting the country”, or “arbitrarily accepting teaching appointments from overseas religious groups or institutions”.⁴¹ Tibetan members of the CCP are required to identify as atheists and are prohibited from engaging in religious practices.⁴²

6.5. The “Management Measures for the Reincarnation of Living Buddhas in Tibetan Buddhism”, introduced in 2007, remains in effect, institutionalising the concept of reincarnation and placing the vetting and certification of tulkus (reincarnated lamas) under the jurisdiction of the Chinese government.⁴³ Chinese authorities insist that the succession of the Dalai Lama is a matter for the Chinese government and subject to Chinese law.⁴⁴ In 2018, China noted a recommendation that it “[c]ease interference in the selection and education of religious leaders, such as Tibetan Buddhist lamas.”⁴⁵

7. Education and children’s rights

7.1. China accepted several recommendations calling for the expansion of access to education, with Nepal mentioning Tibet specifically and Bangladesh, Singapore and Sri Lanka referring to those living

³⁹ Information acquired by Tibet Watch, November 2021

⁴⁰ “We will fully implement the Party’s basic policy on religious affairs, uphold the principle that religions in China must be Chinese in orientation and provide active guidance to religions so that they can adapt themselves to socialist society”, Xi Jinping, “Secure a Decisive Victory in Building a Moderately Prosperous Society in All Respects and Strive for the Great Success of Socialism with Chinese Characteristics for a New Era” <https://www.neac.gov.cn/seac/c103372/202201/1156519.shtml>

⁴¹ Measures for the Administration of Religious Personnel, National Religious Affairs Administration, Order No. 15 (宗教教职人员管理办法 国家宗教事务局令 第15号), https://www.gov.cn/zhengce/zhengceku/2021-02/09/content_5586371.htm

⁴² ‘Tibetan party members in Tsohlo Prefecture subjected to severe restrictions on religious practices at home’, Central Tibet Administration, 24 November 2021, <https://tibet.net/tibetan-party-members-in-tsohlo-prefecture-subjected-to-severe-restrictions-on-religious-practices-at-home/>

⁴³ “Management Measures for the Reincarnation of Living Buddhas in Tibetan Buddhism”, 2007, <https://www.cecc.gov/resources/legal-provisions/measures-on-the-management-of-the-reincarnation-of-living-buddhas-in-0>

⁴⁴ “The reincarnation of Living Buddhas is a succession system unique to Tibetan Buddhism guided by fixed religious rituals and historical conventions. The Chinese government has issued the Regulation on Religious Affairs and the Measures on the Management of the Reincarnation of Living Buddhas of Tibetan Buddhism, respecting and protecting this unique succession system. The reincarnation of living Buddhas, including the Dalai Lama, must comply with Chinese laws and regulations and follow religious rituals and historical conventions.”, ‘Chinese Mission Spokesperson Liu Yuyin’s Remarks on the Tibet-related Online Activity held by the U.S. Mission’, Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva, 4 December 2020, www.geneva.china-mission.gov.cn/eng/dbtyw/xgwh/202012/t20201205_8299636.htm

⁴⁵ 28.189 Cease interference in the selection and education of religious leaders, such as Tibetan Buddhist lamas (United States of America).

in either “remote areas” or “rural areas”.⁴⁶

7.2. Despite accepting all four of these recommendations, government policies have deprived children of access to education by shutting down or even demolishing schools and closing off other avenues of education, such as ordering monasteries to cease providing Tibetan language classes to the local lay community.

7.3 In July 2021, authorities ordered the closure of Sengdruk Taktse middle school in Darlak County. Upon closure of the private Tibetan school, the students were advised to enrol in other government-affiliated schools in the region. Confidential sources from the area asserted that the school was targeted because its primary language of instruction was Tibetan and it provided education in Tibetan culture.⁴⁷

7.4. In October 2021, authorities in Drago County in Kardze Tibetan Autonomous Prefecture, ordered the demolition of Gaden Rabten Namgyaling School at Drago Monastery. Monastery officials were told to demolish the school within three days and the students, numbering over 100, were ordered to return to their homes.⁴⁸

7.5. In December 2018, local authorities issued a notice prohibiting Tibetan children from attending language classes in monasteries in Nangchen county, eastern Tibet. The notice warned monks and parents that such classes were a danger that would be “dealt with” and that monks found to be running prohibited classes would be struck off the monastery register and their ID cards identifying them as a religious professional removed.⁴⁹

7.6. At the same time that they have enforced these school closures, Chinese authorities have developed a centralised education policy structured around residential boarding and pre-boarding schools, which have been criticised for providing education to children in a culturally insensitive, coercive and potentially psychologically harmful manner. With UN human rights experts noting with concern that the policy appears to amount to “assimilation of the Tibetan culture into the dominant Han Chinese majority” and denies students access to religious practices “connecting them back to

⁴⁶ 28.296 Give priority to protecting the rights of girl children by ensuring that all girls are registered at birth, implement wide awareness-raising campaigns on the human rights of girls and promote their education (Slovenia); 28.304 Develop a national plan to eradicate child labour, particularly in the mining, manufacturing and brick-making sectors, and guarantee school attendance (Costa Rica); 28.265 Further improve access to education for children, especially those living in rural areas and the children of migrant workers (Sri Lanka); 28.330 Continue promoting the rights to education of the children of migrant workers (Dominican Republic); 28.301 Take measures to ensure all children, especially those of asylum seekers and refugees, have access to education (Mexico); 28.259 Move forward with the development of the educational system (Oman); 28.260 Take appropriate measures to ensure that all children fully enjoy the right to education (Portugal); 28.261 Make further efforts to provide the right to education for all without discrimination (Qatar); 28.262 Continue to advance in the area of fair and equal education so as to guarantee the right to education (Saudi Arabia); 28.263 Continue to invest in improving the conditions of schools in remote areas (Singapore); 28.267 Continue efforts to narrow the gap in compulsory education between ethnic autonomous areas and the national average (Burundi); 28.268 Continue to develop bilingual education in ethnic minority areas (Democratic People’s Republic of Korea); 28.269 Strengthen the technical professional education system as a quality education alternative for the development of the country (Eritrea); 28.270 Increase the financial support for children in difficulty to guarantee their right to compulsory education (Algeria); 28.271 Encourage China to pursue and further reinforce actions in favour of providing education and training for the most disadvantaged groups (Comoros); 28.272 Continue to implement the free education policy in the Tibet Autonomous Region (Nepal); 28.273 Increase support for early childhood education in rural communities (Nepal); 28.274 Continue the increased supply of educational resources in remote, rural and ethnic minority areas (Bangladesh)

⁴⁷ Information acquired by Tibet Watch, July 2021

⁴⁸ Information acquired by Tibet Watch, November 2021

⁴⁹ Information acquired by Tibet Watch, January 2019

their families and communities”.⁵⁰

7.7. According to analysis by the Tibet Action Institute, approximately 800,000 Tibetan children between six and 18 years are currently in the residential boarding school system, where they are required to spend seven days a week and subjected to a heavily politicised curriculum that emphasises that they and their heritage are Chinese rather than Tibetan.⁵¹ The language of instruction is overwhelmingly Chinese, with a Tibetan refugee and former boarding school resident interviewed by Tibet Watch testifying in April 2023: “I got the chance to speak and converse in Tibetan only at home (during the holiday) since the environment in the school is only of Chinese education and communication.”⁵²

7.8. Dr Gyal Lo, a Tibetan education expert, has visited 50 boarding pre-schools, concluding that they intentionally promote CCP-approved history and Han Chinese culture over Tibetan history and culture, disconnecting students from their Tibetan identity. He estimates that upwards of 100,000 young children between the age of four and six attend such residential pre-schools, where they live five days a week.⁵³

7.9. The separation of young children from their families and the weakening of connections with their local communities has been documented as having an adverse psychological impact on children and families alike and hampering the ability of children to learn the Tibetan language. The policy is also discriminatory, with the number of Tibetan children in these residential schools amounting to 78 percent of the total children, compared to around 22 percent of Chinese students attending boarding schools.⁵⁴

7.10. The UN Committee on Economic, Social and Cultural Rights (UNCESCR) recommended in March 2023 that China “immediately abolish the coerced residential (boarding) school system imposed on Tibetan children” and allow private Tibetan schools to be established.⁵⁵ The Committee on the Elimination of Discrimination against Women urged China to “reverse the closure of schools providing instruction in minority languages” in May 2023.⁵⁶

7.11. Although children being relocated to residential boarding schools appears to in part be due to the elimination of alternatives due to the closure of Tibetan schools, testimonies have also stated

⁵⁰ Mandates of the Special Rapporteur on minority issues; the Special Rapporteur in the field of cultural rights; the Special Rapporteur on the right to education and the Special Rapporteur on freedom of religion or belief, Ref.: AL CHN 6/2022, 11 November 2022, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=27444>

⁵¹ “Calculations based on official data suggest that at least 806,218 Tibetan students out of a total of 1,039,370 are living at boarding schools”, Separated From Their Families, Hidden From the World: China’s Vast System of Colonial Boarding Schools Inside Tibet, *Tibet Action Institute*, December 2021, p.22 https://s7712.pcdn.co/wp-content/uploads/2022/12/2021_TAI_ColonialBoardingSchoolReport_Digital.pdf

⁵² Interview with Tibetan refugee in Dharamsala, April 2023

⁵³ Eyewitness: China Operating Mandatory Boarding Preschools Across Tibet, *Tibet Action Institute*, May 2022: <https://tibetaction.net/2022/05/24/eyewitness-confirms-mandatory-boarding-preschools-operating-across-tibet/>

⁵⁴ *Tibet Action Institute*, op cit., p.13

⁵⁵ Concluding observations on the third periodic report of China, including Hong Kong SAR, China, and Macao SAR, China*, Committee on Economic, Social and Cultural Rights, 22 March 2023, <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=4slQ6QSmIBEDzFEovLCuW%2BALqOml1btojd4YxREVF2UhnJqajOdf70Jna4zIzIttiWL2Gm56NxTNU%2B5uvm%2Bz8Ck3PyH5SB2c78KQh!%2FC1g9riHvZuzWKzpwTA2dN1Mly>

⁵⁶ Concluding observations on the ninth periodic report of China, Committee on the Elimination of Discrimination against Women, 31 May 2023 <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FFPRiCAqhKb7yhsoVqDbaslinb8oXgzpEhivijzqMQWEXdMnLjWYiXOolsOGNXbO3xCh%2BDeB54qgMR2qUWotAokVeq3giBbabQEg5AwaX6sj8PX30fihB%2F3en>

that some children were placed into these schools due to incentives offered to parents or due to outright coercion, such as threats that their children will be blocked from enrolling in elementary school or financial penalties.⁵⁷

7.12. In March 2023, four children were detained while attempting to escape from Jinchuan County Second Middle School, a boarding school with Chinese as the language of instruction. Local sources state that some of the children, who remain in detention at the time of this submission, were beaten.⁵⁸

8. Access to international monitors

8.1 China noted recommendations calling on it to allow access to international monitors including media, foreign officials and UN special procedures.⁵⁹

8.2. International monitors have been given no access to Tibet beyond occasional, tightly-controlled delegations of journalists, the last of which took place in 2021⁶⁰. The last time a UN High Commissioner for Human Rights was able to visit Tibet was in 1998.⁶¹

8.3. China accepted a recommendation that it "[r]espond positively" to the invitation addressed to it by the Special Rapporteur on freedom of religion or belief.⁶² This visit has not taken place; the last UN human rights expert to visit Tibet was the former Special Rapporteur on Torture in 2005.

9. Minority rights and China's human rights record since the last UPR

9.1. In 2018, China accepted a broader series of recommendations to uphold the rights of "minorities"⁶³, "marginalised" or "vulnerable" people and ensure inclusive development in the areas

⁵⁷ *Tibet Action Institute*, op cit., pp.17-21

⁵⁸ Information acquired by Tibet Watch, June 2023

⁵⁹ 28.27 Facilitate full access to Xinjiang and Tibet for all relevant United Nations special procedures (Denmark); 28.317 Cease restrictions on the freedom of movement of Uighurs and Tibetans and allow the media and United Nations and foreign officials access to Xinjiang and Tibet (Australia); also 28.41 Strengthen cooperation with the Office of the United Nations High Commissioner for Human Rights and the special procedures (Luxembourg)

⁶⁰ Report to Congress on Access to Tibetan Areas Section 4 of the Reciprocal Access to Tibet Act of 2018 (8 U.S.C. 1182 note) <https://www.state.gov/wp-content/uploads/2022/03/Report-Access-Tibet-004633.pdf>

⁶¹ 'Robinson visits Tibet', *BBC*, 10 September 1998 <http://news.bbc.co.uk/1/hi/world/asia-pacific/168097.stm>

⁶² 28.24 Respond positively to the invitation addressed to it by the Special Rapporteur on freedom of religion or belief (Poland)

⁶³ Note that while Tibetans generally identify as an occupied people rather than a minority within the PRC, violations of their human rights are frequently addressed by human rights bodies with reference to international standards on the protection of minorities.

they live in. Among them was one specific recommendation to protect the rights of Tibetans⁶⁴. Recommendations by Czechia and Finland - both only noted - respectfully called on China to end the practices of “detention, harassment and so-called re-education of ethnic minorities” and “ethnic profiling”.⁶⁵

This final section will provide several key examples of how Tibetans are targeted and punished on the basis of their identity and subject to policies to eliminate their separate identity entirely.

9.2. Language rights

9.2.1. Tibetans continue to be marginalised as a result of the exclusive use of Mandarin in several key areas of governance and education. Tibetan is an official language in the TAR, with Article 4 of the Chinese Constitution expressly protecting minority language rights,⁶⁶ and China’s Law on Regional National Autonomy stating “the organs of self-government of national autonomous areas shall guarantee the freedom of the nationalities” in national autonomous areas “to use and develop their own spoken and written languages and their freedom to preserve or reform their own folkways and customs”.⁶⁷ While Chinese has been the main language of instruction in the TAR for nearly all middle and high schools since the 1960s, kindergartens and primary schools had provided for the teaching of Tibetan. The Law on Regional National Autonomy, states that minority schools “should, if possible, use textbooks printed in their own languages, and lessons should be taught in those languages”.⁶⁸

⁶⁴ 28.275 Strengthen the approach of respecting cultural differences within its territory (Peru)

28.86 Adopt measures, including public policies or laws, which ensure the enjoyment of the right of every person not to be discriminated against in any way, including their sexual orientation, religion or ethnic origin (Mexico); 28.326 Further strengthen the protection of the rights of ethnic minority groups, in accordance with China’s Constitution and international human rights commitments (Greece); 28.85 Adopt comprehensive legislation against all types of discrimination that promotes the protection of persons from marginalized and disadvantaged groups and the exercise of their civil and political rights, as well as their economic and social rights (Honduras); 28.327 Prevent and combat all forms of discrimination and violence, especially against ethnic and religious minorities (Italy); 28.94 Continue efforts to narrow the income gap between urban and rural areas, while paying special attention to ethnic minority areas (Qatar); 28.101 Continue to promote participation, integration and the sharing of development benefits by people in vulnerable situations (Bangladesh); 28.102 Take further measures to ensure the right to development in the entire territory of China, including in remote regions of the country (Uzbekistan); 28.104 Continue to promote participation, integration and the sharing of development benefits by vulnerable groups (Belarus); 28.112 Continue to promote participation, integration and the sharing of the benefits of its development by vulnerable groups (Zambia); 28.120 Ensure the well-being of all its people, based on inclusive development (India); 28.226 Continue to promote economic and social development in ethnic minority areas (Belarus); 28.323 Expand existing programmes that are aimed at ensuring the protection of the rights of minorities (Zimbabwe); 28.324 Further ensure the advancement of the human rights of minority groups (Afghanistan); 28.328 Continue to guarantee the rights of ethnic minorities to participate in the management of State and social affairs on an equal footing according to law (Lao People’s Democratic Republic); 28.320 Respect all the human rights of the Tibetan people and other minorities, including the importance of an environment that is safe, clean, healthy and sustainable, which is essential for the enjoyment of many of these rights (Switzerland)

⁶⁵ 28.191 Ensure freedom of religion or belief and end the detention, harassment and so-called re-education of ethnic minorities, including in Xinjiang (Czechia); 28.325 Protect and promote all human rights, especially the rights of ethnic and religious minorities, including the Xinjiang Uighurs. Discontinue all the Government’s policies and activities, such as ethnic profiling, that are not in compliance with China’s international human rights obligations, and allow the Special Rapporteur on freedom of religion or belief to visit the Xinjiang Autonomous Region (Finland)

⁶⁶ Constitution of the People’s Republic of China, Article 4, www.npc.gov.cn/zgrdw/englishnpc/Constitution/2007-11/15/content_1372963.htm

⁶⁷ Law of the People’s Republic of China on Regional National Autonomy, Article 10, <http://www.asianlii.org/cn/legis/cen/laws/rnal300/#:~:text=Regional%20national%20autonomy%20is%20the%20political%20system%20of%20the%20State>

⁶⁸ Ibid., Article 37

9.2.3. These legal protections have been eroded, firstly by the introduction of the bilingual education policy in 2010 and its ambiguous application; the law on paper suggests that Chinese and Tibetan have equal standing, but in practice has seen Tibetan marginalised in schools at the expense of Chinese.⁶⁹ They were further compromised after Xi Jinping assumed power. In January 2021, the Director of the Legal Affairs Committee of the National People's Congress announced that local laws requiring the use of spoken and written languages among "ethnic minorities" were "unconstitutional" and emphasised the superiority of national laws over local laws in autonomous provinces and regions.⁷⁰

9.2.4. In 2019, the Education Department of Golog Prefecture ordered local primary and middle schools to give lessons in Chinese instead of Tibetan, reducing Tibetan to a single Tibetan language class outside of the main curriculum. Some Tibetan intellectuals in the region voiced their opposition to the policy in writing.⁷¹

9.2.5. In August 2021, authorities in Tehor Rongbacha Township in Kham Kardze Tibetan Autonomous Prefecture ordered Gyalten Getza school to change the school's curriculum and medium of instruction to Chinese and take the school's examinations in the Chinese language. This notice warned the staff to comply with the order or face a forced shutdown of the school.⁷²

9.3. Mass collection of DNA

9.3.1. The University of Toronto's Citizen Lab estimates that since 2016, police have taken DNA samples from 919,000 to 1.2 million Tibetans across the Tibet Autonomous Region, a quarter to a third of its population.⁷³ Human Rights Watch found that samples were taken from children as young as five.⁷⁴ This DNA collection has been carried out without reference to any crime involving those sampled, with one official report portraying the collection as a blanket response required "to effectively crack down on illegal and criminal elements."⁷⁵

9.4. Drago County

9.4.1. During this review period, Free Tibet and Tibet Watch were able to gather detailed information about events in Drago County in eastern Tibet, which between October 2021 and June

⁶⁹ 'China's "Bilingual Education" Policy in Tibet', *Human Rights Watch*, 4 March 2020, <https://www.hrw.org/report/2020/03/05/chinas-bilingual-education-policy-tibet/tibetan-medium-schooling-under-threat>

⁷⁰ 'Local legislation stipulates that ethnic schools use ethnic languages for teaching, and the National People's Congress corrects it: unconstitutional' (地方立法规定民族学校用民族语言教学·全国人大纠正：不合宪), *Sohu.com*, https://www.sohu.com/a/445682714_161795

⁷¹ Information acquired by Tibet Watch, May 2019

⁷² Information acquired by Tibet Watch, August 2021

⁷³ Emile Dirks, 'Mass DNA Collection in the Tibet Autonomous Region from 2016–2022', *The Citizen Lab*, 13 September 2022, <https://citizenlab.ca/2022/09/mass-dna-collection-in-the-tibet-autonomous-region/>

⁷⁴ China: New Evidence of Mass DNA Collection in Tibet, *Human Rights Watch*, 5 September 2022, www.hrw.org/news/2022/09/05/china-new-evidence-mass-dna-collection-tibet

⁷⁵ Ibid.

2022 saw residents face a range of human rights abuses including arbitrary detention, torture and the destruction of cultural and religious heritage. This serves as a case study for how Tibetans are targeted and key aspects of their culture and identity attacked.

9.4.2. Drago County is known for its strong sense of Tibetan identity and has been the setting for numerous vocal protests against the ruling Chinese government and has in response seen a series of violent crackdowns since at least 2008.

9.4.3. Between autumn 2021 and spring 2022, residents of Drago County in Tibet were subjected to heightened levels of surveillance and deployments from police and security forces. During this period, police commanded locals to destroy a number of sites of great cultural and religious significance including three colossal statues of the Buddha, a building housing 45 giant prayer wheels, the residence of a revered spiritual leader and the removal and burning of prayer flags hanging from the monastery.⁷⁶ As mentioned in section 7, Gaden Rabten Namgyaling School at Drago Monastery was also torn down.⁷⁷

9.4.4. At least ten local Tibetans in Drago County were detained and tortured during this period, sometimes for reasons as minor as showing distress at the demolitions. The detainees were subjected to interrogation and severe beatings, with a number of them falling unconscious due to severity of torture, and one of them, a woman, being drenched with cold water in freezing winter weather. Some of those detained were held in an extrajudicial facility used for political 'education'.⁷⁸

9.5. Forced relocations

9.5.1. The forced relocation of hundreds and thousands of Tibetans continued during this reporting period. These relocations were due to land seizures, development projects, demolitions of residences and labour transfer initiatives. Many of these relocations, which often affected thousands of Tibetans at once, were justified by officials as being motivated by development or helping "unskilled" "surplus labourers" find paid work, but the charitable framing contrasts with the absence of any prior informed consent for those affected, and the lack of compensation - or withdrawal of compensation initially offered - for loss of land or property.

9.5.2. Between 2018 and 2019, around 400 Tibetan families from Gonjo County and Markham County in Chamdo, were relocated to neighbouring counties under the pretext of "poverty alleviation". Around 200 families initially relocated from land that was rich in natural resources and caterpillar fungus, with sources confirming that local authorities made promises of compensation and new jobs. A further 200 families were coerced into relocating, leaving some villages empty. The villagers were not compensated.⁷⁹

⁷⁶ Information acquired by Tibet Watch, December 2021

⁷⁷ Information acquired by Tibet Watch, November 2021

⁷⁸ Information acquired by Tibet Watch, January 2022

⁷⁹ Information acquired by Tibet Watch, October 2020

9.5.3. In April 2020, villagers in Rebkong, eastern Tibet, were notified that their land would be confiscated to allow for the construction of the Xining-Chengdu express railway. The notification stated that activities in the notified area such as farming or any construction would annul any right to compensation. There is no evidence of the villagers being granted their right to free, prior, informed consent.⁸⁰

9.5.4. Programmes to shift rural Tibetans into urban areas and low-paid and low-skilled employment expanded during this reporting period. In February 2021, state media reported that since 2015, 2.8 million rural Tibetans had been relocated from pastures and rural areas to urban areas, where they would be given vocational skills training in productive labour.⁸¹

9.5.5. The labour transfer programme has been closely analysed by independent researchers, who have noted its similarities with militarised vocational training programmes targeting the Uyghur people. Despite the programme offering Tibetans skills training, aspects of the policy appear to be coercive, with cadres responsible for implementing the programme setting quotas for relocating Tibetans, with “strict rewards and punishments” to incentivise them⁸² and some of the participating Tibetans were forced to engage in training overseen by People’s Armed Police drill sergeants.⁸³ The programme has seen rural Tibetan farmers and nomads giving up their livestock.

9.5.6. The UNCESCR questioned China on the details of the labour transfer programme in March 2021⁸⁴, in July 2022, the UN Special Rapporteur on contemporary forms of slavery noted “indicators of forced labour” in the labour transfer in the policy⁸⁵ and a group of UN experts raised forced labour and coercion concerns in a letter to the Chinese government in November 2022.⁸⁶ In May 2023, the Committee for the Elimination of Discrimination Against Women recommended in China’s review that it “[i]mmediately halt non-voluntary ‘labour transfer’ and ‘vocational training’ programmes.”⁸⁷

9.5.7. Forced relocations have also affected religious sites. As of the end of 2022, local authorities were planning to relocate the 19th century Atsok monastery in Drakkar County against the wishes of its residents, numbering 157 monks, and local Tibetans. The monastery is due to make way for a hydropower station to be constructed on the River Machu. Appeals by residents to local authorities have not been acknowledged.⁸⁸

⁸⁰ Information acquired by Tibet Watch, April 2020

⁸¹ A total of 2.839 million Tibetan farmers and herdsmen have transferred jobs (西藏农牧民累计转移就业283.9万人), *People’s Daily*, 9 February 2021, <http://xz.people.com.cn/n2/2021/0209/c138901-34573359.html> Note: this number may be inflated due to local cadres being set quotas, incentivised with punishments and rewards.

⁸² Adrian Zenz, ‘Xinjiang’s System of Militarized Vocational Training Comes to Tibet’, *China Brief*, Volume: 20 Issue: 17, 22 September 2020, <https://jamestown.org/program/jamestown-early-warning-brief-xinjiangs-system-of-militarized-vocational-training-comes-to-tibet/>

⁸³ Ibid.

⁸⁴ Committee on Economic, Social and Cultural Rights (CESCR), List of issues in relation to the 3rd periodic report of China, E/C.12/CHN/Q/3, 7 April 2021, <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=4slQ6QSmIBEDzFEovLCuW%2BALqOml1btoJd4YxREVF2X1pjd9sT%2BxNixi%2BdBr2zUBY4RpB9ytQ4JIDUmQQ4edB55K5frZ5RFBCmlG4%2Bn5%2Bjx5fDdmfuWWq%2F1pc%2BdDAW6>

⁸⁵ Contemporary forms of slavery affecting persons belonging to ethnic, religious and linguistic minority communities, Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Human Rights Council, A/HRC/51/26, 19 July 2022, <https://www.ohchr.org/en/documents/thematic-reports/ahrc5126-contemporary-forms-slavery-affecting-persons-belonging-ethnic>

⁸⁶ Mandates of the Special Rapporteur on minority issues; the Special Rapporteur in the field of cultural rights; the Special Rapporteur on the right to education and the Special Rapporteur on freedom of religion or belief, Ref.: AL CHN 6/2022, 11 November 2022, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=27444>

⁸⁷ Concluding observations on the ninth periodic report of China, Committee on the Elimination of Discrimination against Women, 31 May 2023, <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrICAqhKb7yhsoVqDbaslnb8oXgzpEhivjzqMQWEXdMnLjWYjiXOoIsoGNXbO3xCh%2BDeB54ggMR2qUWotAokVEq3glBbabQEg5AwaX6sj8PX30fihB%2F3en>

⁸⁸ Information acquired by Tibet Watch, June 2022

9.5.8. The large Tibetan Buddhist community of Yarchen Gar in Pelyul County saw further forced evictions and demolitions of residences. 3,500 homes were torn down in 2018 with residents instructed to dismantle their houses themselves.⁸⁹ In the summer of 2019, just under half of the western side of the site, where Yarchen Gar's nuns live, was demolished, with local sources stating that around 7,000 people were forcibly removed.⁹⁰ At least some of the former residents were held in internment facilities and subjected to patriotic re-education, including one nun who took her life after she was returned to the facility.⁹¹

10. Recommendations

- Allow Tibetans to peacefully exercise their rights to freedom of expression, association and assembly without fear of arbitrary detention or excessive use of force.
- Publicly disclose the location of all Tibetan political prisoners who are currently being held, along with 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.
- End all forms of arbitrary detention and ensure that any Tibetans who are detained on the suspicion of having committed a recognisable crime are granted their rights to legal representation and, if charged, a fair trial.
- Immediately and unconditionally end the practice of torture or other ill-treatment in prisons and other detention centres. Any allegations of torture should be investigated and those found culpable should be held accountable.
- Ensure that police and security personnel that employ excessive force are held to account through prompt, independent and impartial investigations and appropriate disciplinary measures.
- Close the residential boarding school and pre-school system, permit the teaching of the Tibetan language and other fundamental aspects of Tibetan culture in schools, and allow for the creation of private schools in Tibet.
- Ensure that Tibetans are allowed to peacefully practice their religion and exercise their culture without fear of interference or coercion. This includes ceasing all interference in the selection and education of Tibetan Buddhist lamas, including the succession of the Dalai Lama.
- Resume the two-way dialogue with representatives of the Tibetan people with a view to responding to Tibetans' grievances and resolving Tibet's future.⁹²
- Issue an invitation to the UN Special Rapporteur on Religion and Belief and UN High Commissioner on Human Rights to visit Tibet, guaranteeing unfettered access to Tibet.

⁸⁹ Information acquired by Tibet Watch, September 2018

⁹⁰ 'Photo Shows Dramatic Demolition of Yarchen Gar Buddhist Complex', *Radio Free Asia*, 28 August 2019, <https://www.rfa.org/english/news/tibet/sichuan-yachengar-08282019173854.html>

⁹¹ 'Tibetan Nun Expelled From Buddhist Center Commits Suicide in Internment Camp', *Radio Free Asia*, 14 February 2020, <https://www.rfa.org/english/news/tibet/nun-02142020172455.html>

⁹² A recommendation from New Zealand that China resume the two-way dialogue with Tibet was accepted in 2018: 28.318 Resume the two-way dialogue on Tibet (New Zealand)

- Agree to requests from other UN special procedure mandate holders to visit Tibet and allow them to conduct their work without restrictions or interference once there.
- Ratify the International Covenant on Civil and Political Rights and honour all commitments arising from the Covenant in full.
- Address flaws in the “bilingual education” policy, ensuring that the Tibetan language is permitted as the medium of instruction in schools in Tibet, and that policies blocking its use, such as school closures, intimidation of teachers and regulations on monasteries are reversed.
- Immediately halt the mass, ethnically-targeted collection of DNA samples from Tibetans, discontinue any existing databases storing Tibetans’ genetic information and ensure that any use of DNA testing is strictly limited to investigating crimes or other limited activities, e.g. identifying missing people.
- Permit an impartial investigation into the destruction of cultural and religious heritage in Drago County and collaborate with the Tibetan community to restore the demolished sites and statues with respect and in accordance with their spiritual leaders and traditional practices.