

Annual Report, 2000: Enforcing Loyalty

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Executive Summary

Beijing's obsession with stability and control in Tibet was the predominant theme of the year 2000. China remains one of the few nations in the world which institutionalises human rights abuses and sustains an unacceptable degree of surveillance over and restriction upon - its people. Within this, there is a total disregard of the basic civil and political freedoms such as those of speech and assembly.

The year saw Beijing reinforcing old regulations and imposing new restrictive measures in Tibet to consolidate its control. Heightened restrictions were placed on religious and political activities: control over religious institutions became stricter, a ban was issued on the display of photographs of the Dalai Lama, and monitoring of Party cadres increased.

Conversely, it was also a year when Beijing made some desperate attempts to enhance its image on the international scene. High profile propaganda machinery- like the White Paper

with a specific focus on Tibet- was used in an attempt to convince the world of alleged progress made in the field of human rights and preservation of Tibetan culture. China went as far as to sign the Memorandum of Understanding with the United Nations High Commission on Human Rights on effecting human rights standards.

Since the mid-1990s, Beijing has lobbied intensively in the international arena to transform the "confrontational approach" adopted by many countries in their human rights relationship with China to a face saving bilateral dialogue. However, the serious deterioration in the human rights situation in both Tibet and China calls into question the efficacy of this new approach to human rights. The recent UK Parliamentary Report on China vouches for the futility of such a dialogue and urges the British government to toughen its line.

The principal area of repression in Tibet this year was on religious freedom. The entire Tibetan populace- without exception- suffered infringements on their right to freedom of religious belief. The authorities went as far as ransacking private homes of apolitical Tibetans during surprise checks for altars, Buddhist scriptures, and pictures of the Dalai Lama.

Intensification of the "patriotic re-education" campaign - aimed at indoctrinating the monastic population and the general populace against the Dalai Lama, his "Clique", and the whole foundation of Tibetan culture and religious tradition - was one of the overriding concerns of the year. "Work teams" were sent incessantly to even the most remote monasteries and nunneries to carry out this campaign. However, the imposition of "patriotic re-education" campaign did not undermine the faith of the Tibetans in the Dalai Lama. In fact, many have protested against it and as a consequence have either faced a prison sentence or expulsion from their institutions.

The year 2000 saw increasing paranoia on the part of the authorities with regard to the "communist loyalists" - party cadres and officials at all levels of the "TAR" government. This group of people were especially subjected to multiple and ongoing screenings to test their loyalty to the Communist party. Not only were they expected to be at the forefront in implementing orders, their private lives were encroached upon by close scrutiny and continuous vigilance.

In order to escape the Chinese atrocities and enjoy fundamental freedoms, thousands of Tibetans struggle across the Himalayas every year, even in the harshest winter months. The constant stream of refugees pouring out of Tibet to escape violent repression are confirming the multiple charges of flagrant disregard by Beijing for both ratified and signed international agreements, Chinese laws and the constitution itself. Of the approximately 2,660 Tibetans who have escaped into exile in the year 2000, there were 900 children below the age of 18, 507 women, 642 monks and nuns. These refugees are an ongoing source of information-gathering on the current situation in Tibet. Nevertheless, TCHRD believes that the information contained in this report is a fraction of the true picture of the situation in Tibet today.

Eliminating Political Dissent

TCHRD has documented 26 arrests during the year 2000. All of these arrests have been linked to political activities alleged as "endangering state security". With the revision of the Criminal Procedure Law (CPL), and the redefinition of the charge "counter-revolutionary activities" to "endangering state security", Beijing has re-endorsed the continuing practice of

arbitrary detention to crackdown on "subversive opinions". In most cases, Tibetans were detained either for participating in peaceful protests or for possessing pictures and audiotapes of the Dalai Lama.

Returnees from India also find themselves under close surveillance and control. They are seen as colluding with the "Dalai Clique" and indulging in "separatist activities". Renewed restrictions were imposed on them leading to the expulsion of 29 tour guides and the alleged detention of approximately 50 students returning from schools in India.

Torture is a prevalent occurrence in detention centres and prisons in Tibet, resulting in many serious physical and mental injuries, and deaths. Almost all the prisoners arrested have at some stage undergone severe physical abuse at the hands of either Public Security Bureau officers or prison guards- or often by both. A total of 37 political prisoners had their prison sentence extended, of which nine from Kandze had their sentence extended by five years.

Punitive measures were adopted to test the loyalty of Tibetan cadres to the Beijing regime. These actions included a ban on any religious display and withdrawing their children from schools administered by the Dalai Lama in India. "A freeze in promotion and transfer without hesitation" were stated as punishments for those cadres and government employees who failed to comply with the directive forcing Tibetans to bow to policies that not only affected them but their family members's lives and future as well.

Restricting Religious Freedom

Draconian campaigns aimed at annihilating the distinctive cultural and ethnic identity of the Tibetan race were initiated this year by the Beijing government. Close surveillance and control was exercised not only over the religious institutions, but also over the "cadre contingents" and the general populace. Because religion is central to Tibetan psyche, it is viewed as the root cause of "separatist activities" and instability in Tibet.

Raiding 18 houses of Tibetan members of the Lhasa-based Tibetan Opera Association in June 2000 in order to confiscate religious artefacts, altars, and statues is a clear indication of Beijing's interpretation of Tibetan nationalism as being intrinsically linked to its religious and cultural identity. Strict orders were also issued against the celebration of traditional Tibetan festivals, in particular the birthday celebration of the Dalai Lama.

Under the "Patriotic Re-education" campaign, "work teams" frequented the monasteries and nunneries to indoctrinate the monastic population. Long, drawn-out political classes have left no time for the study of Buddhist scriptures and prayer sessions. One of the core objectives of this campaign has been to combat the deep devotion of the Tibetan populace to the Dalai Lama and the influence of the "Dalai Clique".

The Tibetan Centre for Human Rights and Democracy (TCHRD) has recorded 862 monastic expulsions - including 147 nuns - in the year 2000 alone as a direct consequence of this "patriotic re-education" campaign. With this, the overall number of monks and nuns who have been expelled under the impact of the "patriotic re-education" campaign has now spiralled to 12,271. Nuns and monks comprise approximately 73 per cent of the known 451 political prisoners currently incarcerated in prisons in Tibet.

Cultivating Chinese Superiority

Tibetans continue to face unequal and unfair treatment in the fields of public representation, education, employment, housing, and health services. In addition, the deliberate policy of population transfer of Chinese into Tibet is contributing to further discrimination against Tibetans.

Refugee testimonies reveal a deep-seated racial prejudice among Chinese employers, which automatically categorises Tibetans as "incompetent and backward". It is a common pattern in the employment sector for Tibetans to automatically occupy the lower positions and Chinese the higher posts. As such, many Tibetans have reported the only method of obtaining employment is through bribery and *guanxi* (connections with officials). Widespread wage discrimination is common, with Tibetans receiving salaries that are half, and sometimes even less than their Chinese counterparts for the same job.

The structure and funding of the education system in Tibet today is highly discriminatory, with government expenditure largely concentrated on developing schools in areas with high populations of Chinese settlers. Some rural Tibetans have been forced to finance and construct educational institutions at their own expense. Tibetan parents and children report having to pay extortionate fees and miscellaneous expenses inapplicable to Chinese students, despite claims by the Chinese central government that primary education is free.

Tibetans continue to face large-scale discrimination in housing. Discriminatory allocation procedures ensure that Chinese immigrants are either guaranteed housing on arrival in Tibet or are put at the top of the waiting list. To make room for the new Chinese arrivals, huge numbers of Tibetan families have faced eviction from - and demolition of - their traditional residences. Those relocated were often given no compensation and forced to pay exorbitant rents, often after extended waiting periods.

Communist control penetrates every level of society and Tibetans enjoy no more political freedom of expression today than it did during the dark days of the Cultural Revolution. While there are a number of Tibetans holding positions of authority within this system, they constitute only a token representation, and do not actually possess any real or effective power-making decisions. Most of the time the appointments act merely as legitimising agents for the Party, or function to give the appearance that Tibetans are contributing to running their own country.

Controlling Women and Children

Refugee testimonies prove that many Tibetan women are suffering permanent disabilities and deaths from involuntary and inferior procedures of sterilisation and contraception. Poor health-care facilities, low quality medications, and unskilled medical practitioners lead to low levels of care and hygiene in hospitals. Huge fines are levied for disobedience to the birth control policies and extra children are denied the basic rights to status, healthcare and food.

Women, particularly nuns, continue to face repression for fighting for the right to pursue their religious beliefs within the system. Many are expelled from their nunneries and prevented from undertaking any religious activities and others are faced with lengthy prison sentences. A disproportionate number of Tibetans suffering imprisonment for political or religious beliefs are nuns.

Tibetan children are at the receiving end of an increasingly discriminatory educational system. Not only does the school curriculum lack Tibetan content; but the medium of instruction is Chinese in most schools. Additionally, high fees and prohibitive distances are preventing students from accessing the limited facilities available. With the implementation of age limits on religious institutions, children are also denied monastic education despite their interest in pursuing it.

Tibetan women are doubly disadvantaged when it comes to employment. Many young girls trying to find genuine employment end up in the flourishing trade of prostitution in the urban centres. Prostitution- and the inherent diseases involved- is of serious and growing concern in Tibet.

Impoverishing Tibetans

It is reported that over 70 per cent of Tibetans residing in the "TAR" are living below the poverty line. Issues of poverty and basic survival dominate the daily structure of life in Tibetan areas. A major proportion of the population faces problems of food shortages, access to health care, education, employment and housing.

Beijing makes constant claims about the improvements that have been made in terms of "development" in Tibet. In the name of development, government incentives are provided to a large number of Chinese to settle in Tibet. Their presence threaten the livelihood of the Tibetan people and is central to the government's integration of the Tibetan economy into the Chinese economy. Chinese settlers have come to dominate the Tibetan economy, and today they own virtually all the businesses in Tibet. The cost inflicted by five decades of Chinese rule has left the issue of "development" a tainted and controversial subject.

In contradiction to Beijing's official statements that no taxes have been collected from Tibetan farmers and nomads, in almost every single interview conducted by the TCHRD, Tibetan farmers and nomads specifically mentioned being subjected to excessive taxes. The taxation policy covers almost every aspect of subsistence - ranging from taxes on human life, animals, crops, grass, animal skins and education. Thus, while there exists a right to subsist, the means to do so are severely impaired. There is a distinct absence of any accountability or provision for appeal against what are in most cases harsh, unfair and discriminatory taxes.

Furthermore, unemployment and under-employment remain serious concerns in Tibet. Many Tibetans from farming and nomad families consider themselves employed in the sense that they help to look after the family animals or undertake lowly-paid construction or forestry work, despite their aspirations to other occupations. Their ability to access employment opportunities is seriously impaired by the inequalities deliberately designed into the system. This rural under-employment is all the more acute when it is placed in the context of China's planned urbanisation.

Recommendations

- TCHRD urges international bodies to undertake to ensure that China ratifies the ICCPR and the ICESCR and takes immediate steps to incorporate the norms laid down in the two covenants within their national legislation and initiate implementation of the same.

- TCHRD urges the Special Rapporteur on Racism, Racial Discrimination and Xenophobia to visit Tibet and examine the effects of the Chinese Government's policies on education, employment, public representation, health and education, which discriminates against Tibetan people.
- TCHRD demands that the Chinese government clarify and define the scope and extent of the term "endangering state security" in its Criminal Procedural Law, which in its present ambiguous form is utilised to suppress multiple legitimised rights, including the right to freedom of speech and expression.
- TCHRD demands the immediate and permanent removal of the baton from every member of all branches of security personnel. The electric-shock baton frequently used by police and prison personnel in a brutal and degrading manner has been employed particularly in the gender-specific torture of female prisoners.
- Contravening all international norms pertaining to the rights of the child, the Chinese government has detained Gedhun Choekyi Nyima, the 11th Panchen Lama of Tibet, since May 1995. TCHRD demands the immediate release of this youngest prisoner of conscience in the world.
- Unofficial sanction of prostitution in Tibetan regions is encouraging growth and is a contradiction of practices implemented in the PRC. TCHRD demands that the Chinese government ensures that prostitution in Tibet is curbed by strictly implementing the laws which deem prostitution illegal.
- Tibetans are subject to a harsh and discriminatory unofficial taxation policy. TCHRD urges the Chinese government to lay down a transparent taxation policy, especially in rural Tibet, to ensure a realistic system and a cessation of the misuse of power by the local authorities.
- Based on the policies within Memorandum of Understanding that China signed with the UN High Commissioner on Human Rights in 2000, TCHRD urges the Chinese government to organise human rights educational programmes for government officials, judges, prosecutors, lawyers, police and prison officials, universities and teachers.
- TCHRD urges the international bodies engaged in "bilateral dialogue" on human rights with the Chinese government to recognise that to date it has not yielded any positive results but has been consistently utilised to evade international scrutiny and liability. This unproductive process should be discontinued.
- TCHRD calls for the Chinese government to immediately cease all practices of sending "work teams" to religious institutions, and to desist from all efforts to coerce the monastic population to conform to the policies propounded in the "patriotic re-education" sessions.

Chapter 1: Political Repression

Eliminating Political Dissents

The Chinese government's overriding concern about state stability versus "splittist" forces has led to a series of wide-ranging repression in the political sphere. Any act or view remotely symbolic of Tibetan identity that has the potential to "threaten state stability" and challenge the authority of China's leadership is severely clamped down in the hope that this safeguards the unity of the "motherland".

Political repression on the plateau continued unabated throughout the year 2000. The focus was on the "separatist" activities of the Tibetan masses, which included even such simple and

traditional acts as performing incense-burning ceremonies and displaying traditional altars and photographs of the Dalai Lama. Most of the official pronouncements of prominent leaders of "TAR" in 2000 largely focussed on concerns over political stability.

Beijing hardened its policy towards "splittist" activities and repression was intensified all over Tibet. This current intensification of political repression is an outcome of Chinese government policies that are clearly reflected in the official statements of top Chinese leaders. During the seventh Chinese People's Political Consultative Conference (CPPCC) on 22 May 2000, **Legchog**, Chairman of the "TAR", said, "... government staff should advise local people and their subordinates to oppose splittism and cut ties with the Dalai Lama. The Dalai Lama issue should be studied and any underground organisation activating in Tibet should be filtered and gotten rid of." Vice-Premier **Li Lanqing's** statement at the subsequent meeting of the CPPCC on 1 September 2000 clearly reiterates that "government officials should continue striking hard on splittist activities and oppose the Dalai Lama's counter-revolutionary acts. Moreover, work teams should continue visiting religious institutions and this should be the number one priority in order to ensure peace in Tibet." ¹

Lhasa City experienced an atmosphere of fear and intimidation following an official order in March 2000 which forbade the cadres and government workers from going against the aims and beliefs of the Chinese Communist Party. The same order created furore amongst Tibetan cadres and government employees who were compelled to withdraw their children studying in exile schools and give up religious artefacts from their homes. A Review Committee was particularly set up in June 2000 by officers of the Toelung Dechen County and heads of various townships who threatened local citizens with legal inquest if they were discovered possessing the banned pictures of the Dalai Lama from their homes.

China still fails to honour the protection of all citizens from arbitrary detention and unfair trial. The introduction of the charge "endangering state security" ² in the revised Criminal Procedure Law ³ has now enabled China to legally continue its practice of arbitrary arrest to suppress subversive opinions. The exercise of freedom of expression and opinion - a recurring factor in most incarcerations of an arbitrary nature - is lawfully safeguarded under Article 9 of the Universal Declaration of Human Rights and the provisions of the International Covenant on Civil and Political Rights (ICCPR). Yet in Tibet under Chinese colonisation, peaceful expressions and demonstrations against Chinese policies and directives, possession of forbidden Dalai Lama photographs and the Tibetan national flag, and allegiance to the "Dalai Clique" are common grounds for arrest and detention. TCHRD recognises 26 known arrests recorded in the year 2000 to be arbitrary in nature.

The Third Work Forum on Tibet, held in Beijing in 1994, laid the groundwork for countering "splittist" activities in Tibet. The outcome was the formulation of "Strike Hard" campaign where a "total war was to be waged against the Dalai Clique". The Forum resulted in restrictive policies being implemented in Tibet across various sectors of society. The repression included the rural areas where "loyal" cadres were given important political positions. "TAR" officials placed importance on the fact that rural grassroots officials were "the key force for uniting and leading the masses in an in-depth struggle against separatism, stabilising the farming and pastoral areas." ⁴

The judiciary plays an equally participatory role in intensifying repression in Tibet. The "TAR" Higher People's Court made a determined effort to "strike hard" against political activism and launched co-ordinated actions in a unified manner to execute the campaign with

the "power of a thunderbolt and the speed of lightning".⁵ With the launch of the "Strike Hard" campaign in 1996, law courts at all levels across Tibet conducted legal proceedings with a sense of political fanaticism.

Prison malpractice in the form of torture was a recurring element in all the testimonies provided to monitoring agencies by former prisoners. Supplementary information received during 2000 from former Drapchi Prison inmates on the May Drapchi Protest of 1998 sheds further light on how the dissenting voices of prisoners were silenced through solitary confinement, indiscriminate torture and sentence extension.

Increased restrictions were imposed during 2000 on Tibetan returnees from exile leading to the alleged detention of approximately 50 students⁶ and the expulsion of 29 Tibetan tour guides. The movements of exile returnees - who are viewed with suspicion of being involved in political disturbances - are monitored closely through China's pervasive espionage network and interrogation procedures. The possibility of securing any government related job is non-existent for Tibetans returning to their homeland from period in exile.

Testing Loyalties of Tibetan Cadres

A major focus has been placed this year by the Chinese government on purifying "unpatriotic" elements amongst Tibetan cadre contingents through various coercive measures. The investigation and purification strategies - one of the fundamental objectives in Beijing's battle against "splittism" - has left Tibetan cadres in an ideological dilemma. The Chinese government considers purging disloyal cadres and fast-track economic development on the plateau as its two most effective weapons to combat pro-independence activities.

The punitive strategies to test Tibetan cadre's loyalty to the regime include bans on religious display and recalling their children from attending schools in exile. The Sixth General Body Meeting of the Discipline Inspection Commission of the "TAR" Party Committee held from 15 to 17 March 2000 instructed "all party cadres and government employees to observe orders prohibiting their children to study in schools administered by the Dalai Lama". Those who breach the regulations would be "dealt with seriously", and it can even lead to the cancellation of children's residential cards. "Freeze in promotion and transfer without hesitation" are the stated punishments for those cadres and government employees who fail to comply with the Commission's directive.

These prohibitive measures are strongly reinforced in the policies of the Third Work Forum, which placed great emphasis on fighting against "corrosive influence" and "enhancing internal administration".⁷ Other strategies enshrined in the Third Forum ordered that defecting cadres who have fled into exile be expelled from the Party, and those who delay their return from exile would face involuntary resignation from their jobs in the Party.

Strict orders were issued against the celebration of traditional religious and cultural festivals, especially the birthday celebration of the Dalai Lama on 6 July.⁸ Additional Public Security Bureau (PSB) personnel, People's Armed Police (PAP) and other regional security forces were stationed on the lingkor routes to monitor and record the movements of Tibetans. Staff of various government offices and schools were compelled to assist Chinese officials in identifying government workers and students who made the prohibited circumambulations.

Additionally, if Party members, cadres and teachers continued to involve themselves in "superstitious [religious] activities", they would be "fined in accordance with the Party's regulations."⁹ A telephone number for people to inform on others found taking part in religious activities was also published in the article. According to unofficial reports, fines of up to several hundred yuan have already been issued, in some cases to those found with photographs of the Dalai Lama in their home.¹⁰

Article 39 of the Chinese Constitution stipulates the inviolability of the residence of every citizen of the PRC. However, the extensive raids on 18 houses of members of the Lhasa-based Tibetan Opera Association in June 2000¹¹ is a clear violation of the provision, which states that "Unlawful search of, or intrusion into, a citizen's residence is prohibited."

This year, withdrawals of at least 32 students from five different schools in exile have been reported following renewal of the ban in 2000. While 22 of the students clearly specified the reason as threats surrounding their family members in Tibet, only ten mentioned that they were required to return immediately according to letters from their parents. One of the underlying reasons behind the ban on sending children to schools run by the exile Tibetan government is the official suspicion of "splittist" ideas seeping into the minds of younger Tibetans.

Cases of parents working for the Chinese government in a variety of occupations, journeying to India to take back their children to Tibet have been recorded this year. The majority of the recalled children are adolescents attending high school, some of them were in their final year of studies. The youngest student to have left school midway is an eight-year-old girl who first joined an exile institution in 1996. At the age of four, she walked across the Himalayas with a group of escapees in order to attend school.

Unwilling to place their families at risk, the students made the difficult decision to return to an uncertain future. Both parents and students have expressed regret at their having to abandon their studies in India, especially as the students now face extremely limited prospects for future education or employment in colonised Tibet. In addition, these youths will be subjected to increased discrimination, surveillance and repression for having spent time in an exile school run by the "Dalai Clique".

Increased Restrictions on Exile Returnees

Tibetans in their homeland with a history of visiting India are treated with suspicion; it is assumed that they have political involvement and association with "splittists". Tibetan returnees from India are invariably detained at the Nepal-Tibet border although the duration of their detentions may differ. At the time of detention, the detainee undergoes harrowing interrogation sessions concerning motivation for the visit and future objectives.

Life back in Tibet thereafter becomes one of captivity without actual imprisonment; random surveillance and regular inquiry become a part of everyday life for these returnees. Even juvenile Tibetans are not exempted from such harassment. The detention of 50 students¹² at the border this year and the strict surveillance of **Khenpo Jigme Phuntsok**¹³ substantiate such concerns.

Other Tibetans like **Gonpo Dhondup**¹⁴ have managed to evade detention and escaped into exile. Gonpo, a musician, fled Tibet for the second time and reached India in March 2000.

His first attempt was in 1996 when he joined the Tibetan Institute of Performing Arts (TIPA) in Dharamsala, India. Gonpo returned to Tibet following health problems, whereupon he was detained for 12 days and fined approximately 6,000 yuan (US \$ 750). Despite the fine and detention, Gonpo continued to face harassment due to his trip to India and his former association with TIPA. Unable to cope with the perpetual torment he was subjected to, Gonpo ultimately fled Tibet.

Palden Sangpo ¹⁵ was arrested by Chinese border police while returning to Tibet from India in August 1999. Palden was subsequently detained in Nyari Detention Centre in Shigatse Prefecture, "TAR", and continues to be detained without any formal charges.

A further venue of discrimination awaiting the exile returnees is in the sphere of job opportunities. Here, they are discriminated against simply because the pejorative label "exile returnee" renders them officially unemployable. This is spelled out in an official statement made years earlier by a top Lhasa official, "Those graduates from the Dalai Clique schools who have come to work in Tibet should be controlled strictly; they should not be allowed to work in the party and government or other important departments. Those who are already working in Tibet should be checked, and should be dealt with in different ways according to different matters." ¹⁶ The dismissal of 29 Tibetan tour guides from Shigatse Prefecture Tourist Travel Agency ¹⁷ in Lhasa on 1 July 2000 is in line with this directive. A common factor about all the 29 expelled tour guides was that every one of them was an exile-educated Tibet returnee.

"TAR" Tour Guide Discipline Management Department, established in Lhasa in June 2000, conducted an extensive investigation into 18 branch tourist agencies in Lhasa administered by China International Tourist Service (CITS). According to **Sonam Wangdue**, one of the 29 expelled Tibetan guides who reached Nepal on 27 July 2000, "An inspection committee, dispatched by the newly set-up Guide Discipline Management Department, conducted strict investigations in various tours and travel agencies in Lhasa City functioning under "TAR" International Tourist Service. Inquiries were made regarding our personal backgrounds, particularly the names of educational institutions where we have studied, and any past history of political activism. We were further interrogated concerning our knowledge of guide regulations and made to produce documents to prove our credentials. Within five days prior to the birthday celebration of the Dalai Lama, 29 of us were sacked. However, three Tibetan graduates from Chinese universities were not stripped of their tour guide jobs." ¹⁸

In May 2000, more than a hundred Chinese tour guides were reportedly recruited, thereby minimising employment opportunities for Tibetan guides. Tibetan guides are required to pass a political examination and produce a middle school certificate, either from a Chinese or Tibetan school. The "TAR" Chinese authorities brought out a 13-point guide regulation for Tourist Guides. ¹⁹

Abusing Power

China's revised Criminal Procedure Law (CPL) gives greater scope for abuse of power to law-enforcing bodies. Under Article 60 of the law, an arrest can be authorised on any suspects if "there is evidence to prove the facts of the crime". This has led to the arrest of citizens prior to obtaining solid evidence instead of producing proof of clarification on the principal facts of the crime.

The law increased the period of preliminary detention from seven to 30 days. Moreover, there are provisions within the CPL granting police greater leeway to detain suspects prior to trial. It is during this period of detention that "suspects" are susceptible to the worst kind of treatment, without being given an effective opportunity to have his or her case heard promptly by a judicial or similar authority. ²⁰

Ngawang Kyonmey, released in September 2000 spent two years in Gutsa Detention Centre, Lhasa, for his political involvement. **Jampel Sherab** was detained in Gutsa for 18 months following his participation in the 27 September 1988 independence demonstration in Lhasa. Neither was tried in a court and their detention periods far exceeded the time limit. This exemplifies the Chinese government's blatant disregard for national as well as international law and the UN Covenants to which it is a signatory.

Detentions of Tibetans under suspicion of involvement in political activities are prevalent. Suspects are "subjected to long pre-trial detention with no right to bail or habeas corpus." ²¹ Verdicts are passed despite the fact that the evidence gathered is insufficient to warrant a sentence. **Bangri Tsamtrul Rinpoche**, director of Gyatso Khimlop Institute in Lhasa, was arrested in August 2000. Although no specific reasons for his arrest were issued, it is believed that foreign nationals funded the institution he directed, and this was a major source for suspicion of political activities. He was reportedly detained along with his wife Nyima Choedon and four staff members of the school including an English language teacher, **Gadhe Gya** (30), Tibetan language teacher, **Dawa Dhondup** (35), a Thangka painting teacher, **Gelek Nyima** (30), and Chinese language teacher, **Dawa** (30). Although the four staff members have been released, it was reported that Bangri Rinpoche and Nyima remain detained in Gutsa Detention Centre. No additional information is available on their present conditions or whereabouts.

Political prisoners are not only denied visitation rights but family members are also denied information about the detainee's location. This is a violation of the revised CPL which requires family members of the detainee to be notified within 24 hours of placing him or her under arrest. **Ngawang Choephel**, the exiled musician serving an 18-year sentence for "espionage", was able to see his mother in 2000 for the first time since his arrest in 1995. His mother, **Sonam Dekyi** has repeatedly petitioned for a meeting with him but was turned down until September 2000. She flew over to Chengdu, Sichuan, where she communicated briefly with her only son amid tight security behind two layers of wire mesh. She was refused physical contact and saw him only twice, each meeting lasting for about an hour.

At the time of prosecution, the right to obtain defense is largely ignored in the case of political prisoners, which vitiates the potential legal progress the revised CPL claims to have made. The right to appeal is another area of concern. While there have been numerous cases of successful appeals by criminal prisoners, there is not one single claim of such a case for political prisoners.

Political Prisoners of Tibet

The very term "political prisoner" is not acknowledged by the Chinese authorities. The myth is maintained that no one can be detained solely on account of his or her views or opinions. This, however, contradicts the continued imprisonment of 451 political prisoners, who were all arrested for exercising their right to freedom of expression.

Although the exact number of prisons, detention centres and "re-education through labour" units across the plateau is not available, the fact that there are detention centres above every county level where Tibetan political prisoners are detained for long periods, is indisputable. What is also certain is the severity of treatment meted out to these prisoners. This explains the difficulty in determining the precise number of political prisoners in Tibet.

TCHRD has documented the arrest of 26 Tibetans during the course of 2000. While the nature of arrest and location may vary, all of them have been linked to political activities deemed to "endanger state security". Detention of Tibetans for being discovered in possession of pictures and audio-tapes containing speeches of the Dalai Lama are common. There are other cases of Tibetans being charged with guiding Tibetan escapees into India.

Tsewang, a 22-year-old from Karang Township, Dowi Salar Autonomous County, Qinghai Province was initially arrested after PAP officers suspected him of guiding Tibetans escaping over the Himalayas into exile. His house was ransacked and officials discovered photographs of the Dalai Lama, political leaflets and audio-cassettes. He is reportedly being detained in the Beijing Road Police Station in Lhasa.

While information on detainees is officially limited, even to the extent of missing identities or names, there is no doubt that all of these prisoners were detained for exercising their fundamental human right to freedom of expression. The mode of this expression has lately shifted from staging demonstrations to putting up pro-independence posters at prominent locations in town, in front of county offices or even at religious establishments. In religious institutions, poster incidents have been frequent during "work team" visits. Five monks²² from Thenthok Monastery pasted posters in their monastery with slogans such as "Tibet is Independent" during a 30-member "work team" visit from the Chamdo Religious Department on 1 May 2000. They were all detained in Dzogang County Detention Centre in Chamdo Prefecture.

Arrest and detention while trying to flee into exile is another common feature of repression in Tibet today. While it is impossible to accurately monitor the number of prisoners detained at the border while trying to exit or re-enter Tibet, the fact that these detainees go through interrogation, beatings and other forms of punishment is certain. **Tashi**, a 27-year-old monk from Tashi Cho-Gang Monastery, reached India in June 2000. He was held for three months and nine days in Gutsa Detention Centre during his first attempt to flee Tibet in December 1999.

Reliable sources confirmed the extension during 2000 of prison sentences on nine Tibetans for a further five years. The reason for the additional prison terms is unknown. The nine were arrested on 31 October 1999 during the mass demonstration in Kandze Township, Kandze "TAP" Sichuan Province, demanding the release of **Geshe Sonam Phuntsok**, his assistant **Sonam Choephel**, and another monk, **Agya Tsering**.²³ The nine detainees²⁴ were paraded around the village in order to threaten the other Tibetans with similar consequences. Geshe Sonam Phuntsok remains detained in a prison in Kandze County.

Fresh information on sentence extensions of Drapchi Prison inmates following the high-profile May 1998 protest was received in 2000. According to **Phuntsok Wangchuk**²⁵ from Drapchi unit # 5, ten monks and three nuns have had their sentences extended.²⁶ **Jangchup Dolma**,²⁷ who received six years extension to her existing five years' sentence, is the longest-serving female political prisoners in new rukhag # 3. According to **Choeying Kunsang**,²⁸

Jangchup was accused of being the leader who spearheaded the Drapchi protest in May 1998 and thus received higher sentence extension.

Other arrests this year include the detention of **Tashi Phuntsok**,²⁹ who was associated with a poster incident in Taktse County in Lhasa municipality during the birthday celebration of the Dalai Lama on 6 July 2000. Despite official restrictions, posters displaying slogans such as "Free Tibet", "Tibet Belongs to Tibetans" and "China Quit Tibet", appeared in Taktse County. Following a series of investigations into the incident, Taktse PSB officers detained Tashi. According to them, Tashi's handwriting matched with that on the posters. Details of his current whereabouts and condition are unknown.

Eight people from Sog County in Nagchu Prefecture were detained in March 2000 on charges of political activities. Five of them were monks from Sog Tsendhen Monastery. On the night of 17 March 2000, **Yeshi Tenzin** (32) and **Gyurmey** (28) were arrested and beaten to reveal the names of their "accomplices". Two days later, three monks, **Tenzin Chawang** (63), **Namgyal Soepa** (26), an unidentified monk, and three laymen - **Diru Dadak** (36), **Tsering Lhagon** (40) and **Serpa Sichoe** (80) - were detained in the Lhasa Intelligence Bureau office. Since then the eight have not been seen nor have their family members been allowed to visit them. Additional information from a different source indicates the detention of another four individuals³⁰ from Sog County. While details surrounding their arrest are not clear, it is suggested that they could have been associated with the aforementioned detainees. Of the four, Khedrup is reportedly detained in Lhasa Prison.

Despite the repetition of official avowals that China remains an atheist-Marxist state, Beijing displays extraordinary hypocrisy in its practices. On the one hand, religious artifacts and religious ceremonies are banned to Tibetans, while on the other hand, endorsing a reincarnate high lama is a matter for state manipulation. Many Tibetans have been detained relating to ideological conflicts concerning reincarnation. On 30 December 1999, the Chinese authorities declared a boy named **Lodroe Gyatso** (lay name Sonam Phuntsok) as the reincarnation of the sixth Rating Rinpoche. Eight monks from Rating Monastery were arrested on 17 May 2000 under suspicion of "plotting to kill the reincarnate boy."³¹ The names and details of the eight monks are not available to date.

The political repression of Tibetans is also apparent from the emergence of new "re-education through labour" facilities, the expansion of Outridu Prison - now called Lhasa Prison - and a new construction at Drapchi Prison. Following the 1998 riots in Drapchi Prison, authorities undertook immediate renovations to house more prisoners in solitary confinement, and started restructuring within the prison to impede international investigation and monitoring. There is also evidence of a new three-storey building with balconies, possibly to house the additional prison security personnel stationed in Drapchi to repress further disturbances.³² Lhasa Prison underwent some significant structural changes since 1997, suggesting an approximate doubling of prison capacity.³³ At the beginning of 2000, there were no less than 17 rows of cells from an original count of four cellblocks.³⁴

This year a new "re-education through labour" unit operative in Zethang Village, 10 km east of Chamdo, was reported. Directly administered by the Law Enforcement Department, this unit began functioning since January 1998 although information was received only this year. The unit facilitates 30 rooms, each with a capacity of six prisoners and 30 prison staff. Information received during the time about this unit revealed the detention of approximately

30 prisoners in total, out of which two were held for political reasons each serving three years sentence.

The logistical obstacles in receiving information from all corners of Chinese-controlled Tibet means that precise data on arrests which took place in previous years have only recently come to light. The imprisonment of Lobsang Nyima from Pomda Monastery in 1997 only reached monitoring agencies in 2000. He was detained in September 1997 for refusing to read the literature denouncing the Dalai Lama during a "work team" visit to his monastery. Lobsang was sentenced to five years' imprisonment. There was similar delay in the case of Dawa Dorjee ³⁵ who was sentenced in 1996 by Nagchu Intermediate People's Court to 18 years' imprisonment for having pasted pro-independence posters. He was transferred to Drapchi Prison in 1997.

Prison Abuses

Almost all of the prisoners arrested have at some stage, undergone serious physical abuse at the hands of either Public Security Bureau officers or prison guards - or often by both. Torture is a prevalent occurrence in detention centres and prisons in Tibet, resulting in many deaths. Extortion of confessions is a common malpractice although Chinese Criminal Law prohibits this method of interrogation. In fact the law imposes a heavy penalty on those extorting confessions. ³ Article 43 of the CPL corroborates the same. ³⁷ These enshrined legalities are clearly flouted in the face of ongoing occurrences of torture being employed as a means of intimidation, information gathering and insult to detainees.

Prison authorities appear to relish exercising this barbaric "privilege". Prison official Pema Bhuti, who features prominently in all the testimonies of former female political prisoners, is notorious for her insatiable appetite for punishing and beating nuns. Former inmates of rukhag # 3 of Drapchi Prison say they shudder at the mere thought of her vicious behaviour. From an ordinary prison official, she had risen to the position of head of rukhag # 3 for her "exceptional" abuse of power. She is reputed for addressing nun prisoners as dumo ("evil spirits").

There are reports of death of two political prisoners while in detention during the year 2000. Although the real cause of death is often not given due to restrictions on information - even to family members of the deceased - the frequent occurrence of torture and maltreatment is a clear indication of the causes of death of political prisoners. Article 4 of the Chinese government regulations on detention centres, which came into force in March 1990, provides that beatings and verbal abuse, corporal punishment and maltreatment of "offenders", are all strictly forbidden. In reality there is no one in a Tibetan prison to whom prisoners can complain of maltreatment. Furthermore, testimonies of former political prisoners distinctly indicate that these kind of frequent and violent acts of torture and abusive language are an integral part of the Chinese interrogation system for political prisoners. The occurrence of deaths in detention is indicative of the severity of torture methods.

China undertook to respect the provisions of the Convention Against Torture (CAT) which it ratified on 4 October 1988. It thereby agreed to take legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction. As recently as May 2000, Quio Zong Zhun, the Chinese representative, claimed in a meeting of the CAT that "Chinese authorities have been respecting and complying to the provision of the

Convention", and that "the authorities are making their best possible effort to prevent infliction of torture, and other inhuman and degrading treatment of prisoners."

The beatings meted out to political prisoners by prison security personnel contradicts the verity of the Chinese government's claim of respecting the provisions in the Convention. Two political prisoners from Drapchi Prison, **Lobsang Wangchuk**³⁸ and **Khedrup**³⁹, were victims of such prison beatings that within days led to their premature deaths. Both monks were beaten severely with iron rods by prison authorities during the May Protest in Drapchi Prison. While being beaten, the two were dragged from their prison cells with their hands tied tightly behind their backs and placed in solitary confinement cells. Although both sustained serious injuries prompt medical aid and attention was denied to them escalating their conditions. Two days later, Lobsang Wangchuk was taken to a hospital after his condition worsened; however, he succumbed to his injuries on the way. Khedrup was seen briefly, with his hands and legs manacled, being taken out for interrogation on 17 May by fellow inmates. He died in solitary confinement in late May.

In February 1999 the Chinese government, in their statement to the UN Special Rapporteur on Violence Against Women, made erroneous claims that the protest in Drapchi in May 1998 never occurred.⁴⁰ In April 2000, **Choeying Kunsang** gave a detailed account of the Drapchi incident and the events leading to the death of her friend and prison mate, **Dekyi Yangzom**, and four other nuns⁴¹ on 7 June 1998. According to Choeying, Dekyi came back "black and blue all over having received brutal beatings and was barely able to walk". She told Choeying that the prison authorities jabbed her with an electric shock baton on her breasts; cheeks, and inserted it into her vagina. The next day, Dekyi was required to join a session of collective punishment along with the rest of the prisoners, exacerbating her condition. Choeying last saw her on 13 May 1998.

Not only do these women suffer gross violations of human rights from imprisonment by a highly dubious legal system for peaceful expression of their religious and personal beliefs, but they are constantly suffering barbaric injustices and brutality on their person as inmates. This constitutes a flagrant display of total disregard for the rights, dignity and health of Tibetan women.

In May 2000, in a statement made by the Chinese delegation to the UN Committee Against Torture at the United Nations in Geneva, many claims were made regarding the humanitarian and special considerations received by prisoners in Tibet. Touted examples included, "special consideration [is given] to [the] way of life and special customs of prisoners of ethnic minority" and, "attention is given to the special features and characteristics of different ethnic groups when arranging cultural educational and recreational programmes for inmates of ethnic minorities." The claim of "special consideration" to cultural customs alone has been easily disproved, and the declaration of "cultural educational and recreational programmes for inmates" is patently ridiculous. Claims were also made denying the use of torture, and stating that, "prison authorities administer the prisons and supervise and control prisoners in strict accordance with the principles of "rigorous, civilised, scientific and direct supervision and control of prisoners according to law". No prisoners shall be discriminated against or maltreated. Their legitimate rights are fully protected. And they are given humanitarian treatment."

After the initial beating, which lasted for three hours, 16 nuns were taken away and put into solitary confinement cells from the new rukhag #3 on 1 May 1998. Three of them received

sentence extensions ⁴² while the rest remained in solitary for seven months, until December 1998. The above information received this year from Choeying and fellow inmates from new rukhag #3 refutes the incessant rhetoric made by Chinese government.

With the average sentence during 2000 for females being eight years 11 months, these acts of brutality take a serious, often long-term, toll on the physical and mental health of prisoners. Even seemingly lesser evils are designed to impart extremely debilitating effects. During the winter, work sessions replace the afternoon exercise routine but even this seemingly more humane programme is designed to the detriment of the inmates. Under orders to spin a designated quantity of wool from raw fleece, women are forced to forgo sleep to fulfil the impossibly high quotas demanded. Such abuses inflict a permanent scar on the mental well-being of prisoners.

Prisoners experiencing severe physical as well as mental impediments during and after their release are commonplace. Records of mentally unstable prisoners appear to be on the rise. **Jangchup Dolma**, is clinically insane due to the repeated prison maltreatment she received at the hands of the prison authorities. During the Drapchi Prison Protest, Dolma was incarcerated in solitary confinement for three months. She suffers from ulcers and kidney pain from the torture she has received in Drapchi. At one stage, upon questioning prison officials regarding the incarceration of a fellow inmate in solitary confinement for "showing a bad expression", Dolma suffered six hours of severe beatings. She was constantly subjected to these torture sessions for her outspoken behaviour and lack of respect for the prison officials, and consequently faced constant scrutiny and punishment for many trivial matters, until she finally became mentally unstable.

The provisions in Article 22 (2) of the Standard Minimum Rules for the Treatment of Prisoners ⁴³ which stipulates that, "Sick prisoners who require specialist treatment shall be transferred to specialised institutions or civil hospital" is blatantly ignored in the majority of cases of ailing prisoners.

Following the Drapchi Protest, **Choekyi Wangmo** ⁴⁴ received an 18-month extension to her sentence and suffered severe beatings. Subsequently, she was reported to have gone insane, but was accused of "faking insanity" and subjected to six months solitary confinement and regular beatings. At no stage did she receive any medical attention. Choekyi Wangmo was released from Drapchi Prison on 31 December 1999, and is now in the care of her family; however she does not even recognize them due to memory loss caused by the beatings. She is mentally unbalanced, has sustained many injuries and scars from her punishments, and constantly falls over or collides with objects, necessitating constant care and attendance by her family.

Testimonies describing the situation of female political prisoners must be given full credence, as the many political prisoners who arrived in exile during 2000 have all independently corroborated similar information. This is further supported by the many cognate reports received over previous years. These overwhelming testimonies completely contradicts the claim made in 2000 by **Lobsang Geleg**, former warden of Drapchi and currently head of the "TAR" Prison Administration Bureau, that, "We have ensured the prisoners' basic legitimate rights through legal and civilised management and a variety of ways and forms of supervision, and there had been no case of violating prisoners' rights in recent years." ⁴⁵

Some political prisoners have died while undergoing treatment since they were already in critical health following beatings and other forms of torture. Information received during 2000 about the death of **Jamyang Thinlay** in January 1997 confirmed that he sustained severe beatings from the officials of Chamdo Prison. He was taken to a public hospital in Chamdo for treatment where he died three days later. Thinlay was only 28 years old at the time of his death. There are many cases of political prisoners dying shortly after their release. A case in point is that of **Ngawang Jinpa**⁴⁶ who died a little over a month after being released on medical parole on 14 March 1999.

According to **Norzin Wangmo**⁴⁷ "very often if the dead body of a prisoner is badly marred, prison authorities do not hand over the body to the family members, thereby preventing family members from performing the last rites." **Sholpa Dawa**, a 60-year-old tailor from Lhasa died while in detention on 19 November 2000. He was reportedly, taken for a brief check up to a hospital outside Drapchi Prison complex just a few days prior to his death. His body was apparently not handed over to his family to perform the last Buddhist rites.

Political prisoners normally experience deteriorating health conditions during their terms of imprisonment. Access to medical attention rarely exists, and this is the most frequent complaint against prison authorities by former political prisoners. Not only are they refused medications and treatment for minor illnesses or injuries, but serious cases are ignored and exacerbated by further maltreatment and malnutrition. Officials are only forced to act when the prisoner is in a near death situation, and by then it is often too late. Reports indicate that females are even denied access to basic sanitary supplies and washing facilities.⁴⁸ Australian Senator, **Bob Brown**, released a report on his November 1999 unofficial visit to Tibet in which he relates, "a young nun underwent abdominal, and presumably, gynaecological surgery in a Tibetan prison without being told why. The result has been a protracted and apparently irremediable deterioration in her health. As a former medical practitioner, I am horrified by the details of the case."⁴⁹

Former inmates have expressed reasons for their reluctance to avail themselves of medical treatment. **Lhundup Monlam**, a former political prisoner said a clinic existed in Drapchi Prison but "I did not go there as they provided only outdated medicine There was only one medicine prescribed, whether we had a cold or headache. The political prisoners could not get proper medicines."⁵⁰

One of the many negative outcomes of the Drapchi Protest is the curtailment of communication for political prisoners. While non-political prisoners can continue to receive letters, this facility has been terminated for political prisoners. This clearly undermines the provision in the Standard Minimum Rules for the Treatment of prisoners, which allows prisoners "under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits."⁵¹ Surveillance cameras and bugs have also been installed in each cell.

There have also been cases where criminal prisoners are kept with political prisoners to spy on them. The former are often rewarded generously if they manage to acquire information, and seriously reprimanded if they fail. This results in non-political prisoners concocting stories in order to either receive rewards or avoid reprisals.

The case of **Tseyang** and her unfortunate death is a classic example. In 1995, Tseyang was sentenced to six years in Drapchi Prison, old rukhag # 3 with other female political prisoners.

The notorious Pema Bhuti, head of unit # 3, assigned her to spy on the nun prisoners. Tseyang was pressurised to such an extent that she finally committed suicide in the winter of 1995. She was only 15 years old. ⁵²

Chapter 2: Restricting Religious Freedom

The Chinese authorities continued to exercise state control of religion throughout the year 2000 in the belief that religion breeds instability, separatism and subversion. The massive crackdown designed specifically to purge the influence of religious belief amongst Tibetans has affected religious freedom on the plateau in major ways. Renewed and more draconian campaigns were initiated this year, aimed at annihilating the distinctive cultural and ethnic identity of the Tibetan people through operations ranging from the aggressive anti-Dalai Lama campaign, to imposition of restrictions on religious practices for the "cadre contingent", to increased control and surveillance of religious institutions. A new wave of regulations were launched that subjected monasteries and nunneries to greater scrutiny and control.

At a work meeting on Tibet held in Chengdu, Sichuan, on 20 April 2000, attended by **Chen Kuiyan** (the outgoing Party Secretary of "TAR"), **Raidi** (Executive Deputy Secretary for Chinese Communist Party in "TAR") and **Guo Jinlong** (the new Party Secretary), the prevailing instability and disharmony in Tibet was attributed solely to religion and the Dalai Lama, who was vilified for using spirituality as a tool to oppose the Chinese government.

The meeting's internal document, which was circulated secretly in June, calls upon all concerned officers in the "TAR" to enforce stringent laws that restrict participation in religious practices and forbids people from displaying or possessing pictures of the Dalai Lama or displaying altars. The objective is to efface Buddhist religion from the Tibetan horizon. The Chengdu document further denounces as illegal the customary observance of *sangsol* (incense-burning ceremony) near Kuru Bridge in Lhasa on the third day of the Tibetan New Year and the Dalai Lama's birthday celebration in July. The authorities are directed to curb such practices in the future.

During the third meeting of the seventh CPPCC held in "TAR" on 10 May 2000, **Dongbu Tsering Dorjee** stated, "To achieve obliteration of religious faith that is manifested in our sensibility and mannerism is an important responsibility."

Tibet's enduring religious tradition, a perennial area of concern for Communist China, is viewed as the fountainhead of instability and "splittist" activities in Tibetan regions of the PRC. Chinese antagonism towards Tibetan Buddhism originates from a fear of national unity and identity, since religion is central to the Tibetan psyche. Religious practise per se, is viewed as an obstacle to China's economic "development" of the region and monks are criticised vehemently for their lack of contribution to economic growth. The Party's basic policy on religion is reflected in the 1999 speech of President Jiang Zemin ¹ on the correct implementation of the Party's religious policy, management of religious affairs according to law and adaptation to socialist society, as the three-fold solution to "handle religious problems".

In their White Paper ² on "The Development of Tibetan Culture", the Chinese authorities state that "The state respects and safeguards the right of Tibetans and other ethnic groups in Tibet to live their lives and conduct social activities in accordance with their traditional

customs, and their freedom to engage in normal religious activities and major religious and folk festival celebrations. The central people's government and the government of the "TAR" have all along paid special attention to respect for and protection of the freedom of religious belief and normal religious activities of the Tibetan people." Conversely, a strongly-worded statement made to the "TAR" People's Congress a month earlier in May by **Legchog**, Chairman of the "TAR" People's Government, indicated that the authorities in "TAR" have made further plans to strengthen control over religious activities.

Thousands of Tibetans continue to flee Tibet, the most prominent being the 17th Karmapa, **Orgyen Trinley Dorjee**, who had previously been projected as a major pro-Chinese religious figure since he was recognised by both the Chinese government and the Dalai Lama. The clandestine escape of this high-profile Tibetan religious leader in the last days of the 20th century was a major cause of embarrassment for the Chinese government whose initial explanation for the escape was that he was collecting religious instruments from India. After the dramatic freedom dash of the 14-year-old Karmapa, extensive investigations and interrogation led to several arrests and detentions in and around Tsurphu Monastery, near Lhasa, traditional seat of the Karmapas in Tibet.

The Chinese government has never understood the true strength of Tibetans' belief in their religion, in the institution of the Dalai Lamas and in the authenticity of their historical claim to nationhood. In an internal official document circulated secretly in June 2000, reference was made to Karmapa's defiant act against the Chinese government in corroborating the prevalent religious repression when he stated he had limited freedom to study and practise religion in Tibet.

In his public speech in Dharamsala on 19 February 2000, the Karmapa said, "...over the last two or three decades, Tibet has suffered great losses. Tibetan religion and culture have reached the point of complete destruction."

Another major defection to make headline news in 2000 is that of 49-year-old **Agya Rinpoche**, Abbot of Kumbum Monastery in Qinghai Province (Amdo), who stayed back in the United States in 1998 and was granted political asylum. He was on an official foreign tour at that time in his capacity as Vice-President of the Buddhist Association of China and Deputy Chairman of the Qinghai People's Political Consultative Conference. In his first public statement thereafter, in March 2000, he spoke at length on the lack of religious freedom in his monastery in particular and the whole of Qinghai in general. In June, China's official news agency, *Xinhua*, carried a brief report about the removal of Agya Rinpoche from his earlier post within the Chinese Communist government but published no reasons for his dismissal. With Agya Rinpoche's defection and recent condemnations, Beijing was faced with further credibility crisis.

The Chinese Constitution stipulates that freedom of religious belief is one of the fundamental rights of every citizen. Article 36(3) of the Chinese Constitution pronounces that "The state protects normal religious activities." Article 18 of the Universal Declaration of Human Rights (UDHR) provides for the right to freedom of thought, conscience and religion and the freedom to manifest religion and belief in teaching, practice, worship and observance whereas Article 27 of the International Covenant on Civil and Political Rights (ICCPR) guarantees the members of ethnic, religious or linguistic minorities to profess and practice their own religion. Section 147 of the Chinese Penal Code stipulates that officials who are convicted of illegally depriving citizens of their right to freedom of religious belief are

subjected to up to two yearsâ imprisonment. No officials have been charged with this crime so far, despite massive violations of religious freedom across China.

"The Basic Viewpoint and Policy on [the] Religious Question During Our Country's Socialist Period" formulated in March 1982 issued a clarion call for the cadres at both Party and State level to follow "correct and effective" methods in the implementation of religious policy.³ More popularly known as "Document 19", it is regarded as Beijing's "most authoritative statement on the permissible scope of religious freedom". The verdict on the eventual fate of religion - which according to the document, "shall disappear from human history through the long-term development of Socialism and Communism"- reeks of blind atheistic dogma.

A further set of more specific restrictive religious policies were determined by the Third National Forum on Work in Tibet held in July 1994. The Forum produced a set of guidelines for stricter control over monastic institutions, a ban on unauthorised construction of religious buildings, numeric limits on the monastic population, and restriction on Tibetan Communist cadres practising religion. One of the key components of the Third Forum is the especially "hostile and aggressive campaign" initiated against the Dalai Lama whereby instability in Tibet is blamed on the alleged secessionist influence of the Dalai Lama and the "Dalai Clique". It is evident from the reports of massive religious intolerance prevalent in the year 2000 that the Forum policy guidelines are still being maintained and carried out by the Chinese authorities.

Buchung Tsering, a former Vice-chairman of the "TAR" government, declared in 1987 that out of more than 2,700 monasteries existing in Tibet in 1959, 550 remained in 1966 and only eight were still standing by the end of Cultural Revolution. China's White Paper on human rights in Tibet, issued by the authorities in February 1998, fixed the extant religious institutions at 1,787 and monks and nuns at 46,380 within "TAR". While briefing US House Representative Matt Salmon about Tibet's political affairs, history, culture, education and religion, Passang (Ch: Basang) said, "There are 1,700 religious venues of all kinds and 46,000 monks and nuns in the region to satisfy the needs of the religious followers."

The 1999 Annual Report of the US State Department on "Human Rights Conditions in China and Tibet", released on 25 February 2000, comprehensively details the "poor human rights record which deteriorated markedly throughout the year". Besides reference to "an increasing attack on Buddhism by the Chinese government," there were "reports of imprisonment and torture or abuse of monks and nuns accused of political activism and closure of several monasteries". Canadian Cabinet member **Raymond Chan**, after his visit to Tibet, emphasised on 8 June 2000 that religious repression is "worsening" in Tibet where government officials are being refused the right to practice as Buddhists and ageing monks are being forced to retire from monasteries. "The control on religion is getting worse. On the surface you won't see much but below there are concerns," he added.⁶

Indoctrinating Monks and Nuns

The ongoing "patriotic re-education"⁷ in religious institutions since 1996 stifles the right of Tibetan monks and nuns to exercise their religious freedom. In contravention of the many international covenants to which China has been a signatory, Tibetan monks and nuns are forced to abrogate their belief, practice and allegiance. In March 1998, "TAR" Deputy Party Secretary **Raidi** said that "patriotic re-education" had "rectified 35,000 monks and nuns in more than 700 religious institutions". Legchog, Chairman of the "TAR", at a meeting of

"TAR" People's Congress on 22 May 2000, boasted that 1,300 monasteries and nunneries in the region have been rectified by "patriotic re-education" and further emphasised the need to "conduct frequent education on patriotism in key monasteries so that leadership over monasteries will always remain in the hands of patriotic religious personalities."

Traditional studies of Buddhist scriptures have been sidelined with the forced indoctrination of monks and nuns studying China's version of history, politics, law and religious policy. Their text books include "History of Tibet", "Propagation of Opposition to Splittists", "Propagation of Knowledge about the Legal System" and "Explanation of the Policy on Religion."

Long drawn-out political classes and frequent visits by "work team" are serious infringements on normal monastic education. The period of "re-education" generally ranges from three months to a year and the "work team" may make more than one visit. Sessions commonly run from nine in the morning to six, with an hour's lunch break. Problems arising out of restrictions on religious activities and forced expulsions from monasteries are the main causes of fear and apprehension among the religious fraternity.

One can ascertain the level of disruption to monastic studies from the calendar of political indoctrination at Tsang Monastery ⁸ since 1996. The first "work team" visited Tsang Monastery in June 1996; the second series of visits were in January, June and August 1997; and the third series were in January, May, June and August 1998. A case illustrating the curriculum of "re-education" campaign is the visit of 50 Chinese "work team" officials to Kumbum Monastery ⁹ in the autumn of 1998. For a three-month period, the officials held regular "re-education" sessions on the importance of "patriotism" and opposition to "splittism" and the Dalai Lama. The "work team" officials conducted examinations at the end of every session; the monks were compelled to answer according to earlier instructions.

Driven to the Edge

The gruelling "re-education" classes play havoc with the mental equilibrium of monks and nuns, sometimes leading them to take extreme steps. Incessant political brainwashing is followed by intensive interrogation procedures that the "work team" members employ to force the clergy to reiterate party principles. Most of the time monks and nuns are faced with a catch-22 situation when their basic religious beliefs are grossly violated by Chinese orders to conform to the Marxist view of religion. In such cases the victims undergo extensive mental agony — sometimes driving them to commit suicide.

The mysterious death of **Tashi Rabten** on 1 May 2000 occurred just after a 30-member "work team" interrogated and then forcefully led him to the private hall of Thenthok Monastery ¹⁰ to search for photos of the Dalai Lama. Soon after, fellow monks discovered Tashi lying on the ground in a critical condition. He had reportedly fallen from the third floor and died immediately, despite efforts by the monks to save him. Local residents speculated that Tashi's death was pre-meditated murder and even asked the authorities for clarification and voiced strong resentment. On 3 May, PSB officials announced that a heavy prison sentence would be imposed on anyone who dared to blame local officials for this death. They denied any responsibility and described the death of Tashi Rabten as a case of suicide.

At the height of the Panchen Lama imbroglio in July 1995, monks of Panchen Lama's monastery, Tashi Lhunpo, staged a mass protest at a meeting attended by Raidi and Gyaltsen

Norbu, both Executive Deputy Secretaries of the "TAR". After several arrests and a few posting incidents, the monks underwent violent political "re-education" for 12 hours a day. The purpose of this "re-education" was to force them to denounce the Dalai Lama, Gedhun Choekyi Nyima (the Panchen Lama recognised by the Dalai Lama) and Chadrel Rinpoche (abbot of Tashi Lhunpo) and "to point out other's fault and to accept one's own crime". The eight Chinese police and "work team" members repeatedly beat the monks and tortured them by pointing guns and threatening to shoot. Unable to bear this torture, **Wangdu**, 25, a Tashi Lhunpo monk, committed suicide on 17 July 1995.

De-populating Religious Institutions

Various policies designed to rid the monastic institutions of their monks and nuns were introduced in all parts of Tibet in 2000, aimed at turning monasteries and nunneries into places housing only a handful of caretakers.

Chinese authorities often exert excessive control over the admission process for novice monks and nuns in religious institutions, expelling those below the age of 18 years. **Abdelfattah Amor**, the UN Special Rapporteur on Religion, was told that members of China's minorities were exempted from the 18-year age limit. In his report, Mr. Amor called on China to introduce legislation guaranteeing the right of religious belief to minors. ¹¹ Building monasteries in Tibet and recruiting new monks and nuns are viewed with great concern by the authorities. Official ceilings, besides confirming the denial of the right to study and practice religion, also result in the depletion of the monastic populace.

An official order issued in mid-2000 compelled the mass withdrawal of juvenile monks and nuns from institutions in various counties under Lhasa City. Cadres and government employees were instructed to withdraw their children from monasteries and nunneries or face imprisonment or expulsion from their employment. Approximately, 13 nuns from Potoe Nunnery and 20 monks from Sera Monastery in Phenpo Lhundup County were withdrawn from their respective religious institutions following the official order. **Tsering Karma**, an official from Chusang Township in Toelung Dechen County, removed his three children - two nuns and a monk. **Lhabu** and **Paldon** from Village Number Two, Tsodue Township, withdrew their son and daughter from their respective monastery and nunnery. **Tenpa Samphel** and **Pema Youdon** withdrew their son while **Jampa Wangyal** took his daughter back from her nunnery.

Additionally, the forcible retirement of monks and nuns who are over 50 now endangers the very survival of Tibetan Buddhist tradition, since senior religious practitioners have played a pivotal role in the transmission of religious teachings. According to the London-based monitoring agency, Tibet Information Network (TIN), "the move represents a serious threat to the Buddhist tradition in Tibet and is a new dimension to the patriotic re-education campaign". In one such case, 49 out of 52 senior lamas from Younging Monastery in Gonlung County, "Haidong Tibetan Autonomous Prefecture," Qinghai Province (Tib: Amdo), were ordered to retire permanently from their religious duties. ¹²

Numeric limits on the total enrolment of monks and nuns are today controlled by Chinese government regulations. A 10 March 1995 article in *Xizang Ribao* stated that "overstaffed monasteries must liquidate their excesses".

The role of the "work team" members in executing such limitations is paramount. Of the 40 monasteries in Ngaba County, Sichuan Province, Kirti Monastery was the largest with more than 3,000 monks. The "work team" that arrived at Kirti Monastery in the winter of 1999 decimated the monk population to 600. Then in Pashoe Monastery ¹³, officials enforced age limits in 1998 compelling many monks to leave. Currently, the maximum number of monks allowed at the monastery is 238. There are, however, additional 140 monks who have been officially expelled but who still surreptitiously continue their studies and leave during "work team" visits.

Usurping Traditional Authority

With responsibilities for monastic discipline and the curricula under their control, the Democratic Management Committees (DMCs) have usurped the historic authority of abbots, the traditional head in a monastic hierarchy. These DMCs often play repressive role by collaborating with security officials in the arrest and expulsion of monks. ¹⁴ In regulating religious affairs, finance, security and study, committees vary widely in the degree of control they exert; at larger monasteries, their involvement is more repressive, while smaller or more remote monasteries may continue to be relatively independent- and relatively democratic. ¹⁵

The official rationale behind the establishment and objectives of DMCs as laid out in the "Golden Bridge Leading Into A New Era" ¹⁶ is thus:

"The Democratic Management Committees in all monasteries are the grassroots unit of our administration, and they assist in administering the monasteries. We must choose well the members of the DMCs so that those who have authority over monasteries are patriotic devotees who act according to the civil and religious laws. We must enhance the understanding of the monks and nuns about patriotism and law."

The "work team" members in conjunction with DMCs seek to identify, expel and arrest dissident monks and nuns, and ensure that party principles prevail over Buddhist doctrine. On their second visit to Yungtrung Peri Monastery ¹⁷ in September 1999, a two-member "work team" held a meeting with the monastery's DMC to review its functioning and the conduct of its monks. The DMC was ordered to continue the Îre-educationâ campaign and told that officials would pay regular visits to the monastery to check the maintenance of discipline. Fifteen monks - 12 under age and three over age - were expelled from the monastery.

Outlawing Traditional Rituals

On 8 January 1999, a meeting of the "TAR" Propaganda Department decided that "**atheism is necessary to promote economic development in the region and to assist the struggle against the infiltration of the Dalai Clique**". The most direct contravention of the Universal Declaration of Human Rights and other international norms is the Chinese government's policy forbidding Tibetans their religious beliefs and traditional practices. The nation is now deprived of its right to faith and religion, and lacks the freedom to engage in religious training fully and freely. Restrictive measures, previously targeted at government workers and Party members, have now been extended to the Tibetan community at large in Lhasa.

The implementation of more radical restrictive policies, like the March 2000 directive, prohibits Tibetan government workers and Party cadres from displaying pictures of the Dalai Lama, hoisting traditional symbolic prayer flags, and installing juniper hearth for incense-

burning. During one search operation in June 2000 conducted on 18 houses of members of the Lhasa-based Opera Association, Chinese officials forcefully seized religious belongings including altars, thangka-paintings, statues, and other religious artefacts. These were finally dumped into the nearby Kyichu River. Following the sudden raids, many Tibetan government employees and cadres have reportedly shifted their altars and religious artefacts to neighbourhood monasteries for safekeeping. A similar incident was reported in Sog County where government officials including health workers were forced to remove their butter lamps, thangkas, altars and pictures of the Dalai lama from their homes. In Lhasa, two students were reportedly suspended from school for having offered prayers for success in their examinations.

The Central Committee of the government of Lhasa distributed a circular on 26 January 2000 directing Tibetans not to participate in Tibetan New Year incense-burning ceremonies at the main bridge linking the Sichuan-Tibet highway with Lhasa. The circular defended the order with statements like **"the incense-burning ceremony near the bridge attracts not only large numbers of people and vehicular traffic, but also prevents the free flow of traffic on the highway and adversely affects the normal social life of the masses of people during the period of festivities"**. The authorities raised concerns in the circular about "national unity" and "stability" and concluded, **"if the ceremony goes ahead there is every possibility that the splittist forces will exploit the gathering of such large crowds of people to create situations and cause disturbances."** Major Buddhist festivals like *Lhabab Duchen* (Buddha Shakyamuni's Descent from Heaven) in November 2000 drew few celebrants in Lhasa due to intensified control over traditional celebrations. This festival, considered to be one of the permitted public events by the authorities, was a strange juxtaposition of political tension and subdued celebration.

The Chinese Communist Party believes that a considerable number of their leading cadres at various levels are not "well versed" in the party's basic doctrine and policy towards religion. **"The lower the level, the more confused is the mind of our cadres about religion"** ¹⁸ and hence, the urgency to energetically implement President Jiang Zemin's suggestions for the need to minimise religious influence and propagate the Marxist view of religion.

The ban by the authorities on circumambulation (a religious ritual for Tibetans) around Lhasa City was enforced during the Buddhist festival of *Saga Dawa* (the month of Buddha's Birth, Enlightenment and Death) in June 2000 for one whole month. This ban had the most affect on government cadres, retired workers and students who were threatened with dismissal from job, loss of pension and expulsion from school. Reliable reports indicate that security cameras were positioned at strategic corners to scrutinise "culprits" who violate the ban order. Even the ritual of changing prayer flags outside homes were banned for government workers at the time of Tibetan New Year in February 2000.

Similar ban affected all schools in Lhasa just few days before previous *Saga Dawa*, with a circular issued by "TAR" Education Department. In June 1999, school authorities of Lhasa Middle School # 8 announced during its regular assembly that the students were forbidden to make traditional *Lingkhor* and participation in *Trungha Yarsol* (birthday celebration of the Dalai Lama). They were threatened with expulsion from school if caught.

The ban imposed at the start of 2000 in Nyemo County, Central Tibet, forbids Tibetans - particularly officials in that area - from circumambulating stupas, offering butter lamps, keeping altars in their homes or even performing religious rites for the deceased. Orders were

issued to the Tibetans to either take down or replace traditional prayer flags with China's national flag. Altars were removed from the houses of government doctors, teachers and retired staff by the township and county authorities following the orders. In February 2000, all the monks and nuns related to officials in Nyemo County were instructed to "voluntarily" leave their religious institutions. The authorities maintained that adherence to such enforced instruction would "strengthen the image of Tibetan officials and their reputation in the government offices of the PRC".

Over the years, the Chinese government has stepped up efforts to reduce the amount of offerings and donations to monasteries by the laity. Sichuan Party Secretary, **Zhou Yongkhang**, on 13 March 2000 accused Tibetans in the province of wasting money by making donations to Buddhist monasteries and thus becoming destitute. He further said, "**Promoting religious freedom has caused people so much hardship. Although the Tibetan people live a harsh life, they donate 30 percent and sometimes two-third of their income to the monasteries. But what's the point of talking about the future when you ignore the present.**" ¹⁹ The people's goal, prefecture authorities said, should be to "**invest our money in commercial production instead of giving to monasteries.**" ²⁰

Discrediting the Dalai Lama

China's characterisation of the Dalai Lama has grown more aggressive over recent years. A core Chinese political strategy is to thwart the deep devotion of the Tibetan populace to the Dalai Lama through denunciation campaigns that are specifically incorporated in the 're-education' programmes. The authorities choose to link faith in the Dalai Lama with "separatist" activities and therefore make use of every possible avenue to flush out this inherent Tibetan symbiotic relationship. Bans were imposed in 2000 on the display of photographs of the Dalai Lama and on the participation in his birthday celebration. Overt expressions of opposition to the Dalai Lama constitute one of the five political pledges required to be signed by monks and nuns in every "re-education" examination. Often, this has led to protests, expulsions and the arrest of monks and nuns.

For as simple an act as seeking an audience with the Dalai Lama in exile in India, the Chinese authorities have reportedly kept **Khenpo Jigme Phuntsok** under strict surveillance since the beginning of 1999. Khenpo, the eminent founder of Ngarig Nangten Lobling Institute, in Eastern Tibet, was granted an audience by the Dalai Lama in Dharamsala in 1993 after which the Chinese government imposed absolute restrictions on his movements within and outside Tibet. Even visits to the nearest county have been denied to him. Kandze PSB officials additionally ordered Khenpo Jigme Phuntsok not to keep any pictures of the Dalai Lama in his room or at his Institute. Earlier reports indicate that Khenpo was confined to his three-storey building. No further information is available on his current status or well-being.

Guo Jinlong, the newly-appointed "TAR" Party Secretary, said during his speech at the All-Tibetan Conference on Ideological and Political Work on 17 September 2000, "**The facts prove that the Dalai is the overall chief of an outright separatist group, a loyal tool of international anti-China forces, the overall source of turbulence in Tibet, and the greatest obstacle to the establishment of a normal order in the transmission of Tibetan Buddhism.**" The earlier indictment of the Dalai Lama as a political figure, described as the "root cause of Tibet's instability", has now been escalated to cover his religious status as well. In mid-September 2000, red banners denouncing the Dalai Lama were displayed prominently

outside Tibet University in Lhasa, a clear indication that the hard-line policies of the central authorities are unchanged. ²¹

Chen Kuiyan's statement of May 1996 that "we do not recognise the Dalai Lama at all as a religious authority" is nothing but a polemical attack on the religious standing of the Dalai Lama. It was stated earlier that since the Dalai Lama and his followers had spread rumours and incited one group against the other, "in what way can he be regarded as a spiritual leader?" This denunciation campaign targeted to instil seeds of doubt in Tibetan minds about the status of the Dalai Lama both as a political and religious figure has proved to be counterproductive. Such propaganda is liable to increase the devotion of the majority of Tibetans to the Dalai Lama and increase their opposition to Beijing.

The claims made by the Chinese government in its White Paper on Tibetan Culture released on 22 June 2000 blatantly contradict the ground reality of restrictive religious policies that grossly violate the rights of Tibet's populace. Lhasa City Discipline Inspection Commission during its sixth general body meeting held from 15 to 17 March 2000, barred citizens from acts of worship, from considering the Dalai Lama as an enlightened being, sending their children to schools run by the Dalai Lama in exile and pursuing the path of the "Dalai Clique". The Commission further stressed that those violating the statutory law shall be subjected to severe punishment following strict investigations.

Another sign of escalation of religious restrictions in Tibet is the ban on photographs of the Dalai Lama. The entire Tibetan populace is now covered by the new restrictions that previously applied only to Communist Party members, government officials and employees, and the monastic body. In March 2000, Chinese security forces conducted extensive raids on Tibetan homes in Lhasa, searching for religious artefacts and photos of the Dalai Lama. 450 Tibetans were fined 500 yuan each (US\$ 60) for having the Dalai Lama's picture on display in their homes. It was mandatory in most of the monasteries and nunneries to remove pictures of the Dalai Lama.

During 2000, privately-owned printing and publishing companies were banned from publishing and distributing photographs of the Dalai Lama by the regional branches of "TAR" Propaganda Department, the Cultural Printing Press and the PSB. Recent measures indicate an increasing determination to enforce this ban, and there are indications that printing companies have been pressurised not to respond to the demand in Lhasa for photographs of the exiled 17th Karmapa. ²²

Restrictions on photographs have even affected rural areas of Central Tibet like Phenpo Lhundup County and Toelung Dechen County. In June 2000, a Review Committee set up by officials of Toelung Dechen County and heads of various townships undertook extensive raids to flush out pictures of the Dalai Lama. Forcible seizures of these pictures from the homes of Tibetans took place in as many as 10 townships in Toelung Dechen County. ²³ In the third week of June 2000, Committee members set the confiscated photographs of the Dalai Lama ablaze in Nangkha Township. The Review Committee threatened local Tibetans with legal investigation if pictures of the Dalai Lama were discovered in their homes.

Lhasa Municipality Industrial and Commercial Bureau issued a circular on 26 June 2000 titled: "Concise Information about the Lhasa City People's Government abolition of the Illegal Occupation of *Trungha Yarsol*". The circular rendered participation in *Trungha Yarsol* "illegal". The circular accused the "Dalai Clique" of "instigating disturbances in

various parts of Tibet, relying on pretexts like the celebration of Trunglha Yarsol to try to split the motherland". The order further noted that the government would take "necessary action towards this illegal occasion and therefore it is expected that people will not participate." Two beggars, upon instruction and on being paid 100 yuan (US\$ 12) by Lhasa PSB officials, destroyed the incense-burning hearth where celebrations of the Dalai Lama's birthday are observed every year. Chinese officials of Ngachen Township built a hall to hold dance competitions on the ruins of the *sangsol* (incense-burning ceremony) area. A fence has been erected around the hall to prevent Tibetans from entering the sacred area.

Trends in Arrest and Expulsion

Arrest and expulsion are a substantial element of China's repressive mechanisms to frustrate political activity in monasteries. **The "patriotic re-education" campaign, since its launch in 1996, has resulted in the expulsion of 12,271 clergy, as of December 2000, including 1,876 nuns. In the year 2000 alone, TCHRD has recorded 862 expulsions, of these 147 are nuns.** Contrary to official claims of successful "rectification" of the monastic populace by Party officials, this campaign has always met with resentment, protests and demonstrations.

Monks and nuns comprise approximately 73 per cent of the total 451 known political prisoners currently held in various prisons in Tibet. This is a clear indication of China's fears that religion is a nexus of Tibetan nationalism. The greater the incidence of resistance by monks and nuns, the harsher the crackdown by the Chinese government resulting in the survival of a diluted form of faith. However, since faith, patriotism and conviction are internal qualities, problems only erupt when they are expressed externally in the form of observation, prayers and rituals, and outright opposition to Chinese government directives.

On the heels of an announcement made by the Chinese authorities on 15 July 2000 that called for the urgent need to subject religious institutions in and around Lhasa to greater scrutiny and control, 30 monks from Lhasa's Tsuklhakhang (Central Cathedral) were expelled. The expelled monks were prohibited from practising and engaging in any religious activities in Lhasa or in their respective regions. Many monks and nuns have been arrested, expelled and imprisoned for refusing to denounce the Dalai Lama and Tibetan nationalism, and for taking actions contrary to the aims of "patriotic re-education".

Thenthok Monastery witnessed one death ²⁴, five arrests and 20 detentions on 1 May 2000. The monks strongly protested against an official order to remove Dalai Lama photos from the monastery. In retaliation, three monks were severely beaten by security personnel with one sustaining a broken rib. The following night, slogans such as "Tibet is independent" appeared on the walls of the main prayer hall. Subsequently, PSB officials from Dzogang County in collaboration with local officials conducted a joint investigation resulting in the arrests of five monks and detention of 20 laymen.

Other "crimes" include involvement in peaceful demonstrations, pamphleteering or possession of proscribed religious texts. In a very strong-worded directive, the Third Work Forum ordered that those who **"make, put up or distribute counter-revolutionary publications, and those who shout counter-revolutionary slogans should be punished severely and in a timely manner, according to the relevant stipulations in the law."** To "puncture" the pride of "separatist forces" is a focal point of the strategy. Eight people were arrested from Sog County ²⁵ in March 2000 for their alleged involvement in an poster pasting

incident considered to be serious political action. Five out of the eight people reported to have been arrested were monks from Sog Tsendhen Monastery and the other three were lay people from the county. Since their last detention in the "TAR" Intelligence Bureau, the eight have not been seen nor have their family members been allowed to visit them.

Restrictive measures in the form of fines and detentions are placed upon clergy returning from exile in India. Regarded with suspicion for possible instigation in political activities, their movements are monitored with constant surveillance and regular inquiry. In September 1999, two former nuns of Gonlung Nunnery²⁶ were detained by the local authorities for approximately two months in Shigatse Nyari Detention Centre, and fined 500 yuan (US\$ 60) each for "escaping to India". Back in their native Nagchu Prefecture both nuns were restricted from admission to a nunnery, from performing religious services and forbidden to travel beyond Nagchu without permission from the local authorities. Besides enduring constant harassment, they were also accused of being a bad influence on other nuns.

Closing "Unpatriotic" Religious Institutions

The Chinese authorities continue to face strong resistance to their "patriotic re-education" campaign in almost every religious institution that they have "cleaned up" so far. In cases where resident monks and nuns have stubbornly resisted enforced indoctrination, the authorities resort to closure of the monasteries altogether. One pronouncement warned that the monasteries which side with "reactionary forces" and stir up disturbances should be "reorganised" within a certain time and "if necessary their doors can be closed in order to do so"²⁷. **In 1999, TCHRD recorded the closure of 18 monasteries and nunneries since the launch of the "Strike Hard" campaign. A total of 17 religious institutions were reportedly closed in 1998 including three in 1997.²⁸ In the year 2000, TCHRD has received reports of four more closure of religious institutions, making the total number to 22.**

Officials closed and sealed Nag Nunnery²⁹ in May 2000. The 130 nuns unanimously defied the order of the "work team" to oppose the Dalai Lama and refused to sign pledges. As a result, officials stopped the functioning of the nunnery. On 13 November 1999, A-Kyong Yarhang Monastery³⁰ was declared closed due to the repeated failure of the monks to turn up for "patriotic re-education" meetings during three visits of the "work team". Even threats of arrest and reduction in their stipend were ignored. The monks stated that to oppose the Dalai Lama is against the basic vows of Îrefuge-takingâ in Buddhism and contrary to the monkshood itself.

However, a different rationale lay behind the closure of Nyizong and Dolma Lhakhang monasteries³¹ in mid-1998. In ordering these closures the officials maintained that the monasteries were "the property of the Chinese government and nobody could own them". They halted renovation work and expelled all 206 monks who were ordered to return home. At present, both monasteries remain closed.

Chapter 3: Cultivating Chinese Superiority

The term "barbarian", associated so closely with animality and ignorance, was first used over 2000 years ago in the interpretation of classical Confucian texts, but still finds expression today in official Chinese references to Tibetans as a "backward" and "barbaric" race. This is not to suggest China has not advanced intellectually in the last two millennia, but rather that

it has adapted and incorporated ancient racial prejudices and hierarchies to serve its contemporary goal of "motherland uniformity". Reducing "minority nationalities" to manageable, subordinate stereotypes - which can then be subdued through derogatory propaganda, economic pressures and sheer force of numbers - has long been a tactic of the Party in defusing resistance. Furthermore, the cultivation of Chinese superiority by Party leaders remains largely unchecked by the western media, which focus their criticism on the occasional torture and imprisonment of individual political activists, rather than the broader demographic changes affecting the grassroots survival of the Tibetan population as a whole.

Official Chinese propaganda fosters the idea that only westerners are guilty of racism and that China places itself in firm opposition to such "imperialist" tactics. Yet China has, from the very beginning, refused to treat Tibet on a basis of equality. It justified its 1949 invasion of the peaceful country on the basis of allowing the "civilized" Chinese to "liberate" the "backward" Tibetans, instantly invoking a structure of racial hierarchy that would intensify over the next 50 years. Indeed, the rhetoric of Chinese superiority has constituted a fundamental component of the Chinese world-view for centuries, and it is from within this ethnocentric framework that perceptions of other races have always been constructed. However, it would be wrong to deduce from this that the Chinese people are, by way of the ideology that has shaped their country, innately racist. The extent to which Communist Party tenets infiltrate and control Chinese society cannot be underestimated, and the horrific suppression of protest in Tiananmen Square in 1989 illustrates the intimidatory lengths the ruling elite are willing to go to ensure civilian subordination. The more important question lies therefore in determining just how much of the prejudice that Tibetans have reported reflects a passive submission to the cult of nationalist egotism, and how much actually arises from a genuine feeling of superiority.

Chinese citizens still find their lives dictated by the views of the ruling Party elite as the recent crackdown on the *Falun gong* sect demonstrated. Many in turn appear to have formulated their own sense of superiority to Tibetans through the perception of the latter's marginal and impoverished status in society. Chinese immigrants pouring into Tibet from the eastern regions of China know only the image of "backward" Tibet propagated by the Party since 1949, and therefore tend to connect the current diminished status of Tibetans with this distorted history, rather than with the discriminatory policies enforced under Chinese rule. In one sense they cannot be blamed for this misconception, but where they are at fault is in simply accepting this inequality as the *status quo*, and freely reaping the rightful economic benefits of the Tibetans. In many areas of Tibet these immigrant populations have made it demographically impossible for Tibetans to participate on an equal basis in society, yet the flow shows no sign of easing. Systematic discrimination in the spheres of employment, health, housing, education and political representation continues to restrict Tibetan involvement in the development of their own country, and has denigrated Tibetan status in society to the point of their being seen as second-class citizens by virtue of their race alone.

China ratified the International Convention on the Elimination of all Forms of Racial Discrimination (CERD) in 1981. Article 5 of the CERD declares that the State Parties undertake to prohibit and eliminate racial discrimination and to guarantee the right of everyone to the enjoyment of political, civil, economic, social and cultural rights. These rights are also guaranteed in the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR), signed by China in 1997 and 1998 respectively.

Chinese Constitution reflects similar concerns wherein it prohibits "discrimination against and oppression of any nationality."¹ Despite the existence of such legal guarantees, discrimination against Tibetans is widespread.

Testimonies received in 2000 from Tibetan refugees, however, show that China continues to violate its obligations under international law. Tibetans are continued to face unequal and unfair treatment in the fields of public representation, education, employment, housing, and health services. Moreover, the deliberate policy of population transfer of ethnic Chinese into Tibet is exacerbating discrimination against Tibetans and constitutes a threat to the survival of Tibetan culture and identity.

Employment

With the massive population transfer of Chinese into Tibet, the employment sphere has become intensely competitive, with priority continually accorded to Chinese workers. Although it has recently been claimed that in Tibet "[s]peakers of different languages are treated equally in the recruitment of workers, cadres and students, with priority always given to Tibetan speakers"², fluency in the Chinese language has become a determining factor in candidate selection, marginalising Tibetans who must learn it as a second tongue. **Dawa Dorje**, an 18-year-old man from Shigatse Prefecture, experienced such discrimination before escaping in January 2000 "I went to school for nine years and studied hard, but because I was unable to speak fluent Chinese at the end of it, nobody was interested in employing me. I had no chance for further training, so in the end I had to give up looking for a job. It made me feel as if all my studies had been a waste of time."

Refugee testimonies also reveal a deep-set racial prejudice among Chinese employers, which automatically categorises Tibetans as backward and inefficient. 19-year-old **Jamyang**³ reported that in his village there were many young Tibetan University graduates who were unable to get jobs. "If a Tibetan goes to an office to ask for a job, they will treat him or her as having no intelligence. The Chinese always discourage Tibetan from even applying, telling us that we are backward and unable to do the work. Parents pay a lot for the education of their children, and it all comes to nothing when we are continually refused employment."

Dhondup⁴ shares similar disillusionment. "Going to school in Tibet is a waste of both time and money, because Tibetan students cannot get jobs when they finish their education. All the good jobs are given to the Chinese irrespective of their qualifications, so many Tibetans choose to drop out of school at the earliest chance."

It has become a common pattern in the employment sector for Tibetans to generally occupy the lower positions and Chinese the higher posts, even where numbers of the former heavily outweigh the latter. As a 26-year-old monk from Phenpo Lhundrup County in Lhasa reported, "In Tibet, all the high posts are given to the Chinese and the low ones to Tibetans. They have this preconceived notion that being a Tibetan makes you incapable of performing complex tasks, irrespective of your qualifications. Those who do secure a position are nearly always sent to remote areas of the region anyway."

As a result, many Tibetans have reported only obtaining employment through bribery and *guanxi* (connections with officials). **Dhondup**⁵ reported that bribes were becoming a necessity in obtaining satisfactory employment. "After school, only a handful of student with wealthy families find jobs. This is because their parents can afford to bribe employers with

presents and donations". A few people are sometimes lucky and get a job without paying bribes, but these are usually factory jobs, cleaning or manual labour. Tibetans are very rarely considered for higher positions."

Many Tibetans also find employment only on the condition that they restrict certain practices in their private lives, particularly those connected with religious observance. Workplace often warn against visiting monasteries or temples, observing religious festivals and even forbid their workers from wearing any clothing that might be deemed "Tibetan". A girl ⁶ reported such restrictions. "My parents couldn't afford to continue my education after primary school, so when I was 15, I went to work as a chambermaid at the Lhasa Hotel, a government-run service. The majority of the staff were Chinese who had come to escape unemployment in China, and our boss was a very strict Chinese woman. She always allocated the hard work to Tibetans and treated us like slaves. The Chinese staff always found excuses to avoid cleaning the toilets, or could take breaks during working hours, and the boss accepted it. But if a Tibetan sat down to rest, she was scolded and punished. Even after work we were still under Chinese authority, for the boss told us that all Tibetan staff, including their families, were forbidden from performing traditional rituals such as burning juniper and going to monasteries. We were told that if we did such things, we would be immediately dismissed. None of us dared to try, because there were always so many spies watching us."

Biased regulations concerning the allocation of business permits have also ensured Chinese domination in the commercial sector, where illegal practices of copying and underselling have driven local Tibetans out of business. **Dorjee Tongmey** ⁷ reported, "I left my home when I was just 20 years old to try and start a small business in Lhasa. I had to borrow a large amount of money from my family and friends, because the bank refused to help me. The banks very rarely give loans to Tibetans, and on the occasions that they do, the Tibetans have to deposit all of their personal valuables and possessions, regardless of how much the actual loan is. Most loans are given to the Chinese government officials and their relatives, who do not have to put down this deposit. Without the trust of my friends and family I would not have been able to start."

Those who depend on agricultural subsistence for survival in the rural areas also find themselves forced to trade with the local Chinese officials, who buy from them at greatly reduced prices than those the farmers would receive at market. A 44-year-old farmer from Kandze County in Sichuan Province arrived in India in February 2000. "My family had 12 members, of which four were young children. We had about 60 mu of land [1 mu = 62 square metres] on which we grew wheat and sema [a kind of bean/pea], but every harvest we had to sell all of our crops to the Chinese. They would pay us only 35 yuan per sack, whereas we could have got 60, 70 and at times as much as 100 yuan per sack at the market. What little money we did get for our crop we were forced to then give back to the Chinese in payment for fertilizer, for which they charged 65 yuan a sack. Because of this forced arrangement, my family and many other farming families in the region always ran short of food. Many farmers resorted to begging, and some years it was so bad that entire families died of starvation. We were never short of food before the Chinese came - they have changed everything for their own benefit."

Dawa Dorje ⁸ reported a similar policy operating in his area. "We were free to grow whatever we wanted on our land, but as soon as harvest time came the Chinese authorities would come round and start to take the crop. We grew potatoes, wheat, rape seed and some maize, all of which was bought by the Chinese at low prices they set. We had no opportunity

to bargain or argue the price, and were then forced to spend much of our earnings on government fertiliser, which cost 150 yuan per sack. We had to buy it every year as the fertilizer was designed only to be of benefit if used for a long term. The few Chinese farmers in my area quickly became more wealthy than the Tibetan farmers, because they only had to pay land tax and were free to sell their produce on the market for higher prices."

Where Chinese and Tibetan workers undertake the same employment, widespread wage discrimination has been reported, with Tibetans receiving salaries that are half, and sometimes even less, than their Chinese counterparts. Upon his arrival in India in January 2000, **Nortso**, 29-year-old from Ngamring County in Shigatse Prefecture reported widespread wage discrimination in all areas of employment, particularly in construction. "When I worked for a road construction company, I was paid only 15 yuan for an 8-hour day. The highest salary received by the Tibetans was 25 yuan, but the Chinese workers were paid 40 yuan minimum a day - sometimes as much as 80 yuan. Similarly, when I worked on the construction of a telecommunications building in the county capital, I received only 10 yuan a day, with the Chinese receiving 50 yuan."

Similar wage discrimination was reported by 20-year-old **Kalsang Tendar**. He worked as a construction worker and a rickshaw driver in Lhasa for two years before escaping to India in February 2000. "When I worked in construction, I discovered that the Chinese were being paid 40 yuan per day - double what the Tibetans were being paid, even though they were doing exactly the same work. I went to the Chinese contractor to complain, but he told me that the Chinese were "more skilled" and that "I was lucky to have a job at all". I decided to quit and try being a rickshaw driver, but I found the same kind of inequality. To hire the rickshaw I had to pay a monthly fee of 40 yuan, but my Chinese friend who worked for the same company paid only 25 yuan a month. It made me so angry, but there was nothing I could do. The Chinese employers know how desperate the Tibetans are for jobs, and this makes us very vulnerable."

Many Tibetans who had held steady jobs also suffered unexpected discriminatory dismissals in order to make room for the ever-increasing Chinese work force arriving from outside Tibet. Before fleeing to India in January 2000, 17-year-old **Paldon** worked as a sales assistant in a government-shopping complex in Lhasa. She managed to get the job through her grandmother's connections and by giving "presents" of cigarettes and liquor to the boss. "I was very lucky to get this job, but I didn't enjoy it at all. There is no kind of job security for Tibetans, and we know that we can be dismissed at any moment through no fault of our own. There used to be quite a lot of Tibetans working in the shopping complex, but while I was there many of them were dismissed on the pretext of "not providing good enough service to the customers", and replaced with Chinese. The Chinese make up any reason to push Tibetans out, because they know we have no one to complain to."

Twenty eight-year-old **Thupten** worked as a tourist guide in Lhasa City for a total of three years before escaping to India in November 1999. "To work as a guide, it was necessary to obtain a permit which had to be renewed annually. There are many tourist agencies in Lhasa, all run by the government, and the total number of tourist guides is around 300. Although most guides were Tibetans at first, more and more Chinese are now being employed, and they are provided with many facilities, including housing, and do not have to renew their permits every year. Tibetan guides are given none of these advantages - we were simply instructed to refrain from talking about Tibetan freedom or human rights. Sometimes the Tibetan guides

were followed by spies in plain clothes, and then later interrogated for having said a particular thing in a particular place. Nobody trusted us."

Healthcare

The Chinese government continues to claim that primary health-care is free in Tibet, but refugees escaping across the border cite numerous discriminatory charges that are implemented throughout the country. The most significant of these is the hospital deposit, which may be as much as 5000 yuan, that is required for admission into hospital regardless of the severity of illness. According to refugee testimonies, the Chinese staff dominating the healthcare sector show considerable preference to Chinese patients, and in many cases either reduce the deposit required or even waive it altogether. Samten from Kyirong County reported in January 2000 that to be admitted into hospital a deposit of 2000 - 3000 yuan must be paid. "If you are not able to pay, they will not admit you, even if you are close to death. The Chinese patients pay no deposit however, and are generally treated better and with more respect. For minor illnesses some Chinese are even treated free of cost. It makes me so angry when Tibetans are dying at the hospital door."

Many Tibetans who are already economically marginalised through the afore-mentioned discriminatory employment practices cannot afford these charges, and have died after being denied treatment. Because of the lack of drugs at all levels, many Tibetans, particularly nomads, are purposefully given expired or incorrect medicine because the doctors know they are illiterate and unable to detect this malpractice. Dhundup told TCHRD in January 2000 of the malpractice in his region of Golog "TAP", Qinghai Province. "The medicine in our local clinic was always out of date. The main county hospital would pass on expired medicine to our clinic to sell because most of the people in my area were poor and uneducated nomads who couldn't tell the difference. So even when we had enough money to buy the drugs, they didn't help our sickness. Sometimes they made our condition even worse."

Admitted patients are also subject to highly discriminatory treatment, with the Chinese receiving priority access to the best facilities, often free of charge as opposed to Tibetans, who are put in dirty wards and made to pay. A woman ² told TCHRD about the time her relative spent in the People's Hospital. "When my cousin broke his leg we had to pay 1500 yuan to admit him to the hospital. Although he only spent 20 days there, the total bill for his treatment came to 2700 yuan. While visiting him, I spoke to some of the Chinese patients who were in the same ward for broken limbs. They also had to pay, but much less than my cousin, and none of them had to pay a deposit."

Education

The structure and funding of the education system in Tibet today is highly discriminatory, with government expenditure largely concentrated on developing schools in areas with high populations of Chinese settlers. Rural Tibetans are forced to finance and construct educational institutions at their own expense.

A 60-year-old farmer from Jomda County also in Chamdo Prefecture arrived in India in January 2000. "There were no facilities in our village for education, and nearly everyone was illiterate. Then the authorities told us they were going to build a school in our village and we were all very excited. They said that as it was to be a community school, we had to pay for and build it ourselves, so they collected money and wood from each family in the village, and

took one member of every household to work on the construction. We put in so much work for this school, and yet when it was finished the authorities simply lost interest, and did not send any teachers to help us learn. The school stood empty nearly everyday because none of us knew how or what to teach. The only time the village children would go was when the county officials were visiting, so it seems all our work was just to show the outside world how the Chinese have "helped" us. Maybe they never intended to give us an education."

Tibetan parents and children also report having to pay extortionate fees and miscellaneous expenses inapplicable to Chinese students, despite claims by the central Chinese government that primary education is free. **Namsel** ¹⁰ fled Tibet with the hope of being admitted to a school in India. "Primary school is compulsory in Lhasa, and parents are fined 1000 yuan if they fail to send their children to school. I attended Shol Primary School for seven years from the age of five to 12, along with just under 1000 other children, most of whom were Chinese. The parents of all the Tibetan children had to pay an initial fee of 400 yuan for admission, and then 600-700 yuan as a school fee every six months. The Chinese parents were charged very differently - they had to pay only 200 yuan for admission and not more than 450 for the school fees. I know this because my mother talked to many other Chinese mothers. Similarly, Tibetans had to pay 160 yuan for the school uniform and 100 yuan for general stationery, while the Chinese were charged only 75 and 60 yuan respectively. Furthermore, the teachers at Shol would often collect a little extra money from the Tibetans to buy equipment for the classrooms such as brooms or curtains for the windows, but they never asked the Chinese children. Nobody dared to ask why these charges were so different - we are just generally looked down on as backward, dirty Tibetans."

Dolma ¹¹ also reported having to pay double the school fee than the Chinese students. "I started my education rather late at the age of eight, and attended the County Primary School in Lithang for five years. It was a big school, with around 700 children, approximately half of whom were Tibetan. The Tibetans had to pay around 200 yuan as a school fee every six months, while the Chinese only had to pay 100 yuan. There were a few Chinese students who had parents working at the school, and they didn't have to pay anything at all. Sometimes the teachers would collect 20 yuan from each student to buy things for the classroom, but they would only ask the Chinese children if the money given by the Tibetans wasn't enough."

Perhaps the greatest problem is the biased curriculum, which focus on Chinese history, language and economics and forbid any teaching of Tibetan history or culture. Twenty two-year-old **Nyiser** from Kawasumdo County, Tsolho TAP, fled Tibet in December 1999. "I studied in a private school run by a Tibetan monk scholar from Raja Monastery, which was located right next to the school. The school used to have a different name, but this was changed by the local authorities, apparently because it had "political connotations". It is now known as "Jigme Gyaltzen Private School". Anyway, the county authorities were always afraid that the students at the school would be influenced politically by the monks in the nearby monastery (many of whom have been arrested for political demonstrations) and so they would subject us to the same "patriotic re-education" as the monks. Every year we would have a written exam with questions such as "Tibet has been a part of China for 700 years - Yes or No?" We also had to go through an oral examination whereby each student was asked whether they opposed the Dalai Lama or not. Everyone would answer that they did, because we were afraid that they would close the school down if we didn't."

Those children who do manage to make it to secondary education then find themselves largely disadvantaged by the widespread use of the Chinese language, in which they have had

no formal tuition. One girl from Lhasa described her difficulties at school after escaping to India late 1999. "From class three, mathematics was taught in Chinese. I didn't understand anything the Chinese teacher said, and so could only sit idle in the class and wait for the lesson to end. I used to fail all of my math's tests, but my teacher didn't care that I couldn't understand Chinese - she said it was because I was stupid."

It is because of this discrimination in education that so many Tibetans are disadvantaged in all other sectors later in life.

Housing

Tibetans face large-scale discrimination in this sector, mainly as a result of the aforementioned population transfer into Tibet. Discriminatory allocation procedures ensure that Chinese immigrants are either guaranteed housing on arrival in Tibet or are put at the top of the waiting list. Upon his escape to India in January 2000, 37-year-old Tsering from Kyirong in Shigatse, reported "My family and I were forced to live in a mud house for many years, despite being on the public housing waiting list. The concrete houses, which were of much better quality than our mud walls, were always given to the Chinese families migrating from the east. By the time our turn came for possible accommodation, the rent they were charging was far too high and we couldn't even take it."

Wangyal, also from Shigatse, reports "My family is still living in a wooden house, which is freezing in winter and full of leaks when it rains. We wanted to apply for concrete public housing, but were told that the waiting list was very long and that it was out of our price range. In fact, the concrete buildings were already reserved for Chinese workers who had connections with the government officials."

To make room for the new Chinese arrivals, huge numbers of Tibetan families have faced eviction from and demolition of their traditional residences. Those relocated were often given no compensation, and forced to pay new rents which is a lot higher than for their previous dwellings. The official justification for this destruction is "beautification" - creating modern, "socialist" cities in accordance with Chinese interpretations of "beauty". This has invariably resulted in cities dominated by the monotonous uniformity of Chinese concrete blocks, where a small number of superficial "Tibetan-style" buildings constitute the sole architectural expression of Tibetan culture. Those Tibetan communities that survive this "beautification" find themselves dwarfed by modern Chinese settlements, where residential segregation has led to the development of discriminatory facilities. Government subsidies for the development of basic resources such as running water, electricity and proper sanitation are concentrated solely upon Chinese areas, while Tibetan communities are left to fend for themselves. Nor do Tibetans have the chance to leave their dwellings and move to better areas, for the Chinese household registration system places heavy restrictions on their freedom of movement and residence, and rarely awards the necessary permission for such a move to anyone other than Chinese settlers. Together, these discriminatory practices have not only lowered the standard of living for Tibetans inside Tibet, but also substantially increased the number of homeless living on the streets.

Public Representation

In 1965, China declared Tibet an autonomous region, able to govern itself and make its own administrative decisions. Thirty five years later, the label "autonomous" rings as false as it

did all those years ago, for the country is still tightly under the thumb of central Party rule. Communist control penetrates every level of society, and Tibet enjoys no more political freedom of expression than it did during the Cultural Revolution. While there are a number of Tibetans holding positions of authority within this system, they constitute only a token representation, and do not actually possess any real or effective power to make decisions. Most of the time the appointments act merely as legitimizing agents for the Party, or function to give the appearance that Tibetans are contributing to the running of their country. Some appointments are in accordance with official directives that the Party would be foolish to deny. For example, the constitution requires that the Chairman of the government and of the congress of each region and province must be a member of the majority indigenous group in that area, and as a result, the Chairman of the "TAR" has always been Tibetan. Yet the dominant members of "TAR" government and congress remain die-hard Party loyalists, and their level of authority does not usually permit even the possibility of raising political notions in opposition to Party decrees.

This is equally true of the Tibetan cadres who work within the government - their every action is carefully monitored and, if necessary, censored by Party officials appointed to ensure that the "stability of the motherland" is not compromised. In February 1999 a new campaign was launched in the "TAR" with the specific stated intention of "*enhancing the [cadres] overall quality, particularly the[ir] ideological and political quality*".¹² The campaign focused explicitly on "separatist tendencies connected with the Dalai Clique", and stressed that cadres are required to take a positive stand on the economic reform and "opening up" policies encouraging the massive influx of Chinese settlers into Tibet.

In February 2000, exactly one year later, new restrictions were imposed on the relatives of cadres working in Nyemo County, Lhasa Municipality, in order "to strengthen the image of Tibetan officials and their reputation in the government offices of the PRC". All monks and nuns related to the governmental Tibetan officials in the area were thus instructed by the authorities to remove themselves from religious institutions. Refusal led to the immediate termination of the position of their relatives working in the government, irrespective of his/her position in office.¹³

The vast majority of those holding power in the "TAR" are Chinese or Tibetans who have been carefully vetted and selected by higher authorities, and only these candidates are permitted to stand for the farcical elections. Thirty nine year-old Dorje Tongmey experienced "elections" in both Kandze "TAP" in Sichuan Province and Lhasa, where he lived for 17 years before escaping to India in February 2000. "Tibetans have very little opportunity to participate in government decisions at any level. Elections are pointless pieces of propaganda - democratic facades that hide an internal selection process. Leaders and officials are always elected from the top down: Prefecture officials will appoint those in County administration, and they in turn will choose those to run the township. We are called upon to "vote" during these proceedings, but as the candidates are all chosen by the Party, whatever we do makes no difference - the decisions have already been made. Even if, for some strange reason, an independent candidate was allowed to stand against a Party candidate in a genuine election, there are more Chinese than Tibetans in most areas now, so the result would only preserve the *status quo*."

Chapter 3: Rights of Women and Children

Controlling Women and Children

In February 2000 China released a White Paper on Human Rights. This purported great advances in the field of human rights and personal freedoms, including the specific areas of the rights of women, and of children.¹ However, reports emanating from Tibet in the year 2000 depict an entirely different reality - one of increasing discrimination, violence and abuse.

A report released in June 2000 by the Tibetan Women's Association (TWA) confirms that, "there is a severe lack of fundamental human rights that five years after the establishment of the Beijing Platform for Action, continues to a horrific degree."² **In the year 2000, 507 women and 900 children below the age of 18 have fled Tibet.** Tibetan women are facing harsher and more strictly enforced birth control policies that have little regard for their cultural and survival needs of the family, or their good health and well-being. Discriminatory and inferior health-care is exacerbating the medical problems caused by the enforcement of sterilisation and contraception techniques. Unauthorised children result in exorbitant fines and a total denial of any rights for the child.

A disproportionately high number of the Tibetans suffering lengthy sentences of imprisonment for political or religious beliefs are nuns. Female political prisoners face a higher risk of dying during detention or shortly after their release. Supplementary information was received this year regarding the severe maltreatment and consequent deaths in 1998 of the five nuns following the Drapchi Prison Protests. Medical treatment is consistently denied, minor injuries and illnesses are viewed as excuses to avoid work or exercise sessions, and serious conditions are only finally treated to any degree when the prisoner is in an extremely serious state.

Tibetan children suffer a lack of access to, and major discrimination within, a deficient education system. Prohibitive distances, poor facilities, high fees and biased instruction are all preventing the young generation of Tibetans from achieving literacy and obtaining knowledge. Major discrimination in regards to higher education and employment also discourages all but the most determined, the futility of aspirations without financial backing or high level connections is well realised by Tibetans.

Religious education is also denied to Tibetan children, and women, particularly nuns, are facing intense and insidious repression by the Chinese authorities. Potential expulsion or imprisonment for even the most minor act of disagreement with the authorities is a constant reality within an environment of strict control. 143 nuns have been expelled from their religious institutions in 2000. The latest figures indicate that there are presently 87 female political prisoners in Tibet, of which 74 are nuns. There are 17 juvenile detainees, consisting of three females and 14 males.

Prostitution is also on the increase and although the majority of the girls are from Mainland China, there is still a distinct and apparently growing number of young Tibetan girls that are ending up out of desperation in the flourishing sex trade. Poor hygiene and a total lack of risk prevention education are placing these girls at an even higher risk with the increasing threat of hepatitis and HIV/AIDS. Beijing's blind eye approach to prostitution in Tibet is not only contradictory compared to mainland policies, but often extends to tactic or outright support.

Enforcing Birth Control

During the year 2000 the Chinese government made blatantly contradictory statements regarding the population growth concepts for the "backward western parts of the country ³ ." Officially admitting various adverse effects in the western regions due to the rising population growth ⁴ , measures of control have been strictly targeted at repressive birth control policies on Tibetans. These indicated an increase in the application and enforcement of illegal birth control policies on ethnic minorities who had previously been exempt, with a flagrant, proclaimed disregard for existing laws. ⁵ In practical terms this meant that Tibetan nomadic and farming families would now be strictly regulated to the limit of two children, with financial incentives and governmental pressures to further limit themselves to one, and cadres and government employees limited to one child.

This is despite the fact that the official figures clearly show that the population of the "TAR" is distinctly under the "TAR" Ninth Five-Year Plan target, that the birth rate has decreased 0.8 per cent since 1991, and that the net population growth rate has dropped over 50 per cent from the previous Five-Year Plan, placing it well under the rate for the whole of the People's Republic of China (PRC) ⁶ . Official justification is based on the implication that population growth rates are hindering economic development, and therefore families' financial situations would be improved through adhering to these policies.

The birth control policies enforced by the Chinese authorities not only abuse the ratified legal rights of women, but are threatening the survival of Tibetan families, particularly in the nomadic and farming regions, and the lives of Tibetan women themselves. The TWA confirms that, "reproductive rights violations of Tibetan women are not subsiding, on the contrary, they seem to be increasing ⁷ ." The rigid enforcement of these policies is exacerbated by the pressure placed on Government officials to meet the family planning targets. ⁸

In addition to the limit on the number of children a family may have, a minimum of two or three years between children is enforced, and a prohibition on single mothers exists. When looked at in an overall context for the long term, these policies are not only undermining the traditional means of subsistence of rural Tibetans but create a major factor towards potential racial genocide.

Tibetan families also face further threats to their survival from the severe financial hardships imposed not only by the excessive fines levied if the policies are not adhered to, but by the ongoing costs involved in conceding to these regulations. Reports received in 2000 present a frightening picture of unrealistic solitary financial demands and debilitating ongoing costs placed on Tibetans via these policies. The incentive of high revenue gains for the Chinese government is creating an intensely difficult burden for the majority of the Tibetan population, who already lives on or below the poverty line. ⁹ In contrast, the Government has a practice of rewarding families restricting themselves to one child. Additionally, extra children are openly denied basic human rights such as education, sustenance, and healthcare, and the parents are potentially subject to the loss of employment. ¹⁰

Khando Kyi, 29, worked for the Family Planning Department. ¹¹ Her responsibilities included introducing and monitoring birth control policies, and ensuring that the laws on Marriage, and Mother and Child Care were being implemented. The department collected annual fines, which not only included the 2,000-3,000 yuan (US\$250-375) for an extra child, but also around 80 yuan (US\$10) if there wasn't a gap of two to three years between children. Additionally, in January 2000 it was decided that fines of 200-800 yuan (US\$25-

100) would be collected from community funds for any excess children in villages. One-child families, however, are provided with a monetary incentive of 12 yuan (US\$1.50) a month until the child reaches the age of 16.

Dolma, a 25-year-old farmer ¹² says that not only is the mother of a third child fined 5,000 yuan (US\$625), but single mothers are also fined 1,800 (US\$225) yuan. The county considers third children illegal and denies them registration which allows them an ID card and full status. This then precludes access to schooling, and other basic rights, and is in direct contradiction to the ratified Principles of the Convention of the Rights of the Child. ¹³

Coercing Sterilisation and Contraception

Not only faced with these crippling fines as a disincentive for exceeding the birth control limits, Tibetan women have contraceptive procedures routinely enforced upon them which are placing their lives at serious risk. The Beijing +5 report on the Status of Tibetan Women ¹⁴ confirmed these claims and additionally drew attention to the reluctance of Tibetan women to seek any health care due to a fear that they will consequently face forced abortions or sterilisation. The report also indicated that the maternity mortality rate in Tibet is 3.2 times higher than that of Mainland China. ¹⁵

In direct contravention to the CEDAW Convention, ratified by China in 1980, ¹⁶ and their own central government policy which formally prohibits the use of force to compel persons to submit to abortion or sterilisation, ¹⁷ evidence shows that Tibetan women are suffering permanent disabilities and death from involuntary sterilisation and contraception procedures. Poor healthcare facilities, inferior quality medications, and unskilled medical practitioners are the major causes, exacerbated by the racial discrimination that leads to even lower levels of care and hygiene in hospitals for Tibetans. This heightens even further the difficulties for rural families already suffering from the lack of family members required to undertake everyday duties, by not only eliminating an able-bodied member of the community, but in the case of permanent disability, increasing the workload and financial strain for the family by creating a totally dependent member.

During an interview in February 2000 a **25-year-old nomad** ¹⁸ stated that, "In Tibet nowadays there are a lot of problems, but the most difficult thing is the problem of birth control." He reported that families either have to pay a 3,000 yuan (US\$375) fine for an extra child, the hospital fees for an abortion, or the costs of contraception. He related the reality for Tibetan women facing the serious health risks from the enforced sterilisation policy. A healthy 20-year-old woman from his village underwent compulsory sterilisation after her second child, and returned seriously ill, dying soon afterwards. The doctors claimed that she had "a serious illness". The wife of his brother also underwent the same operation. She returned permanently weak and ill, and is unable to eat, her body rejecting every type of food. Consequently she has been unable to work since the operation.

Yangchen, 19, from Terda village, Sichuan Province, described the family planning policies implemented extensively in her region. Health officers from town and county levels regularly inspect the villages and women with the maximum allowed number of children are summoned to the hospital for sterilisation. Fines for extra children range from 2,000-3,000 yuan (US\$250-375), all aid may be cancelled, and belongings are confiscated in lieu of payment when a woman is unable to pay. The village leader is required to register every birth and report them to the county authorities.

The Intrauterine Device (IUD) is the most commonly utilised form of contraception. These have to be replaced every three years, the cheaper versions cost 30 yuan (US\$3.75), while the more affluent women can afford the better quality 200 yuan (US\$25) versions. However, one woman from her village has died and two others suffer ongoing physical problems related to these devices.

Upon her arrival in Dharamsala during 2000, 19-year-old **Tamden Tsering** related how in her village in Haiyan County, Tsojang "TAP", Qinghai Province, all the women with two children were forcibly sterilised. However, three of the women died following the procedure, and a month-old baby of one of these women also died a few weeks later. No compensation was provided to the families. Tamden Tsering stated that, "All the women in my village are very scared of this procedure, but they cannot escape it." ¹⁹

Denying Choice of Contraception

Evidence is also revealing that not only is the right to choose the method of contraception perpetually denied, but that there is widespread inconsistency throughout the various regions as to the availability of these contraceptive methods. Enforced sterilisation, IUD insertion, slow-acting forearm implants or oral tablet contraception are being utilised in apparently random combinations by different local authorities. At best these presents only a token effort at offering a genuine freedom of choice within the birth control policies; more often there is direct enforcement of regulations with no options offered. Consequently, not only are women faced with extreme restrictions that affect their daily lives and compromise their religious beliefs, but they have little or no choice in the method undertaken to achieve their compliance. ²⁰ There are even accounts of some instances where women do not know following surgery whether they have been fitted with an IUD device or undergone sterilisation.

Drukha, a 23-year-old nomad, ²¹ related how family planning was introduced to her village in 1980 restricting families to two children. Since then, a fine of 5,000 yuan (US\$625) is levied for a third child, and surgical sterilisation is compulsory for women after the second child. She stated that there is no choice in contraceptive methods, which means that the women have no right of refusal to what has repeatedly been proven as a high risk surgical operation for Tibetan women. In Drukha's village there are about 80 families, out of which 70 to 80 women have undergone compulsory surgical sterilisation.

There is ongoing evidence that the use of political pressure to enforce sterilisation continues. Women who are reluctant to undergo surgical sterilisation after the birth of their two children are given no option, as they will be labelled political reactionaries if they oppose official policies and suffer the serious repercussions that this entails. Consequently, many women are forced to undergo sterilisation in order to "respect the rules of the State". One report indicates that those who speak out against birth control are criticised for "defying the Chinese government" and in one township women who had not undergone sterilisation were accused at a family planning meeting of being "guilty of opposing socialism". ²²

A disturbing aspect that has been revealed by testimonies taken during 2000 is the additional repression and control that some regional authorities are exerting via the birth control policies. Twenty two-year-old **Dhondup** from Qinghai Province, revealed that - in addition to an extremely severe birth control policy introduced there in 1994, with a fine of 1,500 yuan (US\$187.50) being paid annually for seven years for an extra child - the women there face a

terrifying yearly ordeal. Tibetan women are subject to an annual lottery for sterilisation, regardless of their age or marital status. The girl or woman who is randomly selected cannot refuse, and, for being such a "good example", she is "rewarded" with a cash payment and an official position in the local administration. Chinese women are blatantly not included in this lottery.

Tenzin, a 21-year-old former monk ²³, reported that in Labrang County, Gannan "TAP", Gansu Province, every married woman is issued with a yellow certificate and has to attend every one of the regular birth control meetings. The certificate must be on prominent display inside their house, easily visible to the regularly inspecting officials. These visits involve the presentation of both the children and the certificate. This certificate also stipulates that women with two children must undergo sterilisation at the town or county hospital.

Additional factors faced by Tibetan women, as an ICLT report ²⁴ testified, is the denial of pre- and post-natal care, due to an inability to pay or closed facilities, and that any care received was frequently described as ineffective. "One child told the interviewers that his mother went to the hospital on the night that she went into labour and was told that it was closed. She gave birth on the floor and the baby died."

Encouraging Prostitution

Previous estimates for the number of brothels in Lhasa alone have been placed as high as 1,000 and this is a conservative figure. ²⁵ This is despite the Chinese Law prohibiting prostitution ²⁶, and Beijing's claims that it has been "stamped out". ²⁷ There are two main types of brothel recognised; those that solely and specifically operate as a brothel, and the many bars, clubs, night-clubs and karaoke bars that act as known operating areas for the girls. Many of these places have back rooms available for the prostitutes and their clients, making it unnecessary for them to leave the premises.

Another danger emerging within Tibet is the increasing risk of hepatitis and HIV/AIDS. Research indicates that up to 80% of prostitutes in some areas of China has hepatitis. ²⁸ Although this fact is denied by the Chinese authorities, HIV/AIDS is recognisably on the increase in China and will inevitably become a major health problem in Tibet. Unfortunately there is little information available regarding the actual current situation, but reports indicate that preventative measures and education regarding these diseases are virtually non-existent. ²⁹ Even basic risk-reducing measures are not utilised, or are inconsistently employed. One recent report from Lhasa indicated that although some prostitutes used condoms when with Chinese clients, who brought their own, they were disliked and therefore not used by most Tibetan men. ³⁰

The increase in prostitution, especially with the high inflow of Chinese mainland prostitutes, poses an obvious threat of spreading HIV/AIDS, and the authorities' ongoing condonement of this illegal practice is doing nothing to prevent it. "Although the central government and various provincial and local governments have attempted to crack down on the sex trade, there have been numerous credible reports in the media of complicity in prostitution by local officials. Thus far, actions to crack down on this lucrative business, which involves organised crime groups and business persons as well as the police and the military, largely have been ineffective. ³¹

Lhasa, however, is not the only area subject to the introduction and growth of prostitution in Tibet. There have been widespread reports received of increases in the sex trade in various towns throughout Tibet, and consistently these are accompanied by the allegations of official and police complicity, or even outright support."

Rinchen Paldon, a 20-year-old school teacher ³² reported in October 2000 that prostitution had been unofficially condoned in Pashoe township. She states that initially discretion was observed, with trade undertaken in bars and karaoke establishments, but in 1997 shelters were built for the dozens of prostitutes that had come in from China, allowing them to carry out their business quite openly.

According to one newspaper report, ³³ Dram, a small Tibetan village just over the border from Nepal, north of Kathmandu, has become a popular and regular haunt for Nepalese, who are attracted to the flourishing prostitute trade there. Nepalese businessmen, travellers and truckers constitute the bulk of the clients at the 12 or so bars that have offered "various forms of sex" since the mid-90s. The report claims that, "these bars are distinguished by the twinkling lights on the signboards outside", and the girls are all of Chinese ethnicity. Prices range from NC Rs.1,000-2,000 (US\$110-220), and the owners of the bars are reported to pay tax to the government, although this claim has not been officially confirmed.

On 1 July 2000 Beijing launched a "Strike Hard" campaign aimed at drugs, illegal gambling and prostitution. According to a newspaper report ³⁵ in December 2000 there has been some reduction of prostitution in China, but even that has been recognised by the local police as a temporary measure of limited effectiveness. However, there is no indication that this campaign has been implemented within Tibet at any level, thereby reinforcing the evidence for governmental complicity in prostitution within the Tibetan regions. A testimony by a 20-year-old Tibetan girl who worked for a year in a bar-cum-brothel in Lhasa described how when the PSB came to inspect the establishment, a bell was rung at the front desk and all the prostitutes upstairs would leave. These visits were rare however. The young girl also claimed that her Chinese friends told her that, "in Tibet it's allowed to do this but in China it isn't allowed. The authorities would close down such places in two or three days." ³⁶

Thupten, a former resident of Kham who arrived in India in November 2000, spent 10 days in Lhasa during his flight from Tibet. He discovered that many poor people from Eastern Tibet are coming to Lhasa in pilgrimage or in hopes of employment, and these include many young boys and girls. He described how the beautiful young girls are being preyed upon by both Tibetan and Chinese bar and restaurant owners, who are particularly on the lookout for these people. They identify them when they arrive and then offer them work at the bar or restaurant. After a period of normal work, they are then pressured by the employer into becoming a prostitute at the establishment. Thupten said that most of these girls are "young and pitiable".

This scenario was recently confirmed by a western tourist in some notes relating to an interview held with a young prostitute in Lhasa. ³⁷ The 17-year-old girl ran away from home in Shigatse to work in Lhasa, and was offered prostitution work outright. Her employers are Tibetans and the bar is rented from the government. Her living area is the same as her working area, and is described as in poor condition and hygiene, with a lack of any real privacy. The young girl sits at the bar, drinking and smoking, and looks to be in poor health, with dry, discoloured hair and dirty, yellow-tinged skin. The notes also observe that there

seems to be an excess of prostitutes in Lhasa for the available clientele, with many girls sitting idle for extended periods of time.

Repressing Religious Beliefs

China's claim that "Ethnic minority peoples also enjoy freedom of religious belief, supported by specific state policies" ³⁸ has been repeatedly refuted by evidence arriving from Tibet. China supports the International Covenant protecting the right to religion ³⁹, but continuously contravenes this agreement with flagrant open oppression of monks, nuns, and juvenile members of the clergy, ⁴⁰ and of arbitrary detentions and brutal torture of a disproportionately high number of nuns.

Nuns and children under the age of 18 are denied their right to practice religion. An official order forced government workers to withdraw their children from religious institutions. ⁴¹ These orders were further reinforced with instructions in an article in *Tibet Daily*, issued by Lhasa Municipality Education and Athletic Department Disciplinary Committee, for parents that, "Young children should be educated in atheism in order to help rid them of the bad influence of religion".

The most prominent recent example, which portrays the current state of religious repression, is the sudden flight of the 14-year-old **17th Karmapa**. Forced to abandon his traditional seat at the Tsurphu Monastery, he travelled to exile in Dharamsala. Denied free access to his religion and a balanced and unbiased education within it, he reluctantly decided that his only choice was to flee to a country that offered him these opportunities, despite the repercussions he knew would follow.

However, despite their displayed reluctance to apply ratified, legalised human rights laws and regulations within their own country or in Tibet, the Chinese authorities are far from slow in utilising recognised laws in an international forum to attempt to achieve their own requirements. **Ngodup Palzom**, the elder sister of the Karmapa, who fled Tibet with him in January, described the threats by the Chinese authorities, conveyed to her via a maternal uncle. "The Chinese have threatened to retaliate against our parents, relatives and followers unless we return to Tibet. In case we do not return on our own, China will pressurise our parents to make an appeal to the international community to get their son back as he is a minor and was influenced by certain elements to flee Tibet." Her uncle also stated that Chinese authorities claimed "India would have to concede to returning the Karmapa if they increase the pressure due to international laws regarding minors." ^{41A}

Harassing Nuns

Tibetan nuns are subjected to various forms of harassment and denials of the freedom to practise their religion, despite the Chinese government's statement that, "The state protects the freedom of religious belief and the normal religious activities of citizens." ⁴² "Work teams" in the nunneries are regular occurrences, not only disrupting the daily study routine, but also attempting to force the women to deny their basic and fundamental beliefs within their religion. Any hint of rebellion results in major consequences, often leading up to expulsion from their institution combined with prohibition in partaking of any religious ceremony at all. They regularly also end up under constant surveillance by the authorities and suffer a total loss of freedom of movement.

Tsetan Lhamo is a 17-year-old nun from Nyemo County, Lhasa Municipality, who arrived in India in May 2000. When she first joined her nunnery there were 10 nuns, now there are seven. In 1998, about 23 nuns from three separate nunneries were summoned to the township by local officials for "patriotic re-education" meetings. For four months, the 10 officials conducted frequent morning and afternoon sessions, where the nuns faced individual examinations. Two nuns were expelled during this round of sessions, charged with "avoiding re-education sessions and showing a bad expression to the officials." They are prohibited from joining any other nunnery.

In July 1999, county and township authorities conducted "re-education evaluation" sessions in the nunneries. Officials spent three days re-examining each nun individually then summoned all the nuns to the township for a further eight days of "re-education" and evaluation, this time in the presence of PSB officers.

Concurrently, village authorities registered all the possessions of the nunnery. During this procedure, two more nuns were expelled, for "disobeying orders and showing a bad expression". Both nuns are now prevented from partaking in any religious activities or joining a nunnery. They are under constant political scrutiny, having to report twice a month to the township PSB for the next three years. Officials repeatedly instruct the nuns to find work in a hotel or business, but both wish only to escape so that they can continue their religious studies in India.

Detaining Children

When ratifying the Convention on the Rights of the Child, China agreed to treat detained minors with humanity and respect, and with consideration for the child's best interests.⁴³ Once again, evidence is proving the notorious disregard by the Chinese authorities for fundamental human rights across all sectors of Tibetans. According to a preliminary report released by the ICLT in June 2000, "children even as young as six years old may be detained for political offences, held in harsh conditions without charge or access to family, and suffer beatings, electric shocks, and psychological forms of torture."⁴⁴ The report also states that they often shared cells with adults, and some were even forced to watch guards torture other prisoners.

There were also claims that in incidences of juvenile arrests, police often would not inform the family. Prison officials also would routinely not tell the children how long they would be detained. None of the children had been granted access to a lawyer at any stage, and only two out of the 19 children interviewed for the report attended brief court hearings. The report also states that police abuse children outside of the prison system, therefore these incidents do not show up in reports of political imprisonment.

In early April 2000, groups of students were returning home from schools in India to spend their holidays with relatives in Tibet. The Chinese authorities arrested some of the students at the border town of Dram, and others in Lhasa. The Dram group was initially taken to the Nyari Prison in Shigatse, from where some of them were transferred to Lhasa. They were all arrested on suspicion of being involved in political activities, and there have even been some charges of indulging in "dissident activities".

The Chinese Constitution proclaims that it "... protects the legitimate rights and interests of Chinese nationals residing abroad and protects the lawful rights and interests of returned

overseas Chinese ..." ⁴⁵ , and the Universal Declaration of Human Rights declares that "Everyone has the right to leave any country, including his own, and to return to his country." ⁴⁶ That Chinese persecution and discrimination prevented the students from receiving an education in their own country and so initially enforced them to exercise their right to leave, is a fact the authorities conveniently chose to refuse to recognise. However, in addition to ignoring these accepted rights, the authorities also designed the circumvention of their implementation by the claims that any citizen associated with schools administered by the Tibetan Government in Exile is politically in collusion with the "splittist Dalai Clique". This then conveniently places that person in the "endangering state security" category, and therefore subject to prosecution.

Ngawang Sangdrol - Still Suffering

Ngawang Sangdrol, currently serving the longest prison sentence for a female political prisoner, was originally arrested as a juvenile. ⁴⁷ Ngawang Sangdrol's valiant, non-violent battle for freedom and independence was recently recognised by the European Parliament, when she was nominated in October this year as one of four final candidates for the Sakharov Prize for Freedom of Thought. The Sakharov Prize has been awarded every year since 1988 to an individual or organisation that has made a significant contribution to promoting human rights. China's reaction was standard rhetoric. Foreign Ministry spokesman, Zhu Bangzao warned the European Parliament that, "We are strongly opposed to the European Parliament using this Sakharov Prize to interfere in China's internal affairs." ⁴⁸

Still A Minor, Still Detained

At 11 years old, **Gedhun Choekyi Nyima**, is currently the world's youngest political prisoner. Three days prior to the disappearance of the then six-year-old boy and his parents on 17 May 1995, the Dalai Lama recognised Gedhun Choekyi Nyima as the XI Panchen Lama of Tibet. Following many conflicting reports on their whereabouts, the Chinese government finally admitted in May 1996 that they were holding the young boy and his parents. In November 1999 China made a statement acknowledging that he was still under their "protection", but continues to deny any outside access to the child and his parents to authenticate their claims of good health and well-being, despite ongoing pressure from international governments and non-governmental organisations.

Jampa Tsering, a 28-year-old nomad, is from Lhari County, Nagchu Prefecture, birthplace of Gedhun Choekyi Nyima. He reported that in March 1999 the Panchen Lama's parents returned briefly to visit their own parents' house, leaving again the same day. People were prevented from meeting them during this time and the locals have no knowledge of the family's whereabouts. Authorities permit no questions to be raised about the Panchen Lama or his family.

In October 2000, during a round of human rights dialogues with China in London, British officials raised the issue of Gedhun Choekyi Nyima. In a written report to the British Parliament, Foreign Office Minister John Battle stated that, "We pressed the Chinese to allow access to the boy by an independent figure acceptable to the Chinese government and Tibetans to verify his health and living conditions. The Chinese stated that the boy was well and attending school. They said that his parents did not want international figures and the media intruding into his life. Two photographs claimed to be of the Panchen Lama were shown to us but not handed over." Chinese officials displayed two photos from the opposite

side of the conference table to the British team - one of a boy writing in Chinese on a blackboard and the other of a boy playing table tennis. There was no means to positively identify the child, the photos merely showed a boy of approximately the correct age. There was also no means to determine his location.

Controlling Education

"The right to receive education in New China is guaranteed and realised," ⁴⁹ reads the high claims from a government attempting to prove to the international community that it is fulfilling the demands made by the Convention on the Rights of the Child. ⁵⁰ Yet again, however, evidence coming out of the Chinese controlled Tibetan regions is consistently revealing the reality behind Beijing's claims, and presenting a completely different ground reality than the niceties expounded by the Chinese authorities.

Recent claims that, "By the end of 1999, 83.4% of the schooling children in Tibet entered school for education," ⁵¹ have to be viewed with scepticism regarding both the actual figure purported and the quality of schooling that those in the education system receive. One report on Tibetan children indicates that the illiteracy rate in Tibet may still be as high as 70 per cent. ⁵² Additionally and even more condemnably, a claim by the authorities that 80 per cent of students sent outside of the "TAR" for study were Tibetans compared to 20 per cent Chinese, was recently disproved by their own census that showed figures of 504 Tibetan students compared to 515 Chinese. ⁵³

The closure of the internationally sponsored Gyatso School for Orphans in Chamdo Prefecture in October 1999 has not only interrupted those children's education, but resulted in many of them living on the streets. The forced withdrawal of students from Indian schools administered by the Tibetan exile government compelled students, many in their final years of study, to abandon their education and reluctantly return to a restricted and limited future. This order depicted yet another clear contradiction in implementation of policies, as the students voluntarily returning from the same umbrella of schools were detained upon return for their association with the "splittist" exile government.

Reports flowing out of Tibet also indicate that racial discrimination is still rampant within the education system ⁵⁴, and that there is a low rate of attendance of Tibetan students in the schooling system is undeniable, especially in rural areas where the majority of the Tibetan population lives. **Thupten Gelek**, a 22-year-old nomad ⁵⁵ along with his siblings, received no schooling in Tibet, as the nearest school was 50 kilometers away with no connecting road. In the 25 villages under the township's jurisdiction there is an estimated population of 5,000. He related how in 1997 schools were set up to cater for groups of six villages, but poor facilities and funding contributed to the average attendance record being only 30 days per year. In addition, the teachers had to juggle teaching duties around their everyday nomad or farming duties that provided their livelihood. ⁵⁶

The most common reasons for a lack of education within the testimonies received during the year 2000 from recent arrivals were the lack of realistic schooling facilities, the often extremely discriminatory and exorbitant fees demanded, and an overriding concept of futility due to the lack of employment or further education opportunities upon the completion of study.

Even the Chairman of the "TAR" Government, **Gyaltzen Norbu**, acknowledged that "... one third of children in the "TAP" cannot afford to go to school."⁵⁷ This directly contravenes the Convention on the Rights of the Child that demands free education for all children.⁵⁸ A **25-year-old student**⁵⁹ stated that, "There are a lot of difficulties that the outside world should be aware of. School fees are very high, so you can't get an education." He reported school fees as high as 10,000 yuan (US\$1,250) annually, and that though there are private teachers available, few can afford any schooling at all. "A few people, if their families are rich, can go to school. Even if they finish school it is useless, they can't get a job."

According to a nomad⁶⁰ the Chinese school in his county is in much better condition than the Tibetan middle school, and receives financial help. The Chinese students are provided with uniforms and books whereas the Tibetan school students must purchase theirs. The fees for the middle school were previously 300-400 yuan (US\$37.50-50) per semester but this has now increased to 1,200 yuan (US\$150) per semester. The nomad also claims that there is high illiteracy in his county and that literacy programmes are sporadic and primitive. A few years ago books were given to students who had to return home and teach reading and writing to those in their family who were illiterate. They were instructed to get all those whom they taught to write in the book and then present it to their teacher back at the school.

Although there are still some Tibetan-language schools available, it is well recognised that for any slight chance of further education or employment, knowledge of Chinese is essential. This leads to Tibetan children attending classes taught in Chinese, without a thorough grounding in the language. Rather than understanding this dilemma, their Chinese teachers and classmates, thoroughly indoctrinated with the standpoint that Tibetans are an ignorant and backward race, regard their inability to understand- and their consequently poor grades - as proof of this perception. This is valid justification to them to treat them as inferior, and this is expressed in the form of insults, discrimination and even violence, from all sections of the Chinese education system- staff and students alike. This is despite China's Constitution prohibiting the abuse of personal dignity.⁶¹

The mistreatment of Tibetan students in schools is another, widespread abuse of civil right of freedom from cruel or degrading treatment or punishment⁶². Reported maltreatment range from insults and social injustices, to unusually violent and dangerous forms of corporal punishment. In the recent report by the ICLT,⁶³ descriptions of punishments to Tibetan children in schools included the suffering and witnessing of beatings with prickly plants used as a whip, and injuries with objects such as thrown glass, wire whips or bamboo. Other punishments included kneeling in cold water for half a day, standing outside in the sun for hours, slaps, disrobing, public verbal humiliation, such as being called "*mei*," a derogatory term meaning the child does not exist, being pin-pricked and then having the pricked skin burnt with incense, kneeling on broken glass with pant legs pulled up, running around on one's knees, and balancing an iron chair with an outstretched arm and being hit on the knees if the chair falls.

Facilities for Chinese students are also often reported to be far superior to those supplied for the Tibetans, and there are many schools unavailable to the majority of Tibetans. Chega is a 32-year-old nomad from the Sichuan Province, who arrived in India in July 2000. He describes how in his county there are schools that are especially designated for children of government officials and Chinese immigrants that are superior in every respect to the village schools. Nomadic children rarely get an opportunity to attend these schools as they don't achieve the required grades. There are 300 families in his village, out of which only a couple

of people are literate. Chega claims that even the village leaders are mostly illiterate. There is no school in his village, and although there is a school in the township, he states that, "These schools are just for name's sake." The school is too expensive for nomads to afford, and the education imparted to the students is inadequate and Chinese-orientated.

Denying Language

Despite the provisions under the Chinese law that all ethnic groups have the freedom to use and develop their own spoken and written languages,⁶⁴ school curricula are distinctly biased towards Chinese topics and contents. In 1987 the "TAR" People's Congress passed legislation calling for Tibetan to be used as the sole instruction at primary level and stipulating that Chinese language should only be introduced from age nine. The legislation promised to set up Tibetan language junior secondary schools in the "TAR" by 1993 and to make most university courses available in Tibetan shortly after 2000. "TAR" Deputy Secretary Tenzin commented, "There is conclusive evidence that nothing can substitute the effect of using Tibetan [language] to raise the educational quality and to improve the nationality's cultural level."

However, according to a recent report,⁶⁵ a number of retrograde steps were taken in 1996 in line with recommendations of the 1994 Third Work Forum in Tibet. The budget for Tibetan academic and literary publications was drastically cut. Pilot projects for extending Tibetan [language] education to secondary schools met a similar fate. Around the same time, Tibetan language courses at Tibet University, Lhasa, were discontinued. The situation deteriorated further in 1997 when the "TAR" Deputy Party Secretary Tenzin disclosed a decision to make Chinese mandatory for Tibetan students right from primary school. Tenzin said that the 1987 policy was "impracticable" and "not in conformity with the reality of Tibet" and that "the decision to allow grade one to three boys and girls to be taught only in the Tibetan language will do no good to the children's growth." "TAR" Deputy Party Secretary Raidi stated that an ethnic nationality which studies and uses only its own spoken and written language definitely is an insular ethnic nationality which will have no future or hope.⁶⁶ Within a decade the 1987 legislation had been revoked. At a meeting of China's National People's Congress in March 2000, Zhou Yongkang, Communist Party Secretary for Sichuan Province, announced that the teaching of Tibetan in schools was "a drain on government resources".

Lessons are even utilised unabashedly for propaganda purposes, and Tibetan culture, history, and religion are all strictly forbidden subjects, denying Tibetans any opportunity to further their knowledge of their own land or people.⁶⁷ The Chinese authorities blatantly proclaimed this when Chen Kuiyuan, Party Secretary of the "TAR", stated that, "The success of our education does not lie in the number of diplomas issued to graduates from universities, colleges and secondary schools. It lies, in the final analysis, in whether our graduating students are opposed to or turn their hearts to the Dalai Clique and in whether they are loyal to or do not care about our great Motherland and the great socialist cause."⁶⁸

Conclusion

The fact that rights of Tibetan women and children are still being grossly violated is undeniable. International scrutiny is doing little or nothing to prevent forced abortions and sterilisation on women, or substandard and highly discriminatory schooling system for Tibetan children. This attack on the existence of Tibetan children and on their right to learn their own language, culture, and history, are indicative of Beijing's oppressive policies.

Religion, far from being a protected and nurtured area of Tibetan culture, has become a focus for the implementation of alarmingly severe repression and direct brutality. The refusal to allow children to study in religious institutions, and the removal of their teachers, affects both the religious and educational aspects of a child's life. Nuns constantly face repression and potential imprisonment, as following the religious path - even when permitted by the authorities - is almost considered as a borderline act of "endangering state security".

With the majority of Tibetans living in rural areas and documented as living below the global poverty line, the widespread abuses and restrictions imposed on their everyday existence is negatively effecting their quality of life and even their ability to sustain life. Many women do not have access to hospitals for childbirth, and there is a lack of pre- and post-natal care and education. Debatable quality, discriminatory health care, often at life-risking distances away, is too often at an unattainable cost, resulting in the avoidable deaths of women and children.

Young girls, escaping the impossible poverty of home life, are fleeing to the cities to end up in desperate situations, and resort to abandoning their dignity and risking their health to survive by prostitution. Parents are forced to send their children on expensive and life risking journeys over the Himalayas to receive an education and the opportunities of a life in freedom.

It is an undeniable fact that Tibetan women and children suffer gender and age specific abuses of human rights from the Chinese government, often in a systematic process designed with long term physical, mental and cultural degenerative effects. National laws and international declarations have proven to be totally ineffectual in preventing the loss and violation of these rights for the women and children of Tibet.

Chapter 5: Subsistence Rights

Impoverishing Tibetans

Very often the Chinese government has attempted to negate criticism of its human rights history in Tibet by asserting that the Tibetan people have benefitted as a result of the development policies implemented by the Chinese authorities.

In a recent brochure inviting foreign investment in Tibet the Chinese government proudly claims that, "There is a highway system in Tibet that consists of 15 main highways and 315 branch highways. The total length of the roads in Tibet suitable for automobiles is 22,000 kilometers of which 920 km is made of asphalt. There are 433 power plants with capacity of 1,70,000 kilowatts. Furthermore, there are several energy resource facilities being built and will be put into operation one after another to meet the development needs." ¹

If the claims of the Chinese government are to be believed then Tibet is one of the most economically developed regions in China. And yet the growing number of refugees escaping Tibet, and their testimonies, seem to indicate that while there has been notable economic growth in Tibet, especially in the urban areas, this has principally benefitted the Chinese settlers. Furthermore, it has been a growth heavily dependant on state subsidies and characterised by a preference for large scale infrastructure projects, mining or state-owned industry. This kind of growth has been very top down and has yet to encourage active Tibetan participation or ownership in either the means of production or in its outcomes. There is also evidence to suggest a systematic marginalisation of the Tibetans from the mainstream

economy. This is resulting in the creation of a new social underclass whose task is primarily to service the mainstream economy.

The latest formulation of China's human rights strategy with its focus on development and subsistence was released early 2000: "The characteristics of this road are, in terms of the basic orientation of developing human rights, that we stick to the principle of developing the productive forces and promoting common prosperity, based on the improvement of the living standards of the entire people and promoting the human rights of the entire people; in terms of the order of priority, the top priority is given to the rights to subsistence and development, while taking into consideration the people's political, economic, social and cultural rights and the overall development of individual and collective rights; in terms of the methods of promoting and guaranteeing human rights, we stress that stability is the prerequisite, development is the key, reform is the motive power, and government according to law is the guarantee." ²

The Chinese government makes constant claims about the improvements that have been made in terms of development in Tibet. But if we look closely at some of these claims we can begin to see the elements to China's development strategy. Firstly, it is clear that the claims for success are reliant upon figures which are themselves heavily reliant on the artificial boosting of large Central government subsidies. These figures do not reveal a healthy economy, but rather one that is entirely reliant on outside sources, a classic pattern of control.

In a recent interview Chen Kuiyuan, the former Secretary of the Chinese Communist Party Committee of "TAR", made the following comments about development and the Western Development plans: "Generally speaking, Tibet is a region yet to be developed, on this stretch of land which accounts for one-eighth of the national total area, most of the resources above and under-ground have not been tapped and utilised. Tibet's shortages stem from the low level of economic development, the lack of talents and the lagging of infrastructure construction." ³

There are also indications of a cover up of the real situation in Tibet, both in terms of the economy, social conditions and the eradication of poverty. **Gyaltzen Norbu**, Chairman of the "TAR" People's government, reported the following in 1997: "We should do away with the unhealthy trends of boasting and exaggeration and hiding the truth from higher levels in the work of aiding the poor." ⁴

Poverty in Tibet

China has signalled that the year 2000 is a target year for the eradication of poverty in Tibet and in China. A recent article in the *China Daily*, that quoted Vice-Premier Wen Jiabao reiterating this claim, reveals the government's focus when he talks of poverty eradication. The Vice-Premier urged that the focus be "placed on poverty relief in areas in need of major capital construction projects, including transport and water conservancy infrastructure." ⁵ This, while necessary, reveals the pre-occupation within the Chinese government's central planning agencies with big developmental statements (rather than sustained and sustainable development involving local participation, skills and reflecting local priorities): highways, urban housing and big hotels, dams, mines and factories. China is confident of achieving its aims, and claims in its latest human rights white paper that 95 per cent of rural people had enough to eat and wear and that the targets "to solve the problems of food and clothing of the

entire Chinese people and to enable them to live a relatively comfortable life ö have already been basically achieved." ⁶

In its plan to eradicate poverty in Tibet, China has focused heavily on income generation in certain areas of the Tibetan plateau, hoping that a rise in income statistics, taken out of the context of the many other possible indicators of poverty such as health, education, nutrition, clothing, housing, quality of life, access to the right to development and so on, will show that poverty has been eradicated. However, many areas within Tibet remain neglected and as we shall see there are important questions to be asked in terms of access to the development and wealth generation that is occurring in Tibet. Gabriel Lafitte, has identified Tibet as a "land of centres and peripheries· a patchwork of development and underdevelopment," and the inequalities that mark colonial economies can be increasingly discerned within the Tibetan economic environment. ⁷ The development that does occur is large scale and often out of step with the traditional economy and local communities.

China's claims about poverty are cash-based, but even if we examine the latest Chinese statistics on income, there are marked disparities between urban and rural areas (where the majority of Tibetans live), and real questions to be asked of the means of calculating such figures. Chinese figures state that in 1998 the average per capita income of rural Tibetans in the "TAR" was 1158 yuan, while the average urban income in "TAR" was 5400 yuan per year. ⁸ These statistics can be compared with those for China as a whole. The average annual income per rural resident in China was 2162 yuan in 1998, almost double that in "TAR" for the same period, while the average annual income per urban Chinese resident was an equivalent 5425 yuan in 1998. ⁹ This equivalence fits into China's strategy to focus on urban areas in Tibet. China claims that this leaves only 110, 000 poor people in "TAR", but as we can see the rural figure in itself leaves rural Tibetans in "TAR" earning nearly half the "one dollar per person per day" global measure for the poverty line if we are to use the official exchange rate of roughly one US dollar to 8 yuan. This measure in itself often underestimates the real extent of poverty and generally we can see that a narrow focus on income without looking at issues such as access to health or education, the nature of subsistence production, the gap between official income statistics and actual consumption, and more detailed surveys of standard of living in Tibetan areas, will not give a clear or accurate picture of the level of poverty in its many senses. ¹⁰

It is often difficult to find realistic statistics for Tibetans living in areas outside of "TAR" such as those living in Gansu, Yunnan, Sichuan and Qinghai provinces (Amdo and Kham). However, there are also indications that the inequalities developing in Tibet go beyond the urban/rural divide. Qinghai is relatively more developed than other areas as a whole and in 1998 the per capita income of farmers in Qinghai rose to 1347 yuan with that of herdsmen at 2300 yuan. ¹¹ These figures still fall well below acceptable rates but begin to reflect regional inequalities. ¹²

The Chinese government's claims that Tibetans have benefitted greatly from their policies regarding poverty, can also be tackled on their own terms. Even if one were to rely on Chinese statistics themselves there is an indication that over 70 per cent of the people living in the "TAR" are below the poverty line. ¹³ These figures are also confirmed by refugee reports which indicate that many people face problems with food shortages, access to health care, education, and in other areas such as employment and housing.

Despite China's claims, and its successes in alleviation of poverty and hunger elsewhere in mainland China, there are many indications that in Tibetan areas poverty and basic subsistence issues dominate the daily structure of life. In December 1997 the ICJ argued that in the 1990s, "nearly all Tibetans continue to exist at subsistence level, their lives little touched by China's massive investment in Tibetan infrastructure and superstructure."¹⁴ As we enter a new decade there is little evidence to suggest that this situation has changed, and heavy taxation and rural/urban divides in terms of access to development, continue to mean that poverty is a present concern for many Tibetans. While the total household spending in rural "TAR" (where 90 per cent of Tibetans live) is 564 yuan per capita¹⁵ (78 per cent below the global poverty line), the per capita income for "TAR"'s urban areas (where almost all Chinese settlers live) is 5036 yuan, or ten times as much, and is growing at twice the rate.¹⁶ Tibetans spend just 15.4 per cent of the rural Chinese average on health care, 7.7 per cent of that of their Chinese counterparts on education, culture and recreation, 54.9 per cent of rural Chinese spending on food and only 39.1 per cent of that spent by rural Chinese on housing.¹⁷ These figures consistently rise for Qinghai and again for Sichuan,¹⁸ where the percentage of the Tibetan population decreases. Further, due to huge PRC subsidies and incentives, Lhasa is the highest waged city in all of China,¹⁹ an incredible fact given Tibet's overall deprivation, while it simultaneously contains large numbers of desperately poor Tibetans.

Population Transfer and the Economic Marginalisation of Tibetans

The Chinese occupation of Tibet has been characterised by various attempts to control Tibetan identity either through direct violence or structural means such as assimilation. One such indirect means of attempting to change and control the nature of Tibetan culture and identity has been the encouragement of Chinese population transfer into Tibet.²⁰

A transfer mostly of officials and army personnel into Tibet marked the early period of the Chinese invasion. Since the 1980s, with the Chinese decision to integrate Tibet into China's economy and social structure, we see a conscious decision by the Chinese government to transfer Chinese peasants, agricultural workers and other groups of labourers and traders into Tibet.²¹ From July 20 to 23 in 1994, the Third National Forum on Work in Tibet was convened in Beijing. These decisions were made to implement the Chinese government's policy to integrate Tibet within the structure of China's economic needs. The major thrust of the implementation strategy was "to open Tibet's door wide to inner parts of the country and encourage traders, investment, economic units and individuals from China to Central Tibet to run different sorts of enterprises."²²

The population transfer of Chinese into Tibet has been massive, and enforced by the presence of over 200,000 troops.

²³ According to both Tibetan and PRC statistics, whilst there were virtually no Chinese in Tibet or neighbouring provinces,²⁴ Chinese settlers now outnumber Tibetans in Tibet 7-7.5 million to 6.1 million.²⁵

The population transfer of Chinese settlers into Tibet has had devastating economic effects for Tibetans. Settlers, encouraged by government incentives, arrive in search of jobs in an industrialised Tibet. Their presence threatens the livelihood of the Tibetan people and is central to the government's integration of the Tibetan economy into the Chinese economy. Chinese settlers have come to dominate the Tibetan economy, and they own virtually all the businesses there.²⁶ There appears to be a degree of segregation between the mainly urban

Chinese settlers and Tibetans in remote areas such as the nomads. One nomad who came from Nagchu Prefecture, "TAR", and arrived in Dharamsala on 11 February 2000, said of the Chinese, "there are Chinese settlers, but they are mainly business people and they are 4 hours away from my village."

Dhondup, a young student from a farming family in Kandze County in Sichuan Province who arrived in Dharamsala on 2 April 2000, reported that in Kandze County centre Chinese settlers constitute at least 50 per cent of the population. They mainly consist of government officials and business people.

Chinese population transfer into Tibet has a great impact on the kind of development that takes place in Tibet. Central government subsidies and much of the infrastructure in place have been directed at maintaining a distinct, controlling Chinese community in Tibet, which can be seen to be mainly urban, administrative, mercantile or military, and segregated from the bulk of Tibetan communities. The much-heralded, Chinese sponsored infrastructure projects such as highways, mines and housing have mainly been built to facilitate this settlement, fulfil military objectives and to expedite resource extraction. Subsidised economic growth has encouraged and facilitated Chinese settlement as part of the wider attempt to absorb Tibet. But in many ways this process has been one-sided and has left much of Tibet's urban landscape sinicised. Population transfer has also impacted on Tibetan access to land, food and meaningful employment. Tibetans are becoming a minority in their own country, excluded from participating in and benefitting from the development that is being carried out on their land and in their name.

Forced Labour Practices and Exploitation of Cheap Labour

Chinese officials have made some impressive claims ²⁷ about the changes that have taken place in terms of workers' rights and labour protection, but what is the situation in Tibet and how did Chinese communism's conception of development and industrial growth and production relate to a largely agrarian Tibetan economy?

Tibetans account for only 5-10 per cent of the labour force in Chinese controlled industry and usually are placed in the most low-paid, unskilled jobs, and with no genuine opportunity of advancement. ²⁸ Compulsory and forced labour practices are widespread in Tibetan areas with Tibetans sequestered to build the roads and housing needed to support Chinese development of the Tibetan plateau. A number of refugees arriving from Tibet have stated that they have had to perform labour for various Chinese projects without receiving any remuneration. The PRC's development of modern industry in Tibet has provided some unskilled, subsistence employment to a few Tibetans while mainly allowing for further Chinese development, high waged employment and settlement.

Tsering Norbu ²⁹ reports that after the harvest farmers in his village are called to work for the Chinese government either as road builders or as construction workers for houses. They are not paid because they used the land owned by the Chinese government. If they were absent they would be fined 10 yuan per day. If they could not afford to pay the fine then they would be called for extra days of work. The work is usually for a month per year. They were told that the building they were making was for a school but the school was never built. Instead the building was used as a guesthouse for Chinese officials.

In Dawa's ³⁰ area Tibetans have to go for compulsory labour without pay. "In a year you must go for more than 20 days, if you are above 18 years of age and below 60 years. If you are sick you can stay at home but must work two days for every day you are absent the next time. It is possible to send someone in your place. The supervisor of this compulsory labour is Chinese. If you do not work hard you are scolded. Work starts from 10 am and continues till 8 pm. There are no breaks apart from a one-hour lunch break. The work is mainly road construction connected with forestry."

Unemployment and Underemployment

Furthermore, unemployment and underemployment remain serious concerns in Tibet. Forced labour practices come against this background of many Tibetans searching for work, and are all the more reprehensible for this. Real figures for unemployment for rural Tibet are hard to find and analyse. Many Tibetans from farming and nomad families consider themselves employed in the sense that they help to look after the family animals or go for lowly paid construction or forestry work, despite their wishes to look for other kinds of work and their inequality of access to different employment opportunities. This rural underemployment is all the more acute when it is placed in the context of China's planned urbanisation. Recently the *China Daily* reported that "rural labour experts estimate there will be 600 million available people in China's rural workforce by 2005, but the demand for rural labourers will fall to 168 million leaving a potential 432 million unemployed. Without the creation of local employment, mass urban shifts are expected to occur." ³¹

A 19-year-old nomad from Sangchu County, Gannan "TAP", Gansu Province, reports high levels of unemployment in his village and community. He arrived in Dharamsala on 25 January 2000 and reported the following to TCHRD. "Many young people are unemployed after school. They stay at home idle as mainly they don't know how to look after animals. Ninety per cent of middle school students return home unemployed, with only 10 per cent of Tibetan middle school students able to continue their studies due to the heavy school fees. There is no government assistance for the unemployed, and the main reasons for unemployment are: because Tibetans are unable mostly to pay the bribes to get the jobs; and because only Chinese or the children of government staff get the jobs. This is typically long term unemployment."

Bhuchung ³² reports that, "around 25 per cent of my village are unemployed in the sense that they have no housework to involve themselves with, in terms of access to other jobs there are greater problems. Those who are unemployed go to Lhasa, but the common Tibetans can't afford the bribes needed for jobs, only the rich families can." **Kelsang**, a 22-year-old man from Lhasa estimates that 40 per cent of the Tibetans in the Barkhor area are unemployed, with many trying to run some small business or something of this nature. Some of the older generation of Tibetans who are particularly desperate turn to begging, while the younger generation, he feels, turn to thieving. Kelsang arrived in Dharamsala on 6 January 2000.

It is clear that compulsory labour, low wages and unemployment all form serious obstacles to the realisation of Tibetans's right to development.

Excessive Taxation

Despite China's official statements that no taxes have been collected from Tibetan farmers and nomads, in almost every single refugee report (that the TCHRD conducted), Tibetan

farmers and nomads spoke of being subjected to excessive taxes. They were taxed on their crop yield (including medicinal herbs they were made to collect by hand), number of animals, animal products like meat, hides, milk, butter, cheese, fur and wool, number of family members, as well as water, grass, and building taxes. They are also regularly made to provide food for the frequent meetings of the same officials who are implementing and enforcing repressive and destructive policies against them. Overall, poor Tibetans are subjected to 27 times the tax rate of non-poor in rural China. ³³

If there is little or no correlation between the amount of money spent in subsidies and the severe taxation policy, and if the revenue from the taxes does not make a comparatively significant contribution to the economy, then is the taxation policy yet another means through which the Chinese government disciplines the Tibetan polity into submission? These are not questions which can be answered in an evidentiary manner but a closer look at the lives of the Tibetan poor would clearly indicate its efficacy as a tool of oppression. Some of the features of the tax system are best inferred by the narratives of the Tibetan refugees who have supposedly benefitted from the economic developments in Tibet.

Topgyal, a 32-year-old from Nagchu Prefecture reports that his family, which had a nomadic lifestyle, had to pay taxes on the various products of their animals. Annually they had to pay 100 to 150 *gyama* ³⁴ of meat, 10 to 15 *gyama* of butter, one *gyama* of "ra-khul" ³⁵ for five goats, 30 to 40 *gyama* for "nor khul" ³⁶, three yuan *sok trel* ³⁷ for five goats, three yuan *sok trel* per sheep and 24 to 60 yuan *sok trel* per horse. The collection of *sok trel* taxes varied from year to year and some times they had to pay to officials from other counties taxes in the form of butter, yoghurt and meat but these were not considered to be a part of the annual tax.

Samdup ³⁸ reports that Saga County is the poorest county in Shigatse Prefecture and is mostly inhabited by nomads and farmers. In his township which covers a population of around 1500 nomads, there is very little infrastructure. In the whole township there is no electricity, clinic or hospital, though there is a large military barrack. Tax is collected according to each family's holding of animals. His family is comprised of three members and they have 100 sheep, 10 goats, and one horse. They own no land but pay annually 60-70 yuan for grass tax. Seven animals were taken as a meat tax, and the family were only given 100 yuan per animals as opposed to their market value of 250 yuan.

The taxation policy covers almost every aspect of the right to subsist ranging from taxes on human life, animals, grass, herbs, animal skins, to education even if there is no education provided. Thus while there exists a right to subsist, the means to it are severely impaired. The system is closed and self-referential. It defines even the rules in cases of disobedience to the law. These rules include the imposition of further taxes and fines, ignoring the fact that the rules were disobeyed due to an inability to pay in the first place. These fines are also coupled with the arbitrary power of imposing punishments in the form of forced labour. The administrative structure created is arbitrary and both the taxes and the fines depend on the authority collecting them. There is a clear absence of any accountability or provision for appeal against what are in most cases harsh and unfair taxes. Consistency and transparency are sorely lacking in the taxes applied to Tibetans.

Insufficient Food Security

Article 11(1) of the ICESCR states that: "The State Parties...recognise the right of everyone to adequate food and (2) recognising the right of everyone to be free from hunger, shall

take the measures which are needed." Furthermore, Article 1(2) of the ICESCR states, "In no case may a people be deprived of its own means of subsistence."

China repeatedly declares that making Tibet self sufficient in food production is a major goal in its development policy.³⁹ The PRC's reference to Tibet's dependency on food negates the fact that Tibet had always been self sufficient in producing enough food for itself for thousands of years, until the Chinese invasion.⁴⁰ It is the influx of Chinese following their invasion in 1950 and their enormous new demands that ended this long history of Tibetan independence and self-sufficiency. The Chinese themselves are the ones who created the dependency that they now trumpet the need to overcome. The PRC has implemented unsustainable, industrial mass production policies with the intention of increasing agricultural output in order to feed the overwhelming amounts of new Chinese settlers.

Poverty is widespread in Tibet, not because of ecological determinism or Tibetans' "backwardness", but due to the PRC government policy of taking farmers and nomads surpluses and subsistence produce.⁴¹ As noted above, the PRC's taxation of Tibetan farmers, usually taken in-kind as a percentage of their crop and animal products, is excessive and frequently leaves them and their families without enough to eat. Refugees very often report that they and a very high percentage of their district's residents are forced to borrow from more prosperous families in order to survive. Tibetan farmers and nomads are also forced to sell a certain amount of their crops, animals and animal products to the State at a fraction of its fair market value so that it may be resold, either cheaply to Chinese settlers or to deprived Tibetans at excessive prices.⁴² While the Chinese take large amounts of the Tibetans agricultural products, they provide no or little aid to them in the event of crop failure.

Recent interviews conducted by TCHRD reveal that food shortages remain a real concern for Tibetans, and a daily reality for some. Such shortages highlight the problems with agricultural policy and must also be placed in the context of the heavy burden that rural taxation and procurement is placing on Tibetan farmers and nomads. Meanwhile, official Chinese media recently claimed increases in grain production in "TAR" and that at present "Tibet [TAR] boasts surplus grain capable of meeting local needs for five years."⁴³

Norbu Choepel⁴⁴ had six members in his family, including four children. He has around 11 *mu* of land, and his family produce 600 *gyama* of cereals per year. However, this is all consumed by the family and lasts for only three months of every year. For nine months of every year his family faces serious food shortage, and has to borrow from other families to eat. The family has suffered terribly since 1989, and annually face hunger. He lives on the mercy of other farmers, and currently owes a debt of 700 *gyama* of cereals and around 1000 yuan to his fellow farmers. In his village of the 18 Tibetan families only four are prosperous, while the rest are annually troubled by grain shortages.

"In my village of the 60 Tibetan families, 15 families usually face food shortages and borrow cereals from other farmers to feed their families," reported Tsetan, a 33-year-old nomad from Nagchu Prefecture who arrived in Nepal on 22 November 1999. There is no help from the government for these families who have to pay taxes as per usual.

These testimonies reveal that hunger and grain shortages continue to undercut China's claims for success in developing Tibet and its agricultural economy. They counterbalance the official line of mass poverty reduction, and illustrate that attempts to transform the

subsistence nature of traditional agricultural practices have in fact led to greater food insecurity for a number of Tibetans.

Enforcing Animal Limits

In addition, there are indications that in some areas local Chinese authorities are enforcing animal limits on nomads. These limits act to artificially keep some families and areas poor and seem an unnecessary restriction on traditional agricultural practices. In Nortsoâs ⁴⁵ village, farmers were not allowed to keep more than 15 goats or sheep per family member. Chinese authorities inspected the villages in autumn and slaughtered excess animals. This policy was instituted by Ngamring County officials in 1994 and those who failed to comply were publicly criticised and had their animals confiscated.

A young monk from a nomad family, came to Dharamsala on 4 January 2000. He reports that in his village in Sershul County, Kandze "TAP", Sichuan Province, there are animal limits. "My family have no land. We have 20 *yaks*, seven *dri*, 100 sheep and three horses. There is an animal limit in the area. Each family is allowed to keep seven *yaks*, no more, four *dris*, 20 sheep and three horses. For each sheep over the official limit there is a fine of three yuan, for each *yak* over the limit the fine is five yuan. It is two yuan for each offending *dri*, and also two yuan per horse over the limit. The village head collects these fines and hands the money over to the County authorities who issue the limits in the first place. However, to make any kind of profit it is necessary to transgress this limit, and it is still possible to make something after paying the fines, from selling the skins and so on. As yet the animals have not been taken away by the authorities for redistribution. They say this will be done shortly, but no date has been set."

A young nomad, from Lhasa Municipality, came to Dharamsala on 30 January 2000. There are nine members in his family. The family has 40 *yak/dri/dzo*; 80 sheep; and one horse. Each member is allowed 30 sheep or the equivalent thereof with one *yak* counting as six sheep. They are not fined but they must either kill excess stock or sell them to others. Every year the village head comes to calculate the number of animals and sets a date by which excess animals must be sold or killed. He doesnât know how many animals his family had before, but redistribution occurred in 1980.

The animal limit policies vary widely and seem to be implemented in a haphazard way like taxation and procurement policies. In some cases it seems that to prosper, nomads and semi-nomads must exceed the limits in any case and pay the fines levied. Such intervention in the market economy is counterproductive and damaging. The limits act to unnaturally constrain this integral sector of animal husbandry within the wider Tibetan economy, and along with other agricultural policies such as fencing of nomad grazing lands, reveal an unfamiliarity with traditional practices and an attempt to control Tibetan practices and ways of living. Once again, Tibetan participation and consultation in the formulation and implementation of such policies is either minimal or heavily constrained.

Government Assistance to Tibetan Farmers and Nomads

Chinese assistance to farmers and nomads facing shortages or economic hardship due to natural disasters is either insubstantial or non-existent. Critically the procurement and taxation policies continue to be blind to actual living conditions and yearly variations, so that Tibetans facing economic crises are still required to pay taxes as per usual. Tibetans also

report that while traditionally richer families were previously able to help those in need, in many areas those families can no longer afford to do this to the same extent and local government has not stepped in to fill their place effectively.

"For two years my village didn't have good crops due to heavy snow fall. Despite the failure of crops, there was no government assistance, and we still had to pay a heavy rate of taxation, despite our yield being much smaller. At these times all the village people faced problems and had to sell their animals. For the years of 1997 and 1998, my family had to sell 15 *yaks* and 20 sheep, as a result of the crop failures," said Tamding, a 19-year-old farmer from Haiyen County, Qinghai Province (Amdo) who reached Dharamsala on 15 December 1999.

A 24-year-old nomad from Malho "TAP" in Qinghai Province arrived in Dharamsala on 3 January 2000. He reports that there have been instances of government aid during agricultural crises, but that taxation remained the same at these times. In 1996 Chinese County authorities gave each family in the village 500 yuan in government assistance. This compensation was given after a very heavy snowfall when many lost animals. "My family lost 20 *yaks* and six sheep. The compensation was not enough and we still had to pay our taxes at the usual rates, though not for the dead animals. There are no Chinese farmers in the area."

Conclusion

The testimonies which TCHRD has gathered from recently arrived refugees from Tibet indicates that the state of development in Tibet is a source of major concern. China's claims about reduction of poverty, food security, lenient taxation policies, increased agricultural production, and improving standard of living in Tibet are flawed and hollow.

It is clear that there is a huge gap between the professed development that has taken place in Tibet and the real development that has touched the lives of the Tibetan people. The gap between the official discourse of development and the lives of the people is often blurred by the use of impressive facts and figures. The development that has taken place in Tibet, rather than benefitting the Tibetan people, has actually occurred at their cost resulting in a violation of their socio-economic rights, or broadly their right to development.

While it may be true that some Tibetans have benefitted from the development that has taken place in Tibet, we must ask what has been lost, and recognise that today in Tibet many have yet to see any tangible improvements in their day to day lives. Development in Tibet is one of China's greatest claims to success, but the picture emerging is of a land of haves and have-nots. The promises made have yet to be fulfilled and the cost borne in the decades of Chinese rule has left the issue of "development", which could be a real avenue of change and empowerment for Tibetan people, tainted and controversial. We can only hope that in the future fresh strategies and approaches will yield concrete gains for Tibetans in realising their right to development. Their participation will be the key.