



Human Rights Situation in Tibet Annual Report 2017



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TIBETAN CENTRE FOR HUMAN RIGHTS AND DEMOCRACY

The Tibetan Centre for Human Rights and Democracy (TCHRD) was founded in January 1996 in Dharamsala, India as a non-governmental human rights organization. The centre is entirely run and staffed by Tibetans in exile. We advocate for human rights and justice in Tibet.

Our Mission

To protect the human rights of the Tibetan people in Tibet and promote the principles of democracy in the exile Tibetan community.

Our Work

We monitor, research, document human rights violations in Tibet and provide reliable information to the international community.



TCHRD

TCHRD's staff members are Tsering Tsomo, Executive Director; Pema Gyal, Tenzin Dawa, Researchers; Tenzin Nyima, Research Associate; Trisong Dorjee, Field Officer; Ngawang Namdul, Digital Campaigns Officer; Phurbu Dolma, Accountant; Bhutuk, Office Assistant.

TCHRD's research fellow for 2017 is Genevieve Chan.

For hard copies of any reports and/or for more information, please contact office@tchrd.org

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Executive Summary

In 2017, the Party state of People's Republic of China (PRC) intensified and strengthened the prevailing mass surveillance programs throughout Tibet. Thousands of Party cadres and officials sent to farming and nomadic communities continued to conduct mass surveillance and political re education campaigns under the guise of poverty alleviation work. Chinese authorities implemented new repressive laws and regulations backed by advance technology like voice-recognition systems and facial recognition cameras to preempt and suppress peaceful political dissent and government criticism. The Cyber Security Law came into effect that required network operators to comply with requests from government authorities to provide full access to data and other information. Additional regulations were introduced to control user activities on different Internet communication platforms.

Throughout the oppressive surveillance state, Tibetans continued to protest and self-immolate in order to draw attention to crimes against humanity and other human rights violations perpetrated by Chinese authorities in Tibet. The Tibetan Centre for Human Rights and Democracy (TCHRD) documented 12 known protests including eight self-immolations this year. Tibetans continued to get arbitrarily detained where they experience additional deprivation of freedom and other human rights violations. Torture remained rampant in pre-trial detention where detainees are frequently forced into false confessions. Several cases of torture uncovered this year contribute to the overwhelming testimonial evidence of the inhuman Chinese justice system. The common use of enforced disappearance guarantees full discretion to law enforcement agencies to subject detainees to torture and deny them the right to legal representation and fair trial. This year, TCHRD Political Prisoners Desk documented the detention and sentencing of 18 known Tibetans. The total number of detained Tibetans now stands at 1650 out of which 457 has been sentenced and the status of 146 Tibetans remains unknown. The political prisoners database now contains the information of 5077 of former and current known political prisoners in Tibet.

Further restrictions were imposed on the right to freedom of religion and belief with the introduction of the revised Regulations on Religious Affairs. A particular focus of the revisions aligned with online mass surveillance schemes with provisions highlighting increased scrutiny and restriction on online communication and cyber activity relating to religion. Additional revisions incorporated the 2007 regulations on reincarnation that gave the Party-state complete control and authority over the Tibetan Buddhist reincarnation system.

The year also witnessed Chinese authorities completing its project of demolishing and depopulating Larung Gar Buddhist Institute followed by the imposition of direct rule by Party authorities in the day-to-day administration and management of the institute. Tightening control over religious institutions indicates that the raft of monastery management measures implemented for the past five years would become a permanent feature. This would further contribute towards the securitization of Tibetan religious and cultural issues resulting in increased religious freedom violations.

It has led to an artificial growth in Tibetan economy fuelled by massive state subsidies and dominance of Chinese migrants in urban centres where the double-digit growth is most manifest. The designation of large swathes of Tibetan land as protected areas in the form of nature reserves and national parks has resulted in the steady removal and relocation of Tibetan nomads from the most productive pasture lands thus depriving them of their livelihood sources.

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Relocation is also a primary means through which Chinese authorities are implementing its so-called poverty alleviation program. The so-called "accurate poverty alleviation program" is a major component of PRC's development policy in Tibet. Millions of 'poverty stricken' people in rural areas are targeted for relocation or resettlement despite evidence that such large scale social engineering projects have caused further impoverishment, food insecurity and water scarcity. Tibetans are increasingly forced to give up their lands, lose livelihood and depend on government handouts so that PRC can assert its control over Tibet's rich natural resources by creating vast tracts of protected areas ostensibly in the name of wildlife conservation, carbon capture and global leadership in climate change. Tibetans are not involved during the design and implementation of anti-poverty programs and their livelihood interests are not protected or given proper consideration. New information received by TCHRD again confirms that local Chinese authorities use "force, intimidation and suppression" to displace and dispossess Tibetan nomads from their ancestral lands in the name of poverty alleviation program.

Recommendations

TCHRD urges the international community to engage with the PRC authorities and advocate for the PRC to:

- Cease programs of mass surveillance and other measures of control that enables human rights violations.
- Review, repeal and amend legislation and policy that go beyond the reasonable requirements of state security prevention of crime in breach of the right to privacy and other linked human rights.
- Implement internationally accepted best practices, standards and safeguards in relation to the promotion and protection of the right to privacy.
- Introduce internationally accepted best practices, standards, and safeguards in relation to the promotion and protection of the right to privacy and the right to freedom of opinion and expression.
- Revise the Criminal Procedure Law to remove abuses to the right to a fair trial and adequate defence that impact lawyers, removing restrictions and delays on lawyers to meet with their clients promptly following detention, and to meet with clients in private regardless of the charge involved; providing for notice of detention and arrest to family and legal counsel in all cases.
- Introduce and strengthen legislation to prohibit torture and to make it a criminal offence with proper independent investigation and sanction.
- Cease all practice of torture and other inhumane treatment of all detainees.
- Repeal all legislation and practice that enables extra judicial detention, including “residential surveillance at a designated place” and the use of “black jails”.
- Publish information on all persons held in custody and release those who are subject to enforced disappearance.
- Release all prisoners of conscience who fought for their rights.
- Review and repeal of national legislation that prevents the exercise by Tibetans of the right to peaceful assembly.
- Adhere to Article 36 of the constitution and Article 18 of ICCPR to protect and promote religious freedom.
- Remove Monastery Management Committees and allow members of monasteries to independently rule and head their own institutes.
- Re-evaluate revisions in Regulations on Religious Affairs and void all provisions that restrict religious freedom.
- End destruction of monastic institutes and provide sufficient housing for monks and nuns evicted from Larung Gar and Yachen Gar to enable their return to their monasteries and nunneries.
- Allow all individuals to freely practice their religious beliefs without government interference in the name of Sinicization or socialist values.

Recommendations

- Cease vilification campaigns against His Holiness the Dalai Lama and persecution of those who possess photos or any material concerning the Tibetan spiritual leader.
- Ratify the International Covenant on Civil and Political Rights (ICCPR) and the International Convention for the Protection of All Persons from Enforced Disappearance.
- Comply with international and national legislation convention and commitments on the right to food and the rights of indigenous people when developing land use policy.
- Stop forced resettlement of Tibetan nomads from their traditional lands and relocation programs of other rural residents.
- Allow return to traditional life and livelihood for those who have undergone non-voluntary resettlement.
- Meaningful consultation with Tibetan stakeholders including nomads and farmers on forging alternative ways to manage Tibetan grasslands and review of existing grassland policy that is ineffective, negative and improper.
- Cease construction of new hydro dams and assess the environmental and social impact locally, nationally and regionally.
- Cease water diversion projects and bottling of water and develop more sustainable alternative policies.
- Develop policies and processes that enable local community participation and utilisation of local knowledge and expertise.
- Establish sacred natural sites and make Tibetans equal stakeholders in managing nature reserves and national parks.
- End the policy of tuimu huancao on the grounds of unclear results and poor implementation and in light of research showing that moderate grazing pressure and herd mobility are beneficial to grassland biodiversity and that conversely, grazing bans and herd mobility restrictions are detrimental to grassland biodiversity.
- The inclusion of Tibetan pastoralists in all decision-making processes dealing with grasslands usage.

Freedom of Opinion and Expression

“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

–Article 19 of the Universal Declaration of Human Rights

Under the guise of promoting development and stability in Tibet, the Chinese authorities have been implementing various initiatives that are advertised to assist the common development and safety of the Tibetan people. In reality these are mass surveillance methods to monitor and control Tibetans. For instance, under the 'grid-style social management' introduced in 2012, villages and towns are systematically organised into sections for better supervision and surveillance (The Economist, 2013). These initiatives come under the 'social management' strategy which is “a system of policies, methods, institutions, and attitudes designed to prevent social unrest by improving government provision of social services while at the same time improving government provision of social services while at the same time improving government capacity to suppress dissent” (HRW, 2017e). The Chinese government disguise and justify such programs under the cloak of delivering social services when they actually contribute to their ultimate goal of suppressing and assimilating Tibetans.

Mass surveillance denies Tibetans the right to exercise numerous human rights, particularly freedom of opinion and expression as Chinese authorities criminalise customary behaviours that are central to Tibetan identity, culture, and religion. Surveillance tactics also violate privacy rights as both methods of human and technological surveillance forcefully intrude into Tibetan lives. Through the wide ranging scope and span of mass surveillance methods, Tibetans live under persistent scrutiny and fear of being persecuted by the authoritarian state. Tibetans are forced to suppress themselves and censor their speech and behaviour while displaying passivity towards Chinese authorities to decrease their likelihood of harassment or detainment, both of which may involve brutal beatings, torture, imprisonment and sometimes death. Through the numerous mass surveillance schemes, the PRC has managed to apply severe levels of control and domination over Tibetans leaving little to no space for expression of criticism and dissent.

Village-based Cadre System

A surveillance method that has been considered extremely successful by Chinese authorities is the village-based cadre system. The program began in 2011 as a response to the 2008 Tibetan uprising and has continued to expand and grow.

Also known as the “Solidify the foundation, Benefit the Masses” campaign, more than 20,000 government and Party cadres are deployed every year to live in teams of four or more in each of the over 5,000 villages and more than 1,700 officially recognized monastic institutions in the TAR (HRW, 2016). The program is promoted as poverty alleviation scheme to help Tibetans, particularly those living in the

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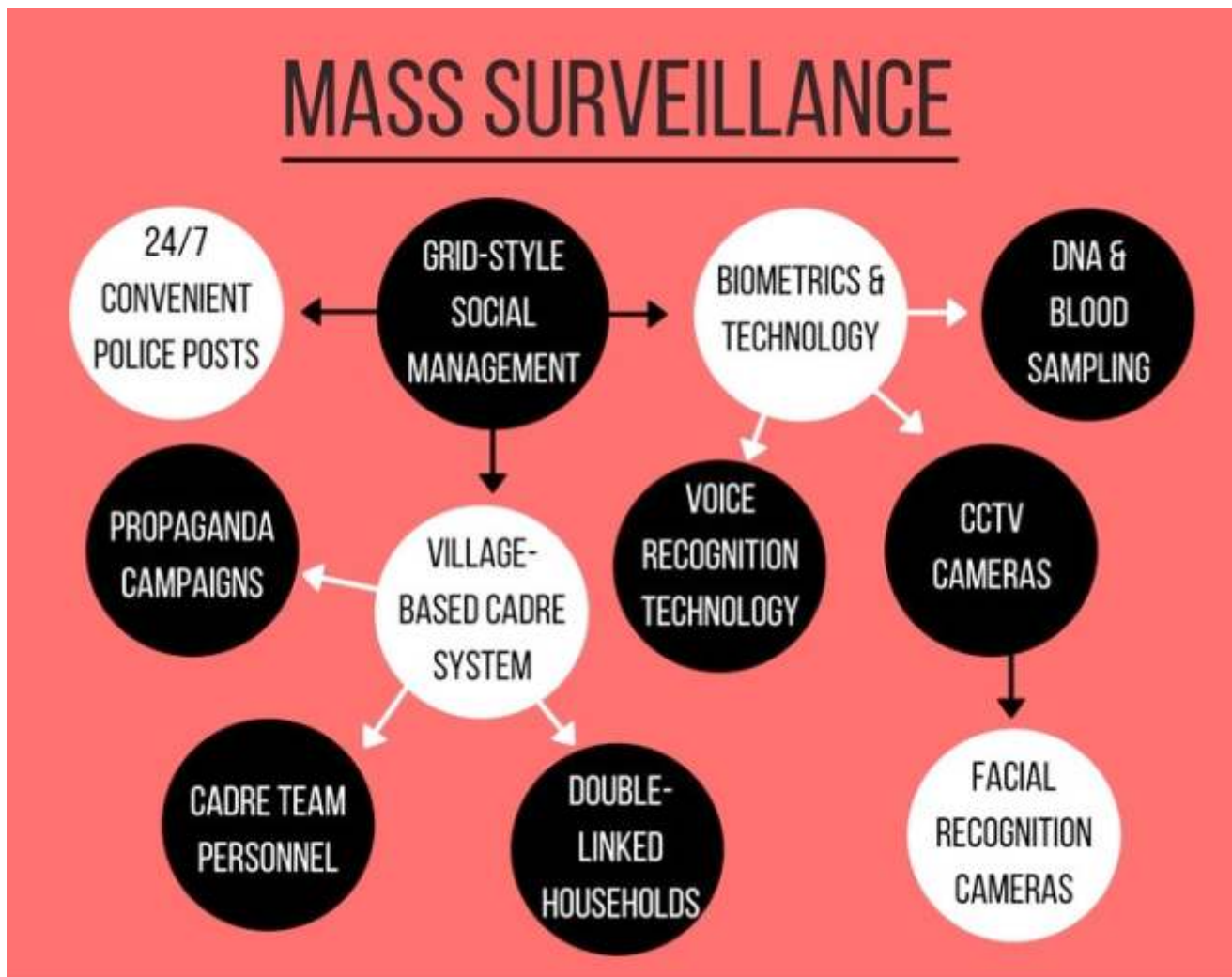
remote nomadic and farming communities to “cast off the hat of poverty.” But the political purpose behind the program became evident in a government report that alluded to the 2008 uprising: “Over the years the Party’s presence in the pastoral areas has been weak and ‘lacking methods and talent,’ which has led to problems. To this end, Tibet has accelerated the [Party State’s] transition . . . [of] using new results to promote stability and develop a powerful force” (The China Tibet Online, 2015a). The political intention is also evident from a statement from Wang Guogang, a village-based cadre work team leader in Sado Township in Tengchen County, Chamdo Prefecture, to the Chinese state media reporters that his responsibilities were to “explain to all the villagers the policy of the Party, teach patriotic songs to children, and make older Tibetans share through their own experiences the differences between old and new Tibet so that the masses can feel gratitude deep within their hearts to the Party for giving them a happy life” (Tibet Daily, 2017a).

Every year more cadres are sent to villages and monasteries to cover more of the rural areas. Official Chinese media report that the village-based cadre system covered an official count of over 1,700 religious sites with 46,000 monks and nuns in Tibet Autonomous Region (TAR). While current figures are difficult to obtain due to constrained methods of communication, numbers are likely higher since the official count does not include the unregistered monastic population and also because the surveillance scheme has continued to grow. In monastic institutions, efforts are made to ensure the “management of monasteries in the fight against the Dalai Lama group.” This year a Chinese government report expressed that new management of monastic institutions in TAR that started in 2012 has helped in maintaining stability in monastic institutions (China Tibetan Radio Website, 2017).

A feature of the cadres’ surveillance work involves the stationing of convenience police posts, which are typically located in street corners and run 24/7. The TAR now has at least 696 convenience police posts that offer a range of “convenient services” such as phone charging stations, Wi-Fi, umbrellas, wheelchairs, and even hot tea and free newspapers (Leibold & Zenz, 2016). But they also serve the purpose of effective forward-operating bases for community policing and 24-hour patrols. TAR authorities admitted that the police posts had also been successful in stability maintenance throughout villages and towns (China Tibetan Website, 2017). Figure 1 displays a flow chart of known mass surveillance schemes in Tibet.

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Figure 1: Mass surveillance flow chart



Another aspect of the village-based cadre system is the use of a “double-linked household management system.” Households are placed into groups of 10 to double up on household income and create a stronger sense of security while also serving as a means of low-level state surveillance. James Leibold, an expert on PRC's ethnic policy and ethnic relations, stated that “loyal” families are often paired to a “suspect” family as an approach to keep a suspect family under constant surveillance (J. Leibold, personal communication, 27 October 2017). The community-based supervision serves to monitor potential security threats, 'religious extremism' and 'targeted individuals' on watch lists. The system has formed at least 81,140 units of double-linked households, or over three million residents, which is roughly the TAR's entire population (Gan, 2016).

Within the village-based cadre system, a new propaganda campaign known as the “Four Emphases and Four Loves” was introduced on 31 March 2017 in TAR. The immediate goal was to create a favourable environment for the 19th Party Congress and the long-term goal, like many other older, existing Maoist style ideological propaganda campaigns, was to enforce political loyalty. Notices were

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issued to all levels of Party and government departments to implement the propaganda campaign in all villages and towns in TAR. While the campaign targeted farming and nomadic communities and members of monastic institutions, according to the Chinese state media, children and youth were the main targets (Tibet Daily, 2017c).

The campaign requires Tibetans to “Love the core by emphasising the Party’s kindness/Love the motherland by emphasising unity/Love your home by emphasising what you can contribute/Love your life by emphasising knowledge.” In summary, Tibetans must refrain from criticising government policies and officials, show gratitude and loyalty to the Party and Xi Jinping, oppose anything that threatens unity such as criticism of the Party, the state, or discussions of independence or increased autonomy, and to focus efforts on what one can contribute as determined by the Party (Richardson, 2017). Associate professor Zhou Xiaoren of Teaching Department of Ideological and Political Theories of Tibet University in Lhasa explained that the propaganda campaign had also been merged with general politics courses to encourage young adults to help achieve the “Chinese Dream,” which is anchored in patriotism and socialism with Xi Jinping at its core (Chugani, 2017; Tibet Daily, 2017c). Figure 2 presents a photo of students from Toelung Dechen (Ch: Doilungdeqen) Middle School participating in a 'Four Emphases and Four Loves' celebration in Lhasa.

Figure 2: Photo source: VTibet (2017)



The goals and effects of the Four Emphases and Four Loves campaign are similar to the patriotic education campaigns that have been implemented with varying intensity, forms and frequency since 1990s in Tibet. At the heart of such ideological campaigns is the overriding goal to neutralise the faith and loyalty that the Tibetan spiritual leader, the Dalai Lama, command among Tibetans and replace them with feelings of patriotism and loyalty for the Party and the Chinese state (Powers & Templeman, 2012). As such, it not only seeks to deny Tibetans their freedom of opinion but also their right to maintain their own national and cultural identity because these ideological campaigns are also aimed at persuading Tibetans

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to adopt a modern, Chinese identity by criticising the ‘backward and uncivilised’ aspects of Tibetan identity, as perceived by the Chinese state. Those guiding the political indoctrination campaigns attempt to brainwash Tibetans into believing in the Party’s principles that include eliminating Buddhism and encouraging stronger agreement on “re-educating” the masses (International Campaign for Tibet, 2017b). In many ways, propaganda campaigns resemble the work of “thought police,” as both share the goal of disseminating opinions and regulating civilians’ opinions. The intensification of propaganda efforts within the village-based initiatives are an extension of the overall mass surveillance scheme.

While the village-based cadre system was due to end in 2014, it was extended indefinitely and is expected to become a permanent part of Tibetans lives. The mass surveillance programs were introduced under the leadership of Chen Quanguo, the former Party Secretary of TAR. It was during Chen’s tenure that surveillance became a norm for Tibetans, intruding into all areas of their lives. As the current Party Secretary of Xinjiang Uyghur Autonomous Region (XUAR), Chen has replicated many surveillance techniques of TAR and has left no stone unturned in building a highly regulated police state in XUAR akin to the one he had erected in TAR (Zenz & Leibold, 2017). Under Chen’s successor Wu Yingjie, surveillance programs continue to develop and broaden into increasingly pervasive methods that subject Tibetans to even more violations of their basic rights.

Automated Surveillance Methods

Across the PRC, local governments have invested large amounts of money to revolutionise various methods to continue surveillance work. Biometric technology received significant attention in 2017 as a developing new technique to further aid PRC’s surveillance scheme. However, it is important to note that many new surveillance technology and initiatives have already been in practice long before their operations became public. One example is the use of mass automated voice recognition and monitoring systems created by the company iFlytek. In 2012 the Ministry of Public Security began building a national voice pattern database. In 2014 the Anhui provincial police bureau issued an order to accelerate the database construction. In as early as 2015, the use of voice recognition technology was in use to support surveillance work in Tibet and other areas (HRW, 2017c).

The voice recognition technology introduces yet another invasive aspect of surveillance to monitor Tibetans. In law enforcement databases, voice biometric data reveals the individual’s identification number that then leads to other personal information such as their ethnicity, their address, and travel records. Unlike other forms of biometric data, collecting citizens’ voices can occur without their knowledge and consent. Police officials can discreetly collect voice patterns while obtaining other biometric data such as fingerprints, urine, and DNA samples. Through this technology, Chinese authorities can receive alerts when a voice is recognized in the system from phone calls and respond accordingly. In Tibet, it is likely that the voice recognition system assists Chinese officials in targeting “key individuals” such as released prisoners, those returning from exile, and family and friends of detainees and protesters as they are considered higher risks for resistance, although it is expected that all Tibetans would be subjected to voice recognition surveillance techniques.

Chinese officials have also conducted mass DNA and blood collection from vulnerable groups that have already been targeted for surveillance. Samples were taken from citizens who were neither

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convicted nor suspected of a crime but were treated like criminals. Due to the lack of actionable privacy rights in the PRC, individuals have little to no power in refusing to provide such personal data (HRW, 2017b). Authorities claimed that the database would support law enforcements' efforts in solving crimes. However, documented cases have shown that the DNA collection has not been connected to solving specific crime cases but to merely obtain citizens' basic information. In addition to the collection process where officials did not allow individuals to express their objections, individuals' rights would inevitably be violated when government personnel misuses the databases.

In 2012, Chinese authorities in TAR introduced a health care scheme that provided free health checkup that "included 12 exam items" such as 'blood test, electrocardiographic examination and color Doppler ultrasonography' (Jigme, 2016). By 2013, the scheme had covered almost the entire population of TAR, both rural and urban (Su, 2013). The free healthcare scheme is part of the overall social management strategy that promises basic social services on the one hand and stability maintenance on the other, which has been implemented with increased intensity since late 2011 in the TAR and other Tibetan areas.

The United Nations Special Rapporteur on the right to privacy has cited that DNA collection can provoke human rights concerns as government surveillance can misuse their databases (A/HRC/31/64). Chinese authorities were also found collecting DNA samples, fingerprints, iris scans, and blood types of millions from the age of 12 to 65 in XUAR under the guise of providing free medical check-ups (HRW, 2017a).

Facial recognition cameras are yet another form of biometric surveillance technique that gained more exposure this year, although such cameras have been used in the PRC as early as 2005 (Langfitt, 2013)

After the 2008 uprising in Tibet, the use of facial recognition cameras increased throughout public streets and inside monasteries. However, the use of facial recognition cameras in public streets can be substantially less effective because lighting can affect appearances. Figure 3 shows a surveillance camera disguised like mani wheels (Tibetan prayer wheel).

In 2020, a "social credit" system is expected to be launched that would give citizens rankings with the data generated through various means of surveillance. A planning outline was constructed in 2014 that described the system as "based on a complete network covering the credit records of members of society and credit infrastructure" (Creemers, 2015).

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Figure 3: Surveillance camera at Barkhor, the busy and crowded market surrounding the Jokhang Temple in Lhasa. Photo source: Woesser (2014).



Similar to how financial institutions rank customers based on their credit score, the system ultimately rates individuals based on their level of sincerity. “Sincere” citizens would have behavioural displays of genuine submissiveness towards state authority and adhere to the Party’s fight against separatism and dissent (Lafitte, 2017b).

Confucian tradition asserts that the modification of behavioural compliance, whether genuine or not, would eventually “educate the heart to follow” (Lafitte, 2017a). The Party State believes that if citizens merely act compliant and treat the Party as their superior, then they will achieve sincerity and become model citizens.

The social credit system strives to establish “the idea of an sincerity culture, and carrying forward sincerity and traditional virtues, [while using] . . . encouragement to keep trust and constraints against breaking trust as incentive mechanisms, and its objective is raising the honest mentality and credit levels of the entire society” (Creemers, 2015). Through a reward-and-punishment structure, social credit aims to provide both financial and social security throughout society. Citizens will be rated for their work performance, public behaviours, financial status, etc. (Lafitte, 2017a). For Tibetans, official slogans that

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embody the regime helps in determining their level of sincerity. For instance, preventive control refers “to the construction and development of policing networks to detect and deal with threats to stability before they lead to actual incidents. It also includes organising ordinary people to carry out security work by recruiting security teams and organising citizen patrols in villages, neighbourhoods, schools, and workplaces” (HRW, 2017e).

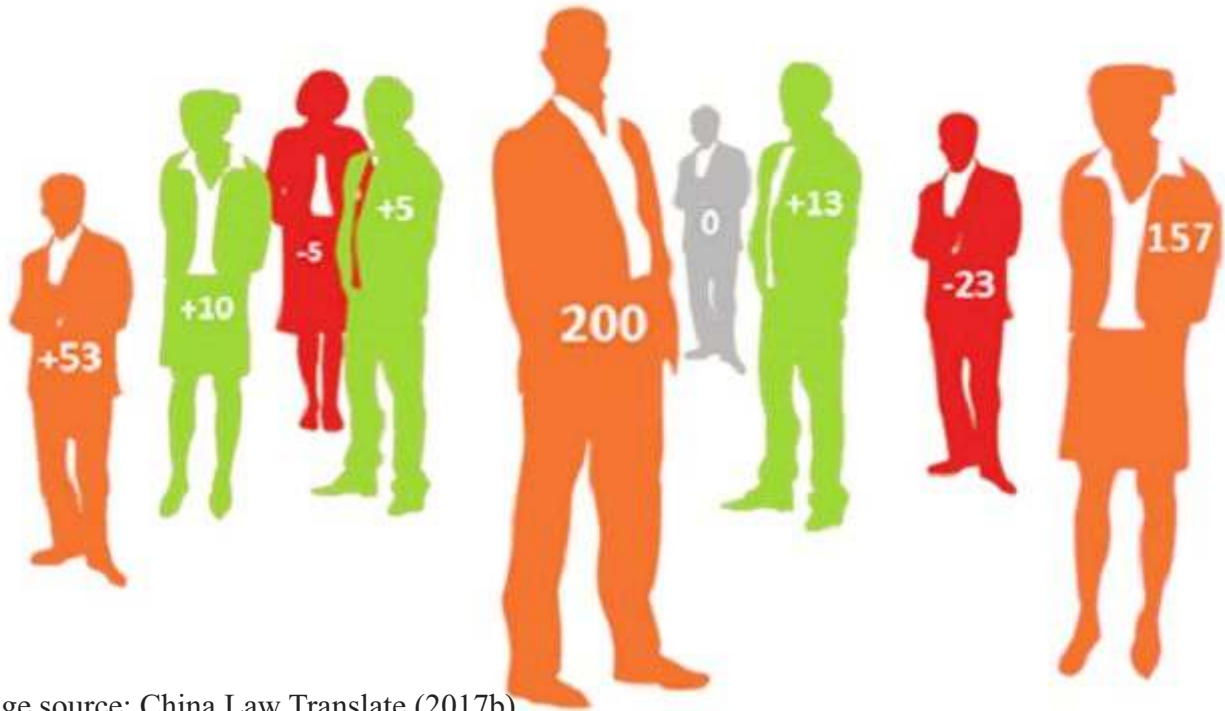


Image source: China Law Translate (2017b).

Another phrase 'eliminate unseen threats' instructs all 'personnel to take preemptive action against any potential cause of instability, even if it does not yet appear to be a threat" (HRW,2017e) Should an individual receive a low social credit ranking, punishments range from restrictions in travel and mode of travel, in using grasslands, in using Stateowned natural resources and woodlands, employment in food sectors, and in obtaining government support or subsidies (Creemers, 2016a). In contrast, rewards may include “fast track acceptance” when dealing with administrative approvals, priority provision of public service conveniences in areas such as education, employment, establishing businesses, and social security, and in reducing costs of market trading (Creemers, 2016b). With a reward-and-punishment system in place, Tibetans would be forced to resort to certain behaviours to have a better chance in accessing certain opportunities. The effect of positive reinforcement can significantly influence Tibetans to adopt the Party State’s ideologies or at the very least, pretend to agree with them. Either Tibetans will be pressured to exhibit loyalty to the state or they will experience punishment for not doing so, both of which prohibits Tibetans from free expression.

The attempt to alter one’s opinion and behaviour reflects the severity and degree of control the

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PRC is willing to exert to reach its goals. The endless pursuit of mass surveillance goes beyond the rationalisation that the surveillance methods are employed to combat crimes and ensure state security. Leibold has pointed out that the PRC's use of surveillance is "not about responding to incidents but about predicting and planning ahead" (J. Leibold, personal communication, 27 October 2017). The preemptive measures, that have now become the main component of surveillance efforts, merely serve as a platform for Chinese authorities to continue violating human rights. Leibold further explained that while PRC's policies have been successful because resistance now only occurs on a small scale, the Party State's sense of stability is superficial. The implementation of these policies have destroyed any sense of trust among the so-called minority communities and created a heightened sense of insecurity among Tibetans that over the long-term can be extremely detrimental.

Digital Communications and Cyberspace Control

The Chinese government has long been controlling digital communications and activity on cyberspace. In TAR and other Tibetan areas, it has become so pervasive that the term 'Nets in the Sky, Traps on the Ground' that refer to the blocking of foreign media broadcasts in Tibet and the controlling of cyberspace illustrate how inescapable the monitoring of online activity has become (HRW, 2017e). 2017 experienced an expansion of online restriction and control that severely impacted the right to freedom of expression in Tibet and elsewhere in the PRC. Due to the implementation of extreme methods to 'fight against separatism', online control is even more severe in Tibet. The government's increased domination in cyberspace has contributed to the steady erosion of space for individuals to speak and share their opinions online and on mobile platforms.

This year in preparation for the Tibetan national uprising day that falls on 10 March, Chinese prefecture authorities issued a directive ordering the blockage of all Internet services in numerous counties in Kardze 'Tibetan Autonomous Prefecture' ('TAP'). The directive was distributed in Dartsedo (Chinese: Kangding), Tawu (Ch: Daofu), Drango (Ch: Luhuo), Kardze (Ch: Ganzi), Sershul (Ch: Shiqu), Derge (Ch: Dege), Palyul (Ch: Baiyu), Nyagrong (Ch: Xinlong), Lithang (Ch: Litang), and Bathang (Ch: Batang) counties (RFA, 2017k). In the neighbouring TAR, state security officers were kept on high alert and stationed around the region in an attempt to intimidate Tibetans to respond quickly to any outbreak of protests. The shutdown of Internet services was also a preventive measure to cut off communication between Tibetans inside and outside Tibet because the PRC government suspects that activities by Tibetans in exile would incite those inside.

Prior to the 19th Party Congress that was held from 18 to 24 October, efforts were made to prevent online communication throughout Tibet. All Internet communication mediums were blocked as a measure to ensure a smooth Party congress (AFP & Lau, 2017). Many Tibetans were unable to use the smartphone application WeChat to communicate with their relatives outside of Tibet.

From 14 to 18 September, Chinese authorities had summoned all heads of local Tibetan monasteries in Trika (Ch: Guide) county in Tsolho (Ch: Hainan) 'TAP' and warned them against the use of social media to view and spread "illegal contents" such as information relating to Tibet and Dalai Lama (RFA, 2017x). The monks were threatened of severe consequences if they were found violating the ban and were forced to express loyalty to the Chinese authorities. Similar tactics were also used in other areas

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of Tibet as a move to tighten control over information dissemination outside Tibet.

"The greatest mental anguish about gathering information about human rights abuses is to learn about the detention of information sources"

Tsangyang Gyatso, president of Jonang Welfare Association, shared his experience communicating with friends and relatives in Tibet. He was born and raised in Tibet and now lives in India.

"I have witnessed drastic changes in the past several years in terms of the ability for Tibetans inside and outside Tibet to communicate and exchange information. Previously in 2012-13, Tibetans inside Tibet were more willing to share information but things changed after I was named as one of the instigators of self-immolation protests in a program aired on Chinese government controlled news channel Qinghai TV in 2014.

In the 15-minute program, which was essentially Chinese government propaganda on self-immolations, they showed my picture and interviewed some elderly people in my hometown who expressed their disapproval of my activities that they claimed allegedly endangered the nation's security. I knew the interviewees were forced to appear on the program. The program also featured an interview with three of the seven monks from Jonang Monastery, who had been imprisoned for sharing information about self-immolation. The monks were forced to make false confession that I had instigated self-immolation protests and told them how to forge letters purportedly written by self-immolators. By obtaining false confessions, the Chinese authorities wanted to discredit the sacrifices made by the self-immolators and to avoid taking responsibility for the deadly consequences of their human rights abuses and repression in Tibet. They wanted to put all the blame on me and the other so-called 'exile Tibetan separatists'.

All I did was to let the international community know about self-immolation and other abuses perpetrated by Chinese authorities. I remember getting contacted by Tibetans inside Tibet about self-immolations that occurred in Dzamthang, Golog and Ngaba. Despite the risks, they contacted me and asked me to pass on the information to media agencies and human rights groups. It was the least I could do to fulfil the wishes of the self-immolators and to honour the great sacrifices they made for our people. I shared the information without concealing my identity, although I knew this could have dangerous repercussions on my family and relatives who still lived in Tibet. I do not regret what I did. But one of the greatest mental anguish about gathering information about human rights abuses in Tibet is to learn about the torture and detention of information sources.

After the program was broadcast, my brother was detained for interrogation for about three months and my sister, a schoolteacher, was also called for interrogation five or six times. Both of them were subjected to long hours of interrogation to obtain information about my background and what I did in India. My family members were kept under constant watch. Local authorities held numerous meetings in my village of 200 households and local Tibetans were given stern orders that it was illegal to keep any contacts with me or to even discuss about me. Since then, my family, relatives and other acquaintances have literally blocked me on WeChat.

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In the lead up to the 19th Party Congress, I noticed quite a number of Tibetans quitting WeChat groups in Tibet. Some cautioned their friends to avoid talking about sensitive issues and others resorted to blocking accounts of friends who are normally more outspoken” (T. Gyatso, personal communication, 7 November 2017).

Detained for storing photos of Dalai Lama and Tibetan national flag in mobile phone

An unidentified Tibetan youth was reportedly detained for more than two weeks for possession of a photo of His Holiness the Dalai Lama and the Tibetan national flag in his mobile phone. He was arrested at a teashop in Golog (Ch: Guoluo) Tibetan Autonomous Prefecture. He was interrogated on several issues relating to incriminating pictures, particularly the Tibetan national flag and was fortunate to be released from detainment without being physically harmed (RFA, 2017hh).

Communication restrictions are nothing new in Tibet. Chinese authorities have long censored and monitored online postings on Chinese micro blogging sites like Weibo and WeChat because other popular applications like Facebook, Twitter, and YouTube are banned throughout the PRC. A popular method to bypass government restrictions online is with the use of a Virtual Private Network (VPN). VPNs are crucial for many to access foreign sites where topics such as democratic movements or issues relating to Tibet can be discussed (Haas, 2017). A VPN can also override the government’s censorship system, also known as the Great Firewall, and allow users to access banned sites. Government officials are aware of the Firewall’s weak points that have allowed the use of VPNs. In an attempt to remedy that, the PRC has ordered three state-owned telecommunication companies to completely block all access to VPNs by February 2018.

The criminalisation of VPN use follows a notice issued by the Chinese Ministry of Industry and Information Technology in January that required all special cable and VPN services to obtain prior government approval. It was part of a 14-month nationwide campaign against unauthorised Internet connections that is expected to end on 31 March 2018 (Ye, 2017). Foreign companies are also succumbing to the pressure. For instance, in July the Apple Company made a decision to remove all major VPN apps from the App Store throughout the PRC. Apple explained that their removal was “required” because the apps violated Chinese law (Russell, 2017a). The illegalisation of VPN apps has effectively ended the only way an Internet user in the PRC could access the Internet without restriction.

Cyber Laws and Regulations

On 1 June the PRC’s Cyber Security law came into effect. The law now requires network operators to store select data within PRC and allow Chinese authorities to conduct spot-checks on a company’s network operations (Wagner, 2017). While the law is focused more on the network level rather than the individual level, it nevertheless reflects citizens’ declining rights to freedom of expression and rights to privacy.

The expressed motivation behind the law is to address the growing threats of cyber-terrorism and hacking. But the overly broad and vague provisions of the law makes it possible for anyone to get

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arbitrarily arrested under the pretext of protecting “network security” (Reuters, 2017). For example, article 12 demonstrates the generalisation that would apply to Tibetans if they were caught discussing freedom or human rights: “Any person and organization . . . must not use the network to engage in activities endangering national security, national honor and interests, inciting subversion of national sovereignty, the overturn of the socialist system, inciting separatism, undermining national unity, advocating terrorism or extremism, inciting ethnic hatred and ethnic discrimination, [and] disseminating violent . . . information . . .” (China Law Translate, 2016).

The cyber security law echoes the Chinese government’s extensive efforts to manage the Internet within its boundaries, establishing the so-called concept of ‘Internet sovereignty’ and redefining the shared global web space. Before the law, network operators had more freedom in deciding whether to comply with government requests. With the new law in place, network operators would be held liable and fined if they refused to follow through with demands. For example, if network operators are asked to cooperate with Chinese crime or security investigators and provide full access to data and unspecified “technical support,” they will likely obey because refusal invariably leads to reprisals and their businesses would suffer (Wagner, 2017). While PRC’s concept of ‘Internet sovereignty’ may seem unfeasible and contradictory to the global information space of “world wide web,” it appears that the Party state has temporarily succeeded given that many companies are working within the cyber security law framework instead of leaving PRC (Denyer, 2017).

Shortly after the cyber security law was enforced, the Cyberspace Administration of China (CAC) released four new implementation regulations on 25 August that created an even tighter clampdown on Internet usage. The regulations applied to all online interactions such as Internet forums, message boards, group chats and news comments (Sacks, 2017). In all four of the regulations, provisions required the real name registration of an individual user for identification and documentation with the Ministry of Public Security. The name registration is closely linked with the social credit system because the payment systems online are tied to individual bank accounts that require a valid phone number, national ID and other personal information. Because of this, PRC’s social credit system is also reducing the capacity for online anonymity-which has all but disappeared in PRC. An overview of the four new regulations with some of their articles as examples is presented in figure 4.

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Figure 4: Source: Sacks (2017).

REGULATION	RULE
Internet Forum Service Management Regulation	Article 8 states that users should be denied service if they do not register under their real identities for online forums and message boards.
Internet Thread Comments Service Management Regulation	Article 9 requires real name registration to post comments, reply, and other interaction online for news and social media. It also calls for companies to create a credit system where users will receive ratings that determine their scope of service. The central government will also keep a credit file on users.
Internet User Public Account Information Services Management Regulation	Article 6 requires that Internet users provide their organization, national identity documents and mobile phone numbers or be denied service. Companies must also set up credit rating systems tied to user accounts.
Management Rules of Internet Group Information Services	Articles 6 and 7 require real identity registration for users and the establishment of credit ratings for Internet chat groups, and they make Internet group owners liable for violations.

On 7 September, the Cyberspace Administration of China (CAC) released a statement on their website that group chat administrators were to become responsible for the management of their group (The Cyberspace Administration of China, 2017). This requirement is upheld within the Management Rules of Internet Group Information Services regulation that would affect service providers such as WeChat, QQ, Weibo, Group, Street Group, Alipay group chat and other Internet groups. The regulations would also require the service providers to set up social credit systems. Lobsang Gyatso Sither, a digital security expert at the Tibet Action Institute, explained that “nowadays, Tibetans tend to self-censor themselves to a higher extent even if they really want to share information outside. So they try to be more cautious before speaking and exchanging opinions just so that it does not affect their social credit system. Because the social credit system at the end would entail whether you get a better job, easier visa, easier

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passport, easier bank loans and a lot that has to do with the daily lives of people. People think twice like ‘if I say something wrong, will my social credit score be low?’ It's a very strong factor in how people are going to self-censor themselves online. So that's a big challenge because very few will risk the consequences of a low social credit score" (L. Gyatso, personal communication, 8 November 2017).

In Machu County, Kanlho (Ch: Gannan) 'TAP', a public notice issued by the Machu County Internet Police took effect on 8 October that contained local versions of the CAC's public accounts and Internet groups regulation. The notice specified that all online accounts were to be responsible for “strictly regulating” their group members and the information they post. They were also made responsible for strictly preventing the spread of “illegal” contents on the Internet (TCHRD, 2017a). Nine instructions were included in the notice that banned discussions on topics concerning Hong Kong, Macau and Taiwan and from sharing “fake videos” of Chinese police brutality. According to the notice, if a chat or Internet group does contain any of the banned activities, the administrator and those who shared the information “will be dealt with by the relevant laws and regulations.” Similar to the Chinese law, what constitutes as "state secrets" or “illegal information” is vaguely defined that would allow authorities to criminalise human rights and peaceful dissent.

Below is a translation of the nine rules listed in the notice (TCHRD, 2017a).

1. Do not share information containing political contents
2. Do not believe in rumours and do not tell them
3. Do not share internal documents containing confidential information
4. Do not share information containing pornography, drug use, and violence, etc.
5. Do not share information related to Hong Kong, Macau and Taiwan before it is released on government websites
6. Do not share military related information
7. Do not share documents containing state secrets
8. Do not share fake videos that sully the image of police
9. Do not share other illegal information

Group Chats

In October 2017, the County Public Security Bureau (PSB) office assembled 248 administrators of different online chat groups for a workshop in Tsekhog County in Malho (Ch: Huangnan) 'TAP', Qinghai Province (TCHRD, 2017a). During the workshop, the admins were warned of severe consequences if they failed to monitor and regulate all discussion in its group. With the new Internet regulations in place, the admins were warned that they were now under direct observation of the local PSB officers before explaining the cases of "many group admins" that had been arrested in the past. All heads and deputy heads of police stations and chat group admins were made to sign guarantee letters pledging that no ‘illegal’ activities and contents will be allowed online. The group admins were also educated on the significance of Xi Jinping's vision of governing the country under rule of law and the numerous laws and regulations on managing the Internet (Qinghai TV Online, 2017).

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Following the tightened regulations on online chat groups, many Tibetans had to leave various chat groups in Tibet. A Tibetan journalist who works for a Tibetan language newspaper in India and has family in Tibet was asked by a group admin based in Tsolho 'TAP' to leave a WeChat group citing heightened concerns. The journalist added, "I don't think what happened with me is an isolated incident because I later learned quite a lot of others in Tibet had to leave these online chat groups. For now, it seems like one-on-one online communication is safer although one can't be sure (Anonymous source, personal communication, 21 December 2017). Another Tibetan living in Nepal who has family and relatives in Golog (Ch: Guoluo) 'TAP' noted an unusual rise in the number of Tibetans in Tibet leaving WeChat groups. Unaware of the new regulations, he thought it was a temporary development necessitated by the increased restrictions during the 19th Party Congress (Anonymous source, personal communication, 16 November 2017). As more Tibetans learned about WeChat's role in censorship and users getting arrested, some have switched to safer alternatives such as WhatsApp only to find it partially blocked. An India-based Tibetan writer found in late November 2017 that he could only text and send pictures and videos but couldn't use voice messages when trying to communicate with friends in Xining (Anonymous source, personal communication, 17 November 2017, New Delhi, India).

Internet companies in PRC are required to follow laws and regulations on content monitoring. Failure to control and filter unwanted content could lead to fines or revocation of operating licenses. Amongst the many, WeChat is one of the most popular messaging apps in Tibet and the fourth largest in the world with 846 million active users (Russell, 2017b). As a Chinese company, WeChat has long filtered keywords that are deemed sensitive in message exchanges. Keywords censoring is not transparent and users are not given any notices if their message contains a blocked keyword, the message simply will not appear on the receivers end. In the run up to the 19th Party Congress, WeChat prevented its users from changing their nicknames, profile photos or taglines until the end of October.

Detained incommunicado for sharing information about protest

Gonpo, 43, a monk at Oepung Monastery in Nyagrong County in Kardze Prefecture was detained on 4 May. He was suspected of sharing information outside of Tibet about a protest. His family and relatives have not been informed of his location or his condition (RFA, 2017p).

Sentenced to prison for sharing information about protest against land grab

In June 2017, Gendun Dakpa, 40, and Lobsang Sherab, 36, both monks from Thangkor Socktsang Monastery were sent to prison in Ngaba Tibetan and Qiang Autonomous Prefecture for 'sharing information with outsiders' and 'inciting separatism.' The Trochu County People's Court sentenced Gendun Dakpa to five years and Lobsang Sherab to four years. They were denied the right to hire legal representation and their family members were not allowed to observe the trial. Both monks were arbitrarily detained on the night of 24 August 2016 for sharing information about a peaceful protest staged by Tibetan nomads against government land seizures in Ka Bharna village in Thangkor town (TCHRD, 2016a).

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Peaceful Protests

The Chinese government has made it almost impossible for Tibetans to express dissent peacefully both online and offline. Although article 35 of the Chinese Constitution guarantees the right to freedom of assembly, in practice any form of protests has long been criminalised in Tibet. Local Chinese authorities have actively and routinely sanctioned the police and paramilitary troops to violently suppress any form of protests by Tibetans, which results in numerous incidents of beating, killing and arbitrary detention of protesters. In the extremely limited space to exercise the right to peaceful assembly, Tibetans have resorted to alternative forms of protest such as self-immolation and solo protests. Even this alternative is being closed down as Chinese authorities implement a policy of collective punishment and extreme reprisals against families and relatives of the protesters. The trend of solo protests that has developed in response to the crackdown on self-immolation places protesters at greater risk of enforced disappearance, torture and extrajudicial killings.

Despite the intense crackdown on Tibetan protesters, 2017 witnessed four known solo protests.

Sonam Tashi, 20, was arbitrarily detained after he staged a solo protest on 5 January on the main street of the Serthar County Market. He threw protest leaflets in the air and shouted slogans such as "May His Holiness live for 10,000 years" and "freedom for Tibet." The protest coincided with the Kalachakra teaching given by the Dalai Lama from 3 to 15 January in India. Chinese authorities had increased restrictions on the movement of local Tibetans to stop them from attending the Kalachakra teaching. There was a massive surveillance due to the large deployment of security personnel. There is currently no information on Sonam's whereabouts (TCHRD, 2017t).



On 25 February 2017, **Lobsang Tsultrim** a young monk at Kirti Monastery in Ngaba County staged a solo protest carrying a portrait of His Holiness the Dalai Lama and raising slogans calling for "Freedom" and "Return of Dalai Lama." The video footage of the monk's protest showed two PSB officers taking him away to an undisclosed location (RFA, 2017t). In the footage, the monk is seen walking with his back toward the camera, carrying a raised portrait of the Dalai Lama. An unidentified Tibetan woman who took the video has also been detained. There is currently no information on Lobsang's whereabouts (TCHRD, 2017i).



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Lobsang Dhargyal, a monk from Kirti Monastery in Ngaba County carried out a solo protest on 16 March on the main road of the County town, known to locals as the “Martyr’s Road”. The monk shouted slogans calling for “Return of His Holiness the Dalai Lama” and “Freedom for Tibet.” He was overpowered by a huge posse of security officials deployed in the area to keep order during the sensitive month. Before he staged his protest, Lobsang wrote an appeal on his social media account “Not to forget 3.16,” alluding to the 16 March 2008 massacre that took place in Ngaba (TCHRD, 2017i).



A Tibetan mother of two, **Dukpe**, staged a similar protest at the “Martyr’s Road” on 18 March. The local police immediately took her into custody. Dukpe is a native of Raru Township in Ngaba County. Her current whereabouts remain unknown (TCHRD, 2017i).



Lobsang Gyatso, 23, a monk at Kirti Monastery was released in April 2017 after completing his three year sentence. He was sentenced for staging a peaceful solo protest carrying a handmade Tibetan flag and shouting slogans calling for the “Return of His Holiness the Dalai Lama to Tibet” and “Freedom in Tibet.” His family was prohibited from hiring a lawyer but was summoned to observe the trial (TCHRD, 2017o).

Self-Immolations Protests

Because Tibetans are denied their right to peacefully express themselves through protests and are subjected to torture and imprisonment, many have resorted to self-inflicted pain such as self-immolation. The total number of known self-immolation in and out of Tibet now stands at 162. Eight self-immolations were reported in 2017, six occurred inside Tibet and two in India. Slogans most commonly used by self-immolators in Tibet called for the “return of His Holiness the Dalai Lama” and “freedom”. (ICT, 2017e).

On **18 March**, 24 year-old **Pema Gyaltzen**, also known as Pegyal, native of Nyagrong County, self-immolated at around 4 pm local time at Kardze County town in Kardze Tibetan Autonomous Prefecture. Pema’s self-immolation was the first to occur inside Tibet in 2017. While he burned, he called for the “return of His Holiness the Dalai Lama to Tibet” and for “freedom in Tibet” (RFA, 2017kk).



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Law enforcements arrived immediately to take Pema's charred body and heightened security efforts shortly went into effect. Throughout Kardze, the WeChat application was blocked as well as the Internet, although Internet service had already been blocked in 13 of the 18 counties in Kardze due to the 10 March anniversary of Tibetan national uprising day. Police presence and patrolling increased in the area of the self-immolation. Pema was taken to a hospital in Chengdu, the capital of Sichuan Province and while many believed he had died, it was later confirmed on 22 March that he was alive and in critical condition.

In the aftermath of his self-immolation, Pema's relatives went to the Kardze County police station asking to see him. In a typical response, the authorities detained and severely beat the relatives while also forcing them to stand all night in the detention cell (TCHRD, 2017f). They were released the next day after their respective township officials provided guarantee letters. However, the relatives now suffer from acute pain in their legs and spinal cord. Pema's self-immolation was the second case occurring in Nyagrong and marks as the 155th Tibetan to self-immolate both in and outside Tibet.

Wangchuk Tseten, a 39 year-old father of three self-immolated at about 7am local time on **15 April** in a public square of Kardze County town in Kardze Tibetan Autonomous Prefecture. As he burned, Wangchuk called for the long life of His Holiness the Dalai Lama (RFA, 2017g). Police and security officials quickly arrived, extinguished the fire and took Wangchuk away as onlookers stood nearby. Due to the tight control on communication in the area, information concerning Wangchuk's immolation was limited and it is not known if he survived the protest (ICT, 2017a).



Shortly after the self-immolation, local police detained five Tibetans out of which two were suspected of filming the self-immolation. Their status and identity remain unknown. The other three were detained because they were found in possession of Wangchuk's mobile phone. The three identified were Kunchok Gyaltzen, Nyima, and Tsering Gyatso, all three were severely beaten in custody. Two have since been released while one is believed to still be in detention. In May, reports emerged of tightened restrictions on movement and increased surveillance of Internet use in Kardze area following the self-immolation of Pema and Wangchuk. Tibetans wishing to travel to Kardze County town were required to obtain special permits. Local authorities warned Tibetans against sharing photos and videos of self-immolation with outside sources failing which they will be sentenced to 15 years in prison. Political education courses were intensified in both monastic and lay communities and in schools (RFA, 2017bb).

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Chakdor Kyab, was a 16 year-old student from a farming family from Dardo village in Bora Township in Sangchu County, Kanlho Tibetan Autonomous Prefecture, Gansu Province. On **2 May** Chakdor set himself on fire and shouted "May His Holiness the Dalai Lama live for thousands of aeons," "Freedom in Tibet," and "Return of His Holiness the Dalai Lama to Tibet." He ran towards the Chinese government office in Bora township before he collapsed. Chinese police and military arrived promptly to extinguish the fire before taking Chakdor away (RFA, 2017gg). Chakdor's family members were made to answer for his protest. On the date of his immolation, his parents and sister were detained for interrogation but were released later on the same day. But Chakdor's parents have since been detained again, although the date of their second detainment and current location remain unknown. Chakdor's sister have been suffering from various health complications since her release (TCHRD, 2017b). Local authorities continued to harass Chakdor's family by preventing them from holding prayer services and blocking visits by relatives and friends to offer condolences to the bereaved family (RFA, 2017bb). On 19 May, an exile Tibetan news outlet claimed Chakdor Kyab had passed away and that Chinese officials had secretly cremated his body. His remains have not been returned to his family (Tibet Times, 2017).

Jamyang Losel, a 22 year-old monk died of a self-immolation protest near the Chentsa County government hospital on **19 May** in Chentsa County, Malho Tibetan Autonomous Prefecture, Qinghai Province. Local security officials confiscated his remains, followed by the deployment of armed police force at the site of the self-immolation protest. Following the protest, Internet lines remained erratic and under increased surveillance. The police did not respond to his family's requests to release his remains (TCHRD, 2017b).



Tenga, a 63 year-old Tibetan monk, died from his selfimmolation where he called for "freedom in Tibet" on **26 November** in Kardze County. Armed police immediately arrived on the scene and took away the monk's body (ICT, 2017d) His body has not been returned to his family. This was promptly followed by a heavy security clampdown in the area and police were stationed around Tenga's house. Phone and internet lines remained blocked and attempts to obtain further information from outside Tibet were unsuccessful (RFA, 2017r).



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On **23 December**, a 30 year-old Tibetan man named **Konpey** carried out a self-immolation in Ngaba County town to protest repressive policies of the PRC government in Tibet. He died early next morning at a hospital in Barkham, capital of Ngaba Tibetan Autonomous Prefecture, where he was taken by local police. A video footage that became available on social media showed Konpey on fire and running. In a show of respect and solidarity, local Tibetans closed down shops and hotels on 24 and 25 December in Kardze County town. Following Konpey's death, his father Gyakyab was detained by local police in Barkham on the pretext that he needed to settle accounts related to Konpey's medical treatment at the hospital. At the time of this publication, Gyakyab's status remains unknown (TCHRD, 2017c).



In India, 19 year-old **Tenzin Choeying**, a student at Central Institute of Higher Tibetan Studies in Varanasi, doused himself with kerosene and set himself ablaze while shouting “Victory for Tibet” on 14 July. He was later taken away to the hospital but died from his injuries on 22 July (RFA, 2017ee). **Passang Dhondup**, a 49 year-old painter at the Norbulingka Institute in Dharamsala self-immolated on 29 July. He had set himself ablaze and shouted “Long live Dalai Lama” at the circumambulation route near Lhagyal Ri. He died at the spot where the self-immolation took place (ICT, 2017e).



Self-Immolators Released From Prison

Lobsang Konchok and Lobsang Kelsang were both released from prison this year. This was the first news of them since their detention by local security forces in 2011. Both the monks staged a joint self-immolation on 26 September 2011 in Ngaba County town. Lobsang Konchok, 18 years old at the time of self-immolation, was released this year on 28 March with one of his legs amputated from Deyang Prison. He had been detained for over five years and six months on unknown charges. After his release, he was not allowed to return to his monastery and was subjected to several wideranging restrictions. Lobsang Konchok was in critical condition during the time of his detention, he could not eat properly and his family was informed that both his legs and arms would be amputated. His treatment at the hospital was also discriminatory and hostile. The Chinese hospital staff had made disparaging remarks that he was the “enemy of the country” and “enemy of social stability” (TCHRD, 2017r). On 29 July, Lobsang Kelsang was released from the same prison where Lobsang Konchok was imprisoned. He had been imprisoned for six years on unspecified charges (Voice of Tibet Radio Service, 2017). It is likely that both the monks were imprisoned under the charges of “endangering state security,” as announced in a government directive that was distributed last year in all monasteries in Ngaba County.

On 10 May, a self-immolation survivor **Lobsang Gyatso**, 24 years old, was released after serving five years and three months in prison. Lobsang, a monk at Kirti Monastery, had set himself ablaze on 13

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February 2012 calling for “Freedom in Tibet” in Ngaba County. Even as he burned, he was severely beaten up by Chinese security forces and was subsequently imprisoned. At the scene of the protest, three Tibetans, two laymen and a monk, were also beaten up. One of the laymen managed to escape while the other, bleeding profusely from head and arms, was taken away by security forces (RFA, 2017bb).

Conclusion

The right to privacy is universally recognised and must be protected in both law and practice (U.N. General Assembly, 2014). Violating the right to privacy impacts other rights including freedom of expression, the right to seek, receive and impart information, and the right to freedom of peaceful assembly and association. Some of these violations stemmed from the chilling effects of surveillance. The right to freedom of expression and the right to privacy are both protected in the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). China signed ICCPR in 1998 and ratified ICESCR in 2001. The right to freedom of opinion and expression is universally recognised under Article 19 of both the Universal Declaration of Human Rights (UDHR) and ICCPR.

Although not legally binding, the UDHR is a fundamental constitutive document of the United Nations. Article 12 of the UDHR that protects citizens’ privacy, family, home and correspondence can also be found in article 17 of the ICESCR. As a signatory to the ICCPR and ICESCR, the PRC should respect the rights protected by these covenants and ensure in practice that Chinese laws protect the right to privacy. Chinese Constitution provides limited scope for privacy rights protection due to the absence of other supporting legislation and a clear definition of privacy. To strengthen privacy rights, the Chinese Constitution should explicitly guarantee the right to privacy as a constitutional right (Cannataci, 2015).

Arbitrary Detention and Torture

"Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law."

– Article 9 of The International Covenant on Civil and Political Rights

Tibetans have long been subjected to indefinite, arbitrary detention and torture for exercising their human rights. The implementation of mass surveillance programs have contributed to an increase in the number of Tibetans becoming victims of arbitrary detention and its attendant effects such as torture, enforced disappearance and extrajudicial killings. At the same time, mass surveillance has made it harder and riskier for Tibetans inside Tibet to share information about arbitrary detention and other human rights abuses with outside sources. Despite constitutional provisions, Chinese authorities justify such violations of personal liberty and freedom as necessary for the protection and preservation of state security with little or no evidence.

Aside from being unjustly arrested and detained, Tibetans are often held incommunicado and family members are not informed of their current location or status, which violates both domestic and international legal provisions. While detained, Tibetans are denied access to legal representation and receive an unfair trial or sometimes no trial. Government authorities persecute lawyers who do get involved and Chinese lawyers who dare to defend Tibetans are often harassed, intimidated and denied renewal of their licenses (TCHRD, 2016d). Two common examples of guilty convictions for Tibetans are “leaking state secrets” and “inciting separatism,” both of which can result in lengthy prison sentences. However, there are many cases when trials will have no verdict and Tibetans remain detained for prolonged period. The majority of arbitrary detention cases in Tibet are almost always incommunicado, unacknowledged, and indefinite with the purpose of placing the detainee outside the protection of law, which also amounts to enforced disappearance. Tibetan political prisoners’ accounts commonly feature being subjected to torture and other inhumane methods to extract forced confessions, as well as denial of access to independent legal counsel, medical treatment, and fair trial rights.

Many Tibetans who have been arbitrarily detained are political prisoners (TCHRD, 2016d). Political prisoners can also be known as human rights defenders, because they made efforts to peacefully promote human rights in their community or anywhere else in the world (OHCHR, n.d.). Political prisoners are further known as prisoners of conscience, because they were imprisoned for who they are and/or what they believe in (Amnesty International, n.d.). Previously monks and nuns formed the bulk of the political prisoner population but that has changed in recent years with more laypeople imprisoned for their political beliefs. TCHRD’s political prisoner database contains information on a total of 5,077 political prisoners since 1991. The number is expected to be higher but due to information clampdown and PRC’s draconian state secrecy laws, it is difficult to obtain the accurate amount.

Arbitrary Detention and Torture

Case Stories

Tashi Wangchuk, a 32 year-old shopkeeper and a Tibetan language rights advocate has been in pre-trial detention since 27 January 2016 in Kyegudo, Yushu Tibetan Autonomous Prefecture, Qinghai Province. He was arbitrarily detained and charged with “inciting separatism” for advocating for the protection and promotion of Tibetan language and culture (Wong, 2017). If convicted, he could face a prison term of a minimum of five years or a maximum of 15 years. After holding him in custody for almost two years, his trial was finally held on 4 January 2018 at the Yushu Intermediate People’s Court. The trial ended without a verdict. At the trial, Chinese authorities used a nine-minute New York Times documentary as evidence against Tashi Wangchuk's crime. The documentary captured Tashi Wangchuk’s advocacy of Tibetan language education and his attempts to sue the local authorities for failing to protect and promote Tibetan language as required under domestic legislations. The trial lasted for four hours and Tashi Wangchuk rejected the charge of ‘inciting separatism’ and added that as a PRC citizen, he wanted to use the country’s legal system to protect Tibetan language and culture and rather than inciting to split the country. One of Tashi Wangchuk’s Chinese lawyers Liang Xiaojun also rejected the charge and was quoted as saying in media interviews that “The prosecutors are ideologically too strong.” Liang’s statement is telling as it exposes the politicised nature of the charge that has no basis in law (Buckley, 2018). Tashi Wangchuk’s case attracted enormous international attention and outrage and yet he, like many other Tibetan detainees, will continue to remain in arbitrary detention as he awaits the verdict of the closed-door trial. The UN Working Group on Arbitrary Detention has ruled Tashi Wangchuk’s detention as arbitrary and called for his release (A/HRC/WGAD/2017/69).



Tsegon Gyal (aka Gangshon Atse), a prominent former political prisoner, was charged on 24 December 2016 of “inciting separatism.” The UN Working Group on Arbitrary Detention adopted an opinion on Tsegon Gyal’s case at their 78th session held between 19 and 28 April 2017. The Working Group had transmitted communication concerning Tsegon Gyal to the government of China on 3 February 2017 but neither received a response by the deadline 5 April 2017 nor a request for an extension (A/HRC/WGAD/2017/4). Upon analysing the facts of Tsegon Gyal’s detainment, the Working Group concluded that the deprivation of liberty of Tsegon Gyal was arbitrary and requested the PRC take action to remedy his detainment and observe international norms such as those described in the UDHR. On 3 May 2017, Tsegon Gyal was put on a closed-door trial at the Intermediate People's Court of Haibei (Tibetan: Tsojang) Tibetan Autonomous Prefecture, Qinghai Province. He was not allowed to hire a lawyer of his choice. He was finally sentenced to three years on 10 January 2018 (TCHRD, 2018).



Photo source
TCHRD (2016)

Arbitrary Detention and Torture

Following Pema Gyaltzen's self-immolation on 18 March, approximately **200 Tibetan residents of Kardze County** were taken into custody. An anonymous source shared that "nearly 200 Tibetans who attempted to support Gyaltzen in his protest by raising cries in solidarity were taken away. Police also confiscated the mobile phones of many of those who were detained." The identity and status of the detained remain unknown (RFA, 2017j).

On 21 July, **Tulku Lobsang**, a senior monk of Boro Monastery in Sershul County in Kardze Tibetan Autonomous Prefecture, was summoned by the police and arbitrarily detained. A source reported that "they called him to come to their office in Dartsedo, and when he arrived, police in plain clothes took him into custody. No reason was given for his detention." Chinese officials and the monastery's manager accompanied Lobsang when he returned only to retrieve his identity card. Senior monks and community representatives later went to Dartsedo to seek for Lobsang's release but were unsuccessful. No word has yet been received on Lobsang's whereabouts or on the charges made against him (RFA, 2017p).

On 27 February, **Khedup**, a 50 year-old Tibetan monk and head of the Mura Monastery hospital was detained for the second time by Chinese police in Machu (Ch: Maqu) County in Kanlho (Ch: Gannan) Tibetan Autonomous Prefecture, Gansu Province, in the Tibetan province of Amdo. Khedup was summoned by the County PSB office to collect his personal belongings that were confiscated from his first arrest and taken into custody. Khedup's location and current status remains unknown to his family. Although PSB officers did not provide an explanation for his secret detention, local Tibetan sources mentioned that Chinese authorities accused Khedup of posting teachings of His Holiness the Dalai Lama on social media, of writing blogs to express solidarity with the displaced monks and nuns from Larung Gar, and of posting similar writings authored by other Tibetans (TCHRD, 2017h).

Jampa Choegyial, 30 years-old, was detained sometime in July while attending the Tsechok festival at Chuwar Monastery, in Chamdo's Dragyab County. He received a phone call asking him to report to the Nortom Township police while he was at the festival. On his arrival at the township police station, he was taken into custody and beaten up by the police officers. No reason was given for his detention. Jampa Choegyial was held for two days and interrogated about his brother Ngawang Jampa, who had recently moved to Australia after fleeing from Tibet to India. When authorities were unable to obtain any evidence of his contact with his brother, he was released. Authorities allegedly summoned Jampa Choegyial again days after his release to retrieve his cellphone, which they had confiscated during his detainment. Law enforcements warned him not to contact Ngawang Jampa for his own safety because he was an active collaborator in the 'Dalai clique' (RFA, 2017k).

Torture

Tibetan political prisoners are frequently subjected to cruel, inhuman, and degrading treatment and punishment and experience both physical and psychological impact with permanent health conditions. Abuse and torture are most often done during the interrogation and pre-trial period to extract a confession, although it does occur while Tibetans are serving their prison term. Torture is rampant throughout detention centers and prisons and Tibetans are aware that once they are taken into custody, they will likely be tortured. While not exhaustive, torture equipment prison officials use are handcuffs, "tiger chairs," leg irons, truncheons, electric batons; tactics include severe beatings using all kinds of

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tools such as metal rods, iron bars, kicking, slapping, and oftentimes hitting with whatever comes handy such as ashtrays or chairs, inflicting electric shocks, solitary confinement, exposing detainees to extreme temperatures, being hung from the ceiling, deprivation of sleep, food and water, use of drugs, and taunts and threats of torture and death (HRW, 2015).

This year on 24 January, the Chinese government responded to the UN Committee Against Torture's Concluding Observations of China that was published in February 2016. In regards to the observations made, the PRC cited article 83 of the Criminal Procedure Law and denied suppressing rights defense lawyers and activists and maintained that authorities dutifully follow the relevant legal provisions that require detention officials to promptly notify family members of a detainee within 24 hours (HRIC, 2017). The PRC further claimed that their government "always attached great importance to strengthening the protection of a detainee's rights to meet with lawyers and have family members notified." But the problem with the majority of Tibetan cases is that article 83 also allows law enforcement officials to detain Tibetans for prolonged periods without informing family members or providing access to a lawyer because they are invariably accused of crimes endangering state security with little evidence. A detainee who is suspected of endangering state security can be legally held to a maximum of six months. However, there are numerous cases in Tibet where detainees have been held in incommunicado and unacknowledged detention for years. In regards to torture investigations and appropriate redress to which victims are entitled, the PRC provided vague and deceptive explanations including making a reference to its 2015 response to the Committee Against Torture's list of issues. The English translation of the response titled CAT/C/CHN/Q/5/Add.2 provided that:

"Doctors who, when conducting health checkups on or in the process of providing treatment for detainees, find injuries that may have resulted from torture, may report this to the supervisory department of the public security organ or the department of the people's procuratorate that is stationed in the detention center. The relevant departments will investigate in accordance with the law, and, where investigation in accordance with the law verifies that [such reports] are true, shall pursue legal responsibility of relevant persons in accordance with the law" (HRIC, 2015).

The PRC also denied the detention and torture of political dissidents and the fact that they are barred from having contacts with the outside world, even though such accounts of abuses have been verified and made widely available to the international community.

Tibetans continue to be tortured in detention centers and prisons and the Chinese government has yet to provide restitution to those affected. Those responsible for torture and destruction of innocent lives have still not been brought to justice. Torture is extremely common and routinely used on Tibetan detainees as a tool to extract forced confessions as well as make an example out of the detainee so that the entire community is terrorized and intimidated. As the following testimonies of Tibetan torture victims show, the use of torture in Tibet is systematic and widespread.

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"For the nation's stability, we can kill you ... and you can do nothing"

Lobsang Thinley, 30, was arbitrarily detained on 18 March 2011 for sharing information about the 16 March self-immolation of a monk from Kirti Monastery in Ngaba County (ICT, 2011). Thinley was held incommunicado in pretrial detention for one year and five months. He was finally convicted for "leaking state secrets" and sentenced to three years in prison. On his arrival in India in December 2017, Thinley provided the following testimony to TCHRD:

"I am originally from Ngaba but I was born in Lhasa where my family has established their business. As a child, I was sent to India to get a Tibetan education in one of the schools established by His Holiness the Dalai Lama for Tibetan refugees. I was later recognised as the reincarnation of an abbot of Kirti Monastery, following which I left school and became a monk. In 2009, I decided to disrobe and leave India to join my family in Tibet. In mid-2009, after the reunion with my family in Lhasa, I left for Ngaba in March 2010 where I learned traditional Tibetan medicine for some time and then worked as a teacher at a local school.

On 16 March 2011 at around 3.30 pm, I was walking near the guesthouse of Kirti Monastery when I heard that a monk named Phuntsok had just self-immolated. And that some monks had managed to free Phuntsok from the hands of local police. Then I learned more about Phuntsok from other monks who were his classmates and had witnessed the self-immolation. Some 15 minutes into the conversation with the monks, I saw about 60 Tibetans arrive at the site of the self-immolation and someone from the crowd pelted stones at the police vehicles. To protect the stone-thrower, the others in the group pushed against each other so that the police couldn't identify the man. The crowd then began to shout slogans and let out cries of protest. Finding themselves outnumbered, the police left the scene even as some Tibetans continued to hurl stones. As emotions ran high, more Tibetans joined the crowd and it was then decided that the crowd would march up to the doorstep of the county Public Security Bureau (PSB) office and that the monks would lead the demonstration. Before leading the demonstration, the monks announced that everything would be conducted without violence and that whatever the provocation from the police, Tibetans will not react. "Even if the police come to kill us, we will not resort to violence because that is the wish of His Holiness the Dalai Lama!" the monks told the crowd and everyone agreed. As the demonstrators marched ahead led by four monks, more people joined along the way. When the demonstrators neared the county PSB office, I saw many plainclothes policemen suddenly come into view, armed with all kinds of weapons including sticks, spiked batons, truncheons, and other weapons. Some were speaking on the phone shouting out directions to their colleagues to surround the demonstrators from all sides. Soon we found ourselves hemmed in by armed police who shouted to each other in Chinese as they approached the unarmed Tibetans, "Catch them! Beat them!" The armed police literally pounced upon the Tibetans and started beating them indiscriminately. They kicked, punched, slapped, and assaulted Tibetans with their weapons. There was complete chaos and the armed police continued beating the demonstrators. Soon the demonstrators began to scatter with the younger ones fleeing in all directions to escape the police violence. In the end, only older people and monks remained at the scene with each Tibetan outnumbered by five or six armed police. I saw a woman about 40 years old kicked, punched and attacked with a truncheon by six armed police. Then the monks sat on the ground

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and continued to raise slogans calling for the long life and return of the Dalai Lama and freedom for Tibet. They refused to move and continued raising slogans despite being hit by the armed police. I clearly remember a monk who had raised his fist in the air as a gesture of protest. The armed police had tried in vain to force the monk to put his fist down. Just then another armed police came and hit the monk's head with a spiked baton several times. As blood ran down his face and neck, the monk struggled to keep his fist raised but in vain and as he slowly turned his head towards the direction that others and I were hiding, I felt as if he was telling me, "Will you still watch us like this? Will you not come and join us?" What I felt at that moment, watching the bloodied monk fall to the ground with his raised fist, I will be etched in my memory forever. I had just witnessed the police kill a monk and in front of my own eyes I had seen so many others getting injured and killed. And I thought that even if I didn't have that kind of courage and bravery to sacrifice my life for my nation and my people, I could at least let the world know about what's happening. Without thinking for a moment, I took out my mobile phone and called up some friends in India to tell them what I had witnessed. It didn't even occur to me that my phone was registered with the Chinese authorities, which meant that I could easily be monitored and arrested.

On 18 March, a day after the demonstration was brutally suppressed, I was walking towards the Ngaba County town when suddenly three vehicles filled with police stopped in front of me. Immediately they took me into their custody. As soon as I was put in the vehicle, they handcuffed me and asked pointing to a photo, "Is this you?" I nodded. Then they took me to the old military camp in upper Ngaba region (They have since built a new military camp on the way to Trotsik). There They made me strip and went through all my belongings and clothes even feeling through the fabrics and stitches of my clothing as if they suspected me of carrying some microchips. Then they brought some old clothes and made me wear them. For the next 30 minutes, I was subjected to severe interrogation and beatings. The chief interrogator was an officer from the Ngaba County State Security Bureau (SSB). They said they knew what I had done but wanted me to confess everything, as they claimed it would help me during the trial and my sentence would be reduced. I didn't say anything because I still naively thought that I had made that phone call to India using my own mobile phone and at no one's behest, so how could they possibly know? My silence angered one of the officers who suddenly threw at me an ashtray that I managed to avoid. Then two officers held me from both sides and the other officers started beating and kicking me all over. I could feel intense pain all over my body including my stomach, legs, and chest. The beating went on for almost 30 minutes. Later they decided to hand me over to the prefectural SSB for further investigation. An hour later when dusk fell, they took me to the prefectural SSB in Wenchuan County near Chengdu.

The new SSB detention center in Wenchuan was built around 2008-2009. It consisted of two structures, a three-story and a single story structure standing next to each other. The three-story building has interrogation rooms and facilities for officers to rest and sleep. The single story building also has an underground space that accommodated six detention cells. I was first taken to the top floor of the three-story building. For the first three hours I was interrogated by three officers, which included the chief interrogator, a note taker and an interpreter. Only the interpreter was always Tibetan. They asked me about the exile community in India, the Dalai Lama and about my life in India and what I had done there.

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At first they never mentioned about the reason for my arrest. I was treated nicely and fed well. But the next team of interrogators, again consisting of a chief interrogator, a note taker and an interpreter, was ill behaved and aggressive. They threatened me that if I did not confess I would be given a heavier sentence. I had reached the Wenchuan detention center at about 6 am and since then they had been interrogating me. Except for a meager lunch, I was interrogated until the following morning without sleep or bathroom break. I still didn't confess. I had decided not to confess even if they threatened to kill me. All through the interrogation process, I was tied to a 'Tiger Chair' with my hands and legs shackled. I could feel intense pain in my wrists. To make me confess, they hung me from the ceiling by the handcuffs with both my hands shackled behind my back, and feet off the ground. At the time I weighed almost 200 gyama [about 100 kg] and the immense weight of my body worsened the pain. I hadn't slept since my detention and it had been more than 24 hours. My clothes were dripping wet with sweat. Then they finally told me what they knew. They knew my phone number and knew about the people I had contacted in India. Then they narrated a part of information I had shared and asked me to tell them the remaining part. It was then that I realised they knew everything. There was no way I could hide anything from them, so I gave in.

I was also subjected to sleep deprivation so I would confess. They would hit me with an electric baton or slap and punch whenever I fell asleep. They would ask if I had committed this or that crime and I would involuntarily say 'yes' because all I wanted to do was sleep. The moment I said 'yes,' they would film it so that they could have the 'evidence' of my crime. Then they read to me my confession statement and asked me to sign it. I was terribly tired and disoriented and could not comprehend what was being read to me. Just to get some sleep, I signed the statement without understanding anything. Finally they allowed me to sleep at 3.30 am but woke me up at 7.30 am. This part of the interrogation process lasted until 21 March. Once they had obtained my confession, I was moved to the single story building nearby. I was held in one of the six underground cells. I saw the signboard and it was named Sichuan Detention Centre No. 2.

I was held there for seven months. The next phase of interrogation and torture began at this building. The main objective of this interrogation was to force me into false confession that I had acted in collusion with exile Tibetan separatist groups to create disturbances. They would employ the same tactics, the first team of interrogators would appear very polite and understanding. When they didn't get what they wanted, the next team would resort to beatings and torture. I was made to lie face down on the floor with my hands tied at the back. Then they would hit all over the backside of my body with electric batons and truncheons. The officers would take turns one after another to beat me. When an officer is done with his share of beatings, he would rest one of his feet on my head, take a cigarette break and then call up the next team to come and take over. The next officers would duly arrive and carry on the beatings until he gets tired at which point he would smoke using my head as his footrest and call up the next one. And this would go on. I was shocked to see how I was treated. As if I was not a human being! I don't think it was done because the officers were evil but this is a systematic practice approved at the highest level to terrorise and intimidate, and to break the spirit of a human being! Why else would all these succession of officers behave and act in the same, automated way in treating me worse than an animal?

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The torture methods I was subjected to are numerous and varied. I was also made to sit on a hard wooden chair without armrests with both my wrists in separate handcuffs. Each handcuff would be tied on the one end by a long wire hinged on the window bars and on the other end to a doorknob. With both my hands stretched this way in a flying position, the pain around my arms, shoulders and chest became unbearable. I was also subjected to another very cruel torture method that I later learned was known as “Carrying a Sword on the Back.” They first put my right hand behind my back by pulling it over the top of my shoulder. Then they pulled my left hand up from my lower back. After that, both my wrists were handcuffed together. To increase the pain, they would force large soda bottles or fat toilet rolls into the space between my back and the handcuffs. Then they would kick me on my calf and shin and since I had to stand during the entire period of this torture method, it would cause excruciating pain all over my body. I was forced to stay in that position for hours. Sometimes they hung me by my thumbs with a chain that was fastened to an iron rod overhead. I was suspended in that position for hours with my thumbs made to sustain the weight of my body. I soon realised that it was no longer an interrogation. They wanted to force me into false confession. They kept on accusing me of acting on behalf of exile Tibetan groups and that I had been sent to Tibet to create disturbances. When I denied that was the case, they beat me more. When I cried in pain, they shouted, “Go on, cry as much as you can! No one gives a damn! For the nation’s stability, we can kill you just like that and you can do nothing!”

The other punishment was to make me walk and live barefoot in my cell during the freezing winter. I had to sleep on a hard wooden bench with a thin quilt to warm myself. Sometimes they would say I smelt and forced me to take cold showers. When that punishment failed to break me, they put me on a starvation diet. Every day I was given a bowl of watery rice porridge and nothing else. I remember trying to restrict my movement so as to preserve the little energy I could get from the bowl of rice porridge. This went on for a couple of weeks at the end of which they would ask me again to confess. When that failed, I was deprived of drinking water. I remember for an entire day they interrogated me without giving me anything to drink until at around 3 pm they asked if I felt thirsty. When I nodded, they brought a paper cup and a bottle of carbonated soft drink. In the paper cup they had already put some pills on which they poured the drink and offered it to me. The intense thirst got the better of me and I gulped it down. The drink had a strange bitter taste. They offered me another cup and I drank that as well. Then they made me stand up and down several times, and to take deep breaths in between. After several minutes, I fell unconscious. When I regained consciousness, I found the officers asking me about Phuntsok's self-immolation. I could make out just parts of their questions such as if I or anyone else was involved in Phuntsok's self-immolation. To my surprise, I found myself blabbering something incoherent. I thought I had gone unconscious. It was all very confusing. I didn't know what was happening to me. I would come to senses for sometime and then everything would just go blank. I still don't know what kind of drugs they gave me. Finally two officers took me away and threw me back in my cell. There I found a new cellmate, a monk named Tashi from Kirti Monastery who had just been detained. Tashi helped me lie down on the wooden bench. I was very sick. I had a high fever and was feeling dizzy. I feared the drink contained some poison that would soon kill me. Thinking that I was nearing my death, I asked Tashi to recite some prayers in my ear, a Tibetan Buddhist ritual to help turn the mind of a dying person to positive thoughts. Tashi

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placed a wet cloth on my forehead and recited some prayers. Soon I fell asleep. I woke up the next morning, surprised to find myself alive. The effect of the strange concoction had lasted for over six hours.

I was also subjected to lie detector tests. The aim of the long drawn interrogation to force me into accepting that I had acted not on my own volition but on the behest of exile Tibetan groups. But how could I accept it. No amount of beating or torture would make me accept what I hadn't done. I just made a phone call to a couple of friends in India about the self-immolation. That was all I did.

After 45 days of interrogations, beatings and torture, I had bruises, cuts and all sorts of injuries all over my body. For the full 45 days, not a day went by without some beatings and torture. I was then moved to solitary confinement. This I realised later was not only to put psychological pressure but also to help heal the injuries faster and to erase any signs of torture. It took about 7 months to heal the injuries, after which I was transferred to the prefectural detention center in Barkham. According to the law, they have to file formal charges, if any, against me within a month and six days and hold the trial. Within three months, all procedure from filing charges to sentencing should have been completed. In severe cases that require additional investigation, a detainee can be held for a maximum of six months. Unfortunately, for many Tibetans who are invariably suspected of "endangering state security" crimes, the authorities can do whatever they want with little regard for the law. My family members had no information about my whereabouts until my sentencing. I was finally convicted of "leaking state secrets" and sentenced after one year and five months of incommunicado detention. I was sentenced to three years in prison and three years of 'deprivation of political rights.' After the sentencing, I was allowed to meet with my family for the first time since my arrest. I was also allowed to eat food brought by my family members who watched from the other side of the iron bars. The visit lasted for 20 minutes. A week after the sentencing, I was taken to Deyang Prison to serve the prison term.

My health had suffered when they put me on starvation diet. My intestines shrunk. I experienced painful bowel movements and was passing blood in my stool. It was then that they took me for medical treatment. The prison doctor recommended that I should be fed well or I could die within a week. After this, I began receiving a small portion of vegetables with my usual rice porridge, which was increased to three times a day. But it was still inadequate. In detention, I had to undergo two anal and rectal surgeries. On my arrival at the Barkham detention center, I weighed 130 gyama (65 kgs). I had lost about 35 kg. At the Barkham detention center, I had to share a cell with seven Chinese detainees. This was intentional. They didn't want me to share the cell with any Tibetans, thinking that I would be a negative influence on them.

On 22 March 2014, I was released after the completion of my term but my family was not allowed to pick me up. It was the prison guards who accompanied me home. Normally the distance from Deyang to Ngaba County was about eight to nine hours by road but they stretched the travel time, taking the longer route and making unnecessary stops to ensure that we would reach there late in the night so that local Tibetans would not be there to welcome me. It was almost midnight when I arrived at the doorstep of my home.

Even after release, I was kept under surveillance of the local police and my movement remained restricted. I had to report every week to the local police station. My prison release document mentioned

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that I required “special attention” and that I must not be allowed to travel anywhere outside my hometown without permission from the authorities. The police gave me extra attention because I was not only a former political prisoner but also a Tibetan who had lived in India.

I tried to travel to Lhasa to join my parents but was stopped at Nagormo. I was told that only when an officer from the Lhasa security department came and provided guarantee on my behalf could I be allowed to travel further. My whole family including my parents lived in Lhasa and it was natural that I would want to return home. I finally decided to flee Tibet because the restriction on me was severe and it was impossible to be with my parents in Lhasa, which was my birthplace. I had to face constant harassment and restrictions on my movement. The local police would call on my mobile phone at odd hours and sometimes when the calls didn't go through due to network problems, they would immediately send two-three vehicles full of police officers to my uncle's house where I was staying at the time in Ngaba. If I was not in the house, they would threaten my uncle's family including my 80 year-old grandmother that they would all be imprisoned if they attempted to shield me from anything. The phone calls would become more frequent in the run up to political anniversaries and important occasions such as the 10 March uprising day or the Dalai Lama's birthday when they would warn me against doing anything 'illegal' and reminding me of the beatings and torture I had endured in detention. It is to live my life in freedom that I escaped Tibet” (Lobsang Thinley, personal communication, 27 December 2017)

Soepa, 27, shared his experience of arbitrary detention in 2010 with TCHRD on 16 November 2017. He was arrested on 27 July 2010 and held in detention for 20 days in Machu County. At the time of his detention, he was a 20-year-old high school student. Unable to bear the oppressive conditions in his homeland, Soepa escaped and arrived in India on 22 February 2017.

“Prior to my detention, I was a senior student at the Machu County Middle School. It's not that my parents voluntarily got me admitted to the school but because the Chinese government had made it compulsory for Tibetan children to attend school. Many Tibetan parents have this notion that their children will be turned into Chinese once they go to Chinese government run schools.

On 14 March 2010, there was a protest at my school where some of the students carried hand drawn Tibetan national flags, raised slogans and tried to take down China's national flag. Even the Tibetan teachers at the school also took part in the protest. So, the secretary of the school, Mr Choekyong Tseten was sentenced to 2 years. The principal Mr. Kyabchen Dedrol was expelled. Mr. Dorey, a teacher and also a famous musician, was also arrested after the protest. A total of 17 students from the school were arrested. Three students named Sangay Dhondup, Tsering Dhondup and Thupten Nyima were expelled from school.

Four Chinese police officials in civilian clothing took me to the Machu County detention center. No arrest warrant was given to me that time. It is very common for Tibetans to not get arrested without an arrest warrant. I was told that I was arrested because I took part in the protest. I denied any participation in the protest but they beat me up.

I was detained incommunicado for 20 days. In detention, they slapped me and used electric

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batons all over my body when I refused to answer their questions I remember losing consciousness many times after those beatings. But they would always splash water on me so they could repeat the same horror. I was also strapped to “Tiger chair”; my wrists and feet tied and if I tried to move, it would become tighter worsening the pain. They confined me to that chair for about five to six times during my detention and it always happened at night.

For years, I didn’t share this story because when I was released from detention, it was August 2010. And the following month, I had to get my high school certificate so I could apply for college to pursue my studies. Speaking out at the time would have spoiled my chances of getting into college. So I had to be careful.

Once the Chinese authorities come to know that a Tibetan has shared information outside of Tibet, he/she will be immediately arrested. For instance, I was working at my relative’s café when Tashi Rabten selfimmolated in Machu County (TCHRD, 2016e). At that time there were few Chinese police officers eating at the café and when they heard about the selfimmolation, they immediately left without paying for the food. Later, I came to know that they had arrested 12 Tibetans after the self-immolation.

I remember a person named Tsering Dhondup who got arrested because the officials came to know that he had shared the news of Tashi Rabten’s selfimmolation with an overseas organisation. He was detained for a few months and was released in August this year. After the detention, the Chinese government officials did not have a good impression of me and it was difficult to live there and because of that I chose to escape Tibet. I escaped to India and travelled mostly by foot alone.” (Soepa, personnel communication, 16 November 2017).

Lobsang Dhargyal, who staged a solo protest on 16 March, was located a week later at a Chinese army camp in Ngaba County. He was reportedly in critical condition after suffering beatings and torture in detention. Family members feared that he was subjected to daily beatings and torture in order to obtain forced confession from the young monk. His family and classmates at the monastery are concerned that he may die due to the beatings (RFA, 2017d).

Shonu Palden, 40 years old, was released before the completion of his prison term on 24 July 2013. He was released early, having served only a little over a year of his two years and nine months sentence, because continued incarceration would have led to his death in prison. He was sentenced to two years and nine months for spearheading protests in March 2008 in Machu County. He had been arrested on 18 June 2012 in Bhelpan Village in Machu County. Before his sentencing, he was held incommunicado at Machu County Detention Centre for two and a half months during which he was subjected to rigorous interrogation, severe beatings, and torture. As of 2017 he continues to suffer from health complications such as heart conditions, blocked arteries, weak eyesight, and breathing and hearing problems. He had undergone two massive surgeries since his release but has not shown improvement. Shonu Palden’s eight-year old daughter Namgyal Dolma, has been denied school admission because of her father’s political past (TCHRD, 2017k).

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Enforced Disappearance

Enforced disappearance is commonly used as a tool by Chinese authorities to terrorise and silence the Tibetans. This heinous practice is routinely employed to intimidate and torture Tibetan detainees in secret and unacknowledged detention, allowing the law enforcements to extract forced confession and cover up crimes of torture and extrajudicial killings. Accounts of Tibetan detainees are replete with shocking instances of enforced disappearances that include abduction, torture, denial of legal access and medical care, unnatural deaths and prolonged secret detention. Recent cases confirm that it is mostly the State Security Bureau officers who subject Tibetan detainees to enforced disappearances. The practice of enforced disappearance has become so commonplace that many Tibetans automatically assume that once their loved ones are detained, it is next to impossible to locate their whereabouts for months and sometimes years. On rare occasions, Tibetans who have been brought into detention centers have been released without being harmed physically (RFA, 2017ee). The remote and isolated nature of enforced disappearances result in the inevitable subjection of unlawful interrogation tactics of torture and forced confession upon detainees (TCHRD, 2016d).

Recent changes to Chinese Criminal Procedure Law that legalised enforced disappearances have made little difference to the situation of Tibetan detainees. With or without legal amendments, a large number of Tibetans continue to get disappeared without any accountability from Chinese authorities. Through deceptive legal provisions, the PRC government has minimised the ‘systematic tyranny’ of enforced disappearance with the seemingly anodyne phrase “residential surveillance,” as it suggests that detainees will be allowed to remain in the comforts of their own homes. In contrast, as stated in article 73 of Chinese Criminal Procedure Law, residential surveillance can be imposed at any location:

Residential surveillance shall be enforced in the residence of the suspect or defendant; for those without a fixed residence, it may be enforced in a designated location. When crimes of endangering state security, terrorist activities or especially serious bribery cases are suspected, and enforcement in the residence might impede the investigation, it may also be enforced in a designated location upon the approval of the people's procuratorate or public security organ at the level above. However, it must not be enforced in a detention center or special case-handling area. Where residential surveillance is in a designated location the person under residential surveillance's family shall be notified within 24 hours, unless there is no way to inform them (China Law Translate, 2013).

In practice, this provision gives substantial power to the police to decide whether someone should be disappeared under ‘Residential Surveillance at a Designated Location’ (RSDL) without any independent oversight mechanism. For Tibetan detainees who are charged of state security crimes, the law does not require the police to inform their family members or to provide them access to a lawyer. Chinese human rights lawyer Teng Biao who had been subjected to RSDL explained that this ‘non-custodial coercive measure’ has given rise to a system of “prolonged, pre-trial detention outside a formal, legal location” more severe than normal criminal detention. It has also become a convenient tool to

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intimidate and silence human rights defenders in PRC (China Change, 2017a).

Despite the rampant use of enforced disappearances to silence political dissent and criticism, the PRC government has refused to sign the International Convention for the Protection of All Persons from Enforced Disappearance that is intended to eliminate and prevent enforced or involuntary disappearances. In October 2017, a statement issued by Chinese ambassador at the Dialogue with the Working Group on Enforced or Involuntary Disappearances at the Third Committee of the 72nd Session of the General Assembly essentially defended the legalization of enforced disappearances in PRC, “Whether it is prevention and elimination of enforced disappearances or providing relief and compensation to the victims, it is imperative to let national law to fully play its role and address such matters according to the laws of the countries concerned” (Permanent Mission of the People's Republic of China to the UN, 2017). The Working Group had declared that “there is a pattern of enforced disappearances in China, where persons suspected of dissent are taken to secret detention facilities, and are then often tortured and intimidated, before being released or put into ‘soft detention’ and barred from contacting the outside world” (Caster, 2017).

Among some of the high-profile cases of enforced disappearances is the case of the 11th Panchen Lama, Gedun Choekyi Nyima and his parents who were disappeared on 17 May 1995. There is still no information on their whereabouts and condition. The Panchen Lama was six years old at the time of his arrest and is one of the longest serving prisoners of conscience (TCHRD, 2017j).

Sustained pressure from the international community led to Chinese government admitting for the first time on 14 May 1996 that the PRC was holding Gedhun Choekyi Nyima, purportedly to provide security for the ‘ordinary boy against suspected attempts by splittist groups to kidnap him.’ Despite calls from the international community to account for the enforced disappearance of Panchen Lama and his parents, the Chinese government has failed to provide any evidence on the whereabouts and well-being of the Panchen Lama and his parents. Figure 5 shows a poster from the India-based Tashi Lhunpo monastery.

Figure 5: Image source: Tashi Lhunpo Monastery (n.d.).



Arbitrary Detention and Torture

After Detention and Prison

The combination of brutal torture, deprivation of sleep, food, water, clean living space, and lack of adequate medical care have resulted in many deaths in prison (TCHRD, 2016d). TCHRD has documented a total of 31 deaths in detention since 2008. The amount of deaths prior to 2008 as well as deaths that have gone unreported can easily accumulate to a much larger number. Prison authorities have been known to torture with the sole intent to cause death. Extrajudicial killings committed in prison can easily be disguised as natural deaths such as heart attacks or other pre-existing health ailments (Samuels, 2016). Families are often not informed when a loved one has died in prison and sometimes years have passed before they receive notification. When relatives are informed, they are denied additional information and prohibited from seeing the body. Authorities have also been known to cremate the body without permission to destroy any evidence of torture and sometimes will even withhold the ashes from family members.

Tibetans who have been released from prison bring back a range of new ailments upon returning home. Physical injuries acquired from torture and abuse can have life-long impacts. For example, self-immolator Chakdor Kyab's sister was detained for his protest and despite being released on the same day, she was left bed-ridden with psychological problems (TCHRD, 2017b). Occasionally authorities will release prisoners before they complete their full prison term because they are in a deteriorating state of health. Mental illnesses are also usual outcomes and Tibetans may experience post-traumatic stress disorder, anxiety, and depression from their experience.

Former political prisoners are placed under strict surveillance after returning to their hometowns because they have to serve a supplementary sentence of a 'deprivation of political rights' after their release from prison, which is imposed for one to five years on individuals convicted of endangering state security and other serious crimes. Individuals deprived of political rights lose their rights to freedom of speech, press, assembly, association, procession, and demonstration. Additional regulations impose specific restrictions on individuals deprived of political rights (TCHRD, 2016f). For instance, Lobsang Konchok, who was released 28 March after serving five years in prison was subjected to wide-ranging restrictions and was confined to his home and prevented from returning to his monastery (TCHRD, 2017q). Popular singer Amchok Phuljung, who was released 2 February after serving over four years was barred from leaving his hometown Amchok township in Marthang County and from singing in public and releasing any of his recordings for one year (RFA, 2017g). It is also not uncommon for a released prisoner to be detained again. For example Khedup, the Tibetan monk and doctor who was released early this year on 21 January had been detained again a month later on 27 February (TCHRD, 2017h). For Tibetans, being released does not equal being freed when prison walls are replaced with an unseen jail.

Arbitrary Detention and Torture

Released Prisoners of 2017

Amchok Phuljung

Date released: 2 February

Date detained: 3 August 2012

Sentence terms: 4 years & 5 months at Mianyang Prison

Charges/Accusations: Sang songs in praise of Dalai Lama and other exiled Tibetan leaders

Current health: Unknown



Source: TCHRD (2017r)

Lobsang Konchok, 23, monk

Date released: 28 March

Date detained: 26 September 2011

Sentence terms: 5 years at Deyang prison

Charges/Accusations: Self-immolated on 26 September 2011

Current health: Lost a leg from burns; suffered from torture and harassment



Source: TCHRD (2017q)

Tsultrim Gyatso, monk, 52,

Date released: Last week of March

Date detained: 2008

Sentence terms: 9 years at Mianyang Prison

Charges/Accusations: Led protests in 2008

Current health: No statement; believed to have returned to his monastery



Source: TCHRD (2017m)

Trinley Tsering, monk

Date released: 31 March

Date detained: 28 March, 2008

Sentence terms: 9 years at Mianyang prison

Charges/Accusations: Engaged in 2008 protests

Current health: Unknown



Source: VOA (2017b)

Arbitrary Detention and Torture

Tsewang Yeshi

Date released: 4 April

Date detained: 23 March 2008

Sentence terms: 9 years

Charges/Accusations: Allegedly involved in an explosion

Current health: Unknown



Source: RFA (2017ff)

Tsedup Kyi, 32

Date released: 5 April

Date detained: 3 December 2012

Sentence terms: 4 years at Mianyang Prison

Charges/Accusations: Protected body of self-immolator Lobsang Gendun

Current health: Experienced injuries in pretrial detention, spent 1st year sentence in prison hospital



Source: TCHRD (2017p)

Choktrin Gyatso, monk, 44

Date released: 15 April

Date detained: 2008

Sentence terms: 10 years at Deyang prison; served 9 years

Charges/Accusations: Led protests in 2008

Current health: Unknown



Source: TCHRD (2017x)

Lobsang Gyatso, monk, about 23

Date released: 19 April

Date detained: 15 April 2014 at undisclosed location

Sentence terms: 3 years

Charges/Accusations: Staged solo protest on 2 April 2014

Current health: Weak health



Source: TCHRD (2017o)

Arbitrary Detention and Torture

Jampal, 45

Date released: 30 April

Date detained: 14 March 2008 at Machu county detention center

Sentence terms: 13 years at Baiyin prison, served 9 years

Charges/Accusations: Engaged in 2008 protests

Current health: Poor; Suffered beatings and torture



Source: RFA (2017v)

Gomar Choephel, monk, 48

Date released: Second week of July

Date detained: 10 July 2015

Sentence terms: On February 2016 for 2 years at Haomen Prison

Charges/Accusations: Possession of Dalai Lama photo

Current health: Unknown



Source: RFA (2017q)

Kelsang Yarphe, 41

Date released: 10 July

Date detained: On 14 July 2013 at Chengdu detention centre

Sentence terms: On 27 November 2014 for 4 years at Mianyang Prison

Charges/Accusations: Singer of dunglen songs that called for unity and pride among Tibetans

Current health: Unknown



Source: TCHRD (2017e)

Lobsang Kelsang, monk, early 20s

Date released: 29 July

Date detained: 26 September 2011

Sentence terms: 7 years at Deyang prison

Charges/Accusations: Self-immolated on 26 September 2011

Current health: Unknown



Source: RFA (2017x)

Arbitrary Detention and Torture

Adruk Lopoe, monk

Date released: 21 August

Date detained: 21 August 2007

Sentence terms: On 20 November 2007 for 10 years at Mianyang Prison

Charges/Accusations: Protested the detention of his uncle Ronggye A'drak

Current health: Unknown



Source: TCHRD (2017h)

Sonam Gyalpo, 56

Date released: 27 August

Date detained: 28 August 2005 at Seitru Detention Centre

Sentence terms: Mid-2006 for 12 years at Chushul Prison

Charges/Accusations: Possession of religious material and books by the Dalai Lama

Current health: Unknown



Source: TCHRD (2017v)

Kunchok Dhondup, 25

Date released: 2 October

Date detained: 2008

Sentence terms: On 15 June 2008 for 12 years, served 9 years and 6 months

Charges/Accusations: Engaged in 2008 protests

Current health: Unknown



Source: ICT(2017k)

Lobsang Jinpa, monk, 35

Date released: 30 October

Date detained: 1 September 2012

Sentence terms: On February 2013 for 5 years

Charges/Accusations: Accused of writing songs “political” songs

Current health: Poor, had pre-existing liver and kidney complications; previously released on medical parole



Source: ICT (2017e)

Arbitrary Detention and Torture

Yonten, monk, about 37

Date released: 31 January

Date detained: Around 20 July 2013

Sentence terms: 3 years and 6 months

Charges/Accusations: Witnessed self-immolation of Konchok Sonam, a monk at Thangkor Soktsang Monastery

Current health: Believed to be in sound health health

Source: RFA (2017cc)

Figure 6: Confirmed political prisoners of 2017; the majority are victims of enforced disappearance

1) Khedup

- Arrested on 27 February, accused of posting Dalai Lama teachings on social media and blogging about religious oppression
- This is his second arrest that occurred when collecting belongings confiscated from his 2016 arrest
- His whereabouts remain unknown to his family
- **Source:** TCHRD (2017)

2) Lobsang Dhargyal

- Arrested on 16 March for staging a solo protest
- His health is in critical condition
- Suffered torture, beatings, and abuse
- Currently at an army camp
- **Source:** TCHRD (2017i)

3) Dukpe

- Arrested on 18 March for staging a solo protest
- No information regarding her location
- **Source:** TCHRD (2017)

4) Gonpo

- Arrested on 4 May, suspected of sharing news of self-immolation to outside contacts
- No information on his health & whereabouts
- **Source:** Phayul (2017)

5) Soepa Tso

- Arrested early May
- Father of self-immolator Chagdor Kyab
- No information on health & whereabouts
- **Source:** Free Tibet (2017)

6) Dolma Tso

- Arrested early May
- Mother of self-immolator Chagdor Kyab
- No information on health & whereabouts
- **Source:** Free Tibet (2017)

7) Jampa Choegyial

- Arrested sometime in July
- Suspected of maintaining contacts outside Tibet
- Was detained and beaten and released after 2 days
- **Source:** RFA (2014)

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8) Tulku Lobsang

- Arrested on 21 July for unknown reasons
- No info on whereabouts or charges
- **Source:** RFA (2017)

9) Tashi Damdul

- Arrested around 23 October for producing and distributing self-immolation videos that took place several years ago
- Location unknown; among a group of at least 7 Tibetans arrested related to self-immolation video
- **Source:** RFA (2017)

10) Kalsang Gyatso

- Arrested around 23 October for producing and distributing self-immolation videos that took place several years ago
- Location unknown; among a group of at least 7 Tibetans arrested related to self-immolation video
- **Source:** RFA (2017)

11) Tsering Chopel

- Arrested around 23 October for producing and distributing self-immolation videos that took place several years ago
- Location unknown; among a group of at least 7 Tibetans arrested related to self-immolation video
- **Source:** RFA (2017)

12) Tenzin Namgyal

- Arrested around 23 October for producing and distributing self-immolation videos that took place several years ago
- Location unknown; among a group of at least 7 Tibetans arrested related to self-immolation video
- **Source:** RFA (2017)

13) Choephel

- Arrested around 23 October for producing and distributing self-immolation videos that took place several years ago
- Location unknown; among a group of at least 7 Tibetans arrested related to self-immolation video
- **Source:** RFA (2017)A

14) Tsering Norbu

- Arrested around 23 October for producing and distributing self-immolation videos that took place several years ago
- Location unknown; among a group of at least 7 Tibetans arrested related to self-immolation video
- **Source:** RFA (2017)

15) Tsegyam

- Arrested around 23 October for producing and distributing self-immolation videos that took place several years ago
- Location unknown; among a group of at least 7 Tibetans arrested related to self-immolation video
- **Source:** RFA (2017)A

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16) Gyakyab

- Arrested on or around 23 December
- Detained on the pretense of settling accounts of deceased son, self-immolator Konpey's medical treatment
- **Source:** TCHRD (2017)

17) Sonam Tashi

- Arrested on 5 January for staging solo protest
Police did not inform Tashi's parents of his location
- There has been no information regarding his health & whereabouts
- **Source:** TCHRD (2017s)

18) Unidentified Tibetan woman

- Arrested on or around 25 February for recording video of Lobsang Tsultrim's solo protest
- No information regarding her location
- **Source:** TCHRD (2017i)

Conclusion

The most recent country visit the UN Working Group on Arbitrary Detention had conducted in PRC was in 2004. Detention facilities were visited in several areas including Lhasa. After the Working Group had interviewed at least 70 detainees and analysed their circumstances, they were able to conclude that the PRC's "rules and practice concerning judicial deprivation of liberty are not in keeping with international law and standards" (E/CN.4/2005/6/Add.4). This statement rings true even now. Despite additional published statements by the UN human rights mechanisms criticising the PRC's rights violations and countless sources confirming the government's atrocities, the PRC continues to justify such unlawful deprivation of liberty.

Former Tibetan political prisoners have extremely limited future as re-detainment and strict surveillance are imposed. Many have decided to leave Tibet and escape into exile because the stigma of a former political prisoner makes life a burden. The fact that Tibetans choose to leave their homes, their families, and everything that is familiar to them attests to the role that the PRC government has in their choice to flee. The groundless deprivation of liberty for the sake of so-called state security has resulted in great injustices and suffering for Tibetans. When citizens are targeted for their political beliefs and their human rights are violated, they experience no security or freedom and rightly view the government as an oppressor.

Religious Freedom

“Everyone has the right to freedom of thought, conscience and religion [and] . . . to manifest his religion or belief in teaching, practice, worship and observance.”

– Article 18 of the Universal Declaration of Human Rights

Religion is an integral part of Tibetan identity and culture. A large majority of Tibetans are devotees of Tibetan Buddhism and followers of the Tibetan spiritual leader His Holiness the Dalai Lama. But the Chinese government views the Dalai Lama as the core motivator of separatism and has banned the Tibetan spiritual leader's teachings and photos the possession of which is considered a criminal act liable for imprisonment. From the PRC's perspective, religious activism is inseparable from political activism. As a consequence, the practice of Tibetan Buddhism is seen as a security threat to the unity and sovereignty of the PRC and Tibetans are targeted and persecuted for their religious beliefs and practices. Tibetan religion and culture have long been undermined and suppressed through decades of repressive policies and practices. The implementation of additional controls and restrictions on Tibetan Buddhism since late 2011 has further contributed to severe and extensive violations of religious freedom in Tibet.

In 2017, the PRC authorities continued to criminalise acts of religious devotion and worship by torturing and imprisoning Tibetans who called for the return of the Dalai Lama to Tibet. Ideological campaigns aimed at demonising the Dalai Lama were intensified even as Tibetans continued to display their devotion and loyalty to their spiritual leader despite extreme restrictions. Destruction of residences of religious practitioners at Larung Gar Tibetan Buddhist Institute was finally put to a halt as Chinese authorities completed its demolition quota. Likewise, Larung Gar was depopulated to meet the expulsion quota leading to the prolonged and uncertain period of displacement for thousands of Buddhist practitioners. Similar destruction and displacement was witnessed at Yachen Gar Tibetan Buddhist Institute that again exposed the systematic and calculated move on the part of Chinese authorities to undermine and marginalise the growing influence and popularity of Tibetan Buddhism and its role in promoting Tibetan religious and cultural identity. Through the increasing use of draconian laws and policies and the requirement for all religions to ‘sinicize,’ the atheist Party state has actively sought to further control and undermine Tibetan religious and cultural identity. The implementation of the revised regulation on religion will further aggravate the situation of religious freedom in Tibet.

Revised Regulations Introduce Stricter Controls

On 7 September, PRC authorities released the revised version of the 2005 Regulations on Religious Affairs that are scheduled to take effect 1 February 2018. Compared to the 2005 regulations, the revised law introduces sweeping new restrictions that will allow authorities arbitrary discretion to further equate religious practices and activities with so-called criminal acts of ‘breaking ethnic unity,’ ‘splitting the nation,’ and ‘carrying out terrorist activities’ (Global Times, 2017d). Tibetan Buddhist believers and groups will face enormous restrictions and increased scrutiny in terms of how they communicate and conduct activities online, maintain contacts with foreign-based Buddhist groups, and

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manage their finances. Of particular concern are references to religious extremism and ethnic separatism popular accusations used by Chinese authorities to silence and persecute Tibetan Buddhists loyal to the Dalai Lama and other Tibetan spiritual leaders not recognized by the PRC (Dubois, 2016). Article 4 in the revised regulations includes vague and overbroad provisions on much-abused criminal charges used against Tibetan political dissidents and human rights defenders such as ‘endangering national security’ and ‘disrupting public order’ in addition to the catch-all phrase typical of all Chinese laws and regulations such as ‘other illegal activities.’

Figure 7: Comparison of Article 4 of China’s Religious Affairs Regulations from 2005 to 2018

2005

All religions shall adhere to the principle of independence and self-governance. Religious bodies, sites for religious activities and religious affairs are not subject to any foreign domination. Religious bodies, sites for religious activities and religious personnel may develop external exchange on the basis of friendship and equality; all other organizations or individuals shall not accept any religious conditions in external cooperation or exchange in economic, cultural or other fields (CECC, 2004).

2018

The State, in accordance with the law, protects normal religious activities, actively guides religion to fit in with socialist society, and safeguards the lawful rights and interests of religious groups, religious schools, religious activity sites and religious citizens. Religious groups, religious schools, religious activity sites, and religious citizens shall abide by the Constitution, laws, regulations and rules; practice the core socialist values; and preserve the unification of the country, ethnic unity, religious harmony and social stability. Religion must not be used by any individual or organization to engage in activities that endanger national security, disrupt public order, impair the health of citizens or obstruct the State educational system, as well as other activities that harm State or societal public interests, or citizens’ lawful rights and interests, and other such illegal activities. Individuals and organizations must not create contradictions and conflicts between different religions, within a single religion, or between religious and nonreligious citizens; must not advocate, support, or fund, religious extremism; and must not use religion to undermine ethnic unity, divide the nation or carry out terrorist activities (China Law Translate, 2017a)

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In line with article 34 of the revised regulations, the State Administration for Religious Affairs, PRC's top regulatory body on religious affairs, issued a 10-point directive in November banning any individual or group from commercialising and making profits from Buddhist and Taoist religious sites and venues in order to ensure social stability and economic development. The directive, issued in conjunction with 11 other departments including police, finance and tourism, regulates Buddhist and Taoist-themed cultural sites, and bans large religious statues outside religious venues, as well as forbids individuals or groups from investing in their construction (China Daily Group, 2017d). The directive is yet another attempt to tighten control over two of the most influential and popular religions in the PRC and to ensure state control over development of religious sites for tourism purposes. Ahead of the enforcement of the revised regulation on religious affairs, all local governments are required to implement the directive that also calls for increased management of information shared online by religious groups and supervision of their finances. Over the years, Chinese authorities have exercised extensive controls over developing and marketing Tibet as an exotic tourist destination by appropriating Tibetan Buddhist culture and landscape, resulting in a shrinking space for spiritual and contemplative practices, as was most recently witnessed in the demolition and subsequent development of Larung Gar Tibetan Buddhist community.

Article 36 in the revised regulations concerns the reincarnation system in Tibetan Buddhism and requires that all new reincarnate lamas or “living Buddhas” must be “reported for approval to the religious affairs department of people’s governments at the provincial level or above or to a people’s government at the provincial level or above.” This article follows in line with the 2007 regulation that gave the Party-state extensive powers to control, manipulate and interfere with the Tibetan reincarnation system to further its own political agenda of systematically destroying Tibetan religious and cultural identity. In December, Zhu Weiqun, chairman of Ethnic and Religious Affairs Committee of the Chinese People's Political Consultative Conference (CPPCC) lauded the 2007 regulation as “the first on the reincarnation of living Buddhas since the founding of the People's Republic of China” that gave the Chinese government “decisive rights on the matter” (Global Times, 2017b). Zhu added that the issue of reincarnation is a “religious and political” matter, as “Buddhism impacts Tibet's society and politics” and therefore, the Chinese government “must have a determining say in the matter.” He further identified one of the motives behind the regulation, that is, to prevent “the Dalai Lama from using the reincarnation of living Buddha to conduct activities that threaten Tibetan Buddhism and national unity.”

However, the far-reaching motives and consequences of the 2007 regulation go beyond the mere smokescreen of politicising the Dalai Lama’s role in the reincarnation process. In the past ten years, Chinese authorities have approved more than 60 “living Buddhas” under the regulation that also provides the authorities wide discretion in controlling the training and education of the new “living Buddhas.” In July, Chinese state media reported that the first batch of seven teenage “living Buddhas” recognised under the regulation had successfully passed the three-year primary school education that includes 80 percent of state curriculum and 20 percent of Buddhist theories (Global Times, 2017a). They will be required to continue their middle school education under state supervision at the Tibet Buddhism College established in Lhasa to ‘cultivate’ Tibetan “living Buddhas” in the PRC’s overall goal to ‘sinicize’ and adapt Tibetan Buddhism to ‘Socialism with Chinese characteristics’ (Global Times, 2017a; Global

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Times, 2017c).

To further tighten the grip on the Tibetan reincarnation system, a public database of all “living Buddhas” approved by Chinese authorities was released in 2016. The database so far contains a list of 100 “living Buddhas.” In April 2017, WeChat released a notice that required all reincarnate Buddhist monks to register their accounts with credentials issued by the government such as “living Buddha certificates and ID cards” or face shutdown. According to Zhu Weiqun, the head of the Ethnic and Religious Affairs Committee of the CPPCC, the move was aimed at preventing “fake Living Buddhas [from] pos[ing] threat to national security, as they use the money they collect to sponsor illegal or even separatist activities in the Tibet Autonomous Region” (Global Times, 2017e). This came in the midst of increasing government control over the Internet and the need to control the influence of Tibetan Buddhist teachers who have garnered immense popularity and followers among the Chinese Buddhist population.

'Sinicization' of Buddhism

In 2017, 'sinicization' was widely promoted and is anticipated to have a major play in the future of all religions in the PRC. At a government-organised forum themed "Chinese culture and religious sinicization" that was held 6 September in Beijing, leaders from five religious communities – Buddhism, Taoism, Islam, Catholicism and Christianity – had purportedly reached an agreement that "the direction of religions is to integrate with Chinese culture" (Global Times, 2017d). In the past year, Zhang Yijiong, the executive vice minister of the United Front Work Department (UFWD) of the Party Central Committee, has made the claim more than once that Tibetan Buddhism originated in ancient China and that “it is a fine example of religion adapting to Chinese conditions” (China Internet Information Center, 2017). This contrasts with statements in 2014 where Xi Jinping acknowledged that Buddhism came from India (ICT, 2017h). The assertion that Tibetan Buddhism is Chinese in nature assists the PRC in their argument that Tibet is a central part of China and would therefore not have a "foreign" religion practised by their citizens.

Sinicization, however, is a convenient euphemism that will allow the Party-state to more comprehensively restrict and intrusively interfere with the rights of religious groups in PRC. Under the banner of 'sinicization', Chinese authorities seek to politicize people's religious beliefs and practices by requiring all religions to 'integrate into Chinese culture' and "sinicize in terms of sovereignty". Sinicization, as explained by Shen Guiping of the Chinese Central Institute of Socialism, means making all aspects of a religion including its doctrines, cultural customs, morality and culture Chinese.

Management and Securitisation of Tibetan Buddhism

Addressing a press conference in Lhasa in September 2017, Wu Qingjun, the deputy head of TAR UFWD spoke of the success of the policies and practices implemented since 2012 as part of the PRC's drive to intensify the management of Tibetan Buddhism (Tibet Daily, 2017c).

Wu said government management of all 1,787 recognised monasteries has been strengthened under new monastery management measures such as the stationing of permanent cadres and officials, setting up of Party branches, and the establishment of Monastery Management Committees (MMC) that permits only government officials and Party cadres to exercise direct control while excluding the

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opinions of monks and nuns. Furthermore, the ‘Nine Must Haves’ campaign had also been implemented that required monks and nuns to hang portraits of four Chinese Communist leaders and the Chinese national flag and provide access to government newspapers and television programs. Government services such as supplying electricity and water were also promoted under the campaign.

Using the rewards and punishment tactic, Chinese authorities subject monastic institutions and monastic practitioners to yearly “assessment activities” to ensure “model harmonious monasteries” and that “patriotic, law-abiding monks and nuns” are publicly identified and awarded. Wu added that the monastery management measures further required senior religious teachers and instructors to organise and lead ‘patriotic education’ and ‘legal education’ classes that are aimed at “adapting and harmonising Tibetan Buddhism with ‘Socialism with Chinese characteristics.’” Wu’s statement provided strong signals that the raft of monastery management measures that have been implemented in the past five years would become a permanent feature in TAR. This would further contribute towards the securitisation of Tibetan religious and cultural issues and the inevitable consequences of religious freedom violations.

The monastery management measures are not limited to TAR but have been extended to other Tibetan areas. On 6 March, Chinese authorities in Rebkong County, Malho (Ch: Huangnan) 'Tibetan Autonomous Prefecture', Qinghai Province, gave out monetary awards of 10,000 Yuan each along with certificates of “unity and friendship” to Tibetan monks and their monasteries for their cooperation with the Communist Party rule (RFA, 2017b). Simultaneously, announcements were made that monks who had recently travelled to India and Nepal would be identified and punished. The award ceremony, held a few days before 10 March, was timed to prevent protests from occurring on the sensitive anniversary date. A similar award ceremony was held in early March in Zungchu County, Ngaba 'TAP', where Tibetan monks and Muslim leaders were given monetary awards and publicly praised for their “efforts to foster friendship and harmony in the community and to condemn those who did not cooperate” (RFA, 2017c).



Figure 8: The award ceremony for Tibetan monks in Rebkong County, Malho Tibetan Autonomous Prefecture, Qinghai Province. Photo source: RFA (2017b).

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Anti-Dalai Clique and Religious Festivals

Despite the already existing communication clampdown, the Chinese government increases restrictions every year on and around 6 July, which is the Dalai Lama's birthday. Local Chinese authorities also interfered with Tibetan festivals, which are not only social events but also an opportunity for Tibetans to express national identity and culture. Because Tibetan Buddhism is intertwined with Tibetan culture, festivals often promote religious devotion and activities. Chinese authorities often deploy large numbers of security forces on the scene to interfere in any way that they can. In other cases, officials will give advance notices banning the festivals altogether. Despite the bans and warnings against celebrations, Tibetans often devise alternative ways and means to resist official order.

Tsangyang Gyatso, a former monk from Jonang Monastery in Golog 'TAP' shared that “Even after such repressive policies and restrictions, Tibetans have become more resilient. No matter how much control they face, they want to practice their religion and culture” (T. Gyatso, personal communication, 7 November 2017).

Early this year in January, Chinese officials confiscated the passports of Tibetans who wished to attend the Dalai Lama's Kalachakra teachings in Bodh Gaya, India from 11 to 13 January 2017. Tibetan pilgrims who had traveled to India and Nepal were also ordered to return to Tibet to prevent them from attending the teachings and their passports were also confiscated upon their arrival at the airport. While officials stated that passports would be returned by March, sources shared that those who were affected still had not received them by September (RFA, 2017z).

On 11 February, Tibetans had gathered at Kumbum Monastery in Tsoshar (Ch: Haidong) Prefecture for a prayer gathering called Chotrul Monlam where large and colorful sculptures made of butter were made for display and viewing. A large number of paramilitary police was deployed at the venue to incite intimidation. A source shared that their presence made “Tibetan pilgrims very uncomfortable, and provoked anxiety and fear in the daily lives of ordinary Tibetans.” Tibetans were later blocked from seeing the butter sculptures and made to wait in long lines while Chinese tourists who paid 100 Yuan for tickets were allowed to proceed in witnessing the display (RFA, 2017c).

In July, Tibetans celebrated a traditional cultural and spiritual festival that occurred on the same date of the Dalai Lama's birthday. The festival included burning a large amount of incense, a horse race, and a dance performance. Tibetans in Nagtran village, Lungtan Township, and Tawu County in Kardze 'TAP' were banned from celebrating. Attempts by some Tibetans to celebrate the festival at a different location were unsuccessful due to the arrival of Chinese security forces (VOA, 2017b).

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In some other areas in Tibet, Tibetans had openly defied Chinese authorities and carried on their celebration events on 6 July. In Rebkong County, Tibetans closed their shops and burned incense to observe Dalai Lama's birthday while also holding public picnics with family and friends. In Golog 'TAP', Tibetans posted images of the Dalai Lama and birthday greetings and songs of praise in honour of the Tibetan spiritual leader's birthday on WeChat. But WeChat users were unable to share these contents due to clampdown on social media and Internet usage. In Ngaba 'TAP', monks from Andu Yakgo Monastery returned from a retreat to hold prayers for the Dalai Lama's health and longevity (RFA, 2017m). It remains unknown if any of them were detained for questioning by the authorities.

Destruction of Monastic Institutes

In early April, Chinese authorities achieved its stated objective of demolishing 4725 monastic dwellings and evicting 4828 religious practitioners at the world-famous Larung Gar Tibetan Buddhist Institute in Serthar (Ch: Seda) County, Kardze 'TAP' (TCHRD, 2017u). The popular institute that attracts Buddhist practitioners from all over the world is now permitted to accommodate only 1500 monks at the Buddhist Academy of Five Sciences and 3500 nuns at the nearby nunnery. The total population of Larung Gar, both permanent and visiting practitioners and students before the demolition, was estimated at 20000. PRC's campaign to depopulate popular and influential religious institutes is part of a larger political strategy to undermine and undercut the growing influence of Tibetan Buddhism as the fountainhead of Tibetan national and cultural identity (ICT, 2017f).

New information received by TCHRD confirms that in 2015, Chinese authorities had held numerous meetings at Larung Gar during which they identified three main reasons for the demolition plan: that Larung Gar was overpopulated, covered a huge area, and lacked proper supervision and management. Some residents had refuted these reasons and demonstrated through anonymous social media posts that they were a pretext for political control (TCHRD, 2016b). Regarding PRC's concern for the lack of supervision and management at Larung Gar, a former student of the academy who fled Tibet in October told TCHRD, "This concern is related to politics and control. Even before [the demolition], they had closely monitored and exercised control over Larung Gar. For instance, they would tell us, 'you have shared this or that online. It is illegal because it is a state secret.' Sometimes we are told that it is illegal to keep teachings and pictures of His Holiness the Dalai Lama and the [missing] 11th Panchen Lama" (Anonymous source, personal Interview, 15 December 2017, Dharamsala, India). Officials at the meetings also claimed that the spread of Tibetan Buddhism and the large number of monks and nuns posed hindrance to the government's plan to develop Tibet's economy. Sometimes at these meetings, officials would discuss with residents things that had little to do with monastic concerns such as making marriage certificates (Anonymous source, personal Interview, 15 December 2017, Dharamsala, India). Chinese authorities claimed that the subsequent development that followed the demolition was for the welfare of the residents when in fact the building of the roads, better sewage facilities and hotels, are aimed to cater to tourists and the long-term plan to turn Larung Gar into a Disneyland-style tourist attraction.

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Figure 9 shows a picture of the monastic dwellings of Larung Gar that were destroyed and turned into long vertical and horizontal strips of bare land that are averaged to be 100 meters where staircases and roads are to be built, to improve facilities for tourists. Many residents believed that the strips were unnecessarily wide and more homes than needed were torn down for the construction. Photo source: TCHRD (2017u).

Restrictions and surveillance have been tightened at Larung Gar and religious leaders at the institute had been warned of severe consequences if they failed to rein in the residents. Verbal threats had been issued that in the event of protests, local authorities could easily arrange for the deployment of hundreds of armed security forces from the nearby Serthar County town to suppress protests. Authorities have kept additional paramilitary forces on standby in Drango (Ch: Luhuo) County town and Dartsedo (Ch: Kangding) town.

Since demolition began, monks and nuns living in the area have stated that the environment is no longer ideal for monastic study and contemplative practices. The monthly curriculum had also been changed to accommodate political education classes conducted by government authorities. Previously the monthly curriculum consisted of more than 40 different classes of Buddhist sutra and tantra at the academy. This has been replaced by 18 days of monastic study and 12 days of political education classes on subjects such as "China's policy on ethnic minorities, opposing separatism, strengthening national

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unity, achieving the Chinese Dream, and etc". (Anonymous source, personal Interview, 15 December 2017).

The demolitions have caused great grief and sadness to the religious community as thousands of monks, nuns and lay practitioners were forced to leave and face an uncertain future. At the height of the demolitions in 2016, suicide attempts by nuns have occurred with a confirmed number of three fatal cases and one attempt that was prevented (TCHRD, 2016c). One of the nuns, Tsering Dolma, had left a suicide note that could only be obtained this year due to extreme restrictions on communication (TCHRD, 2017d).

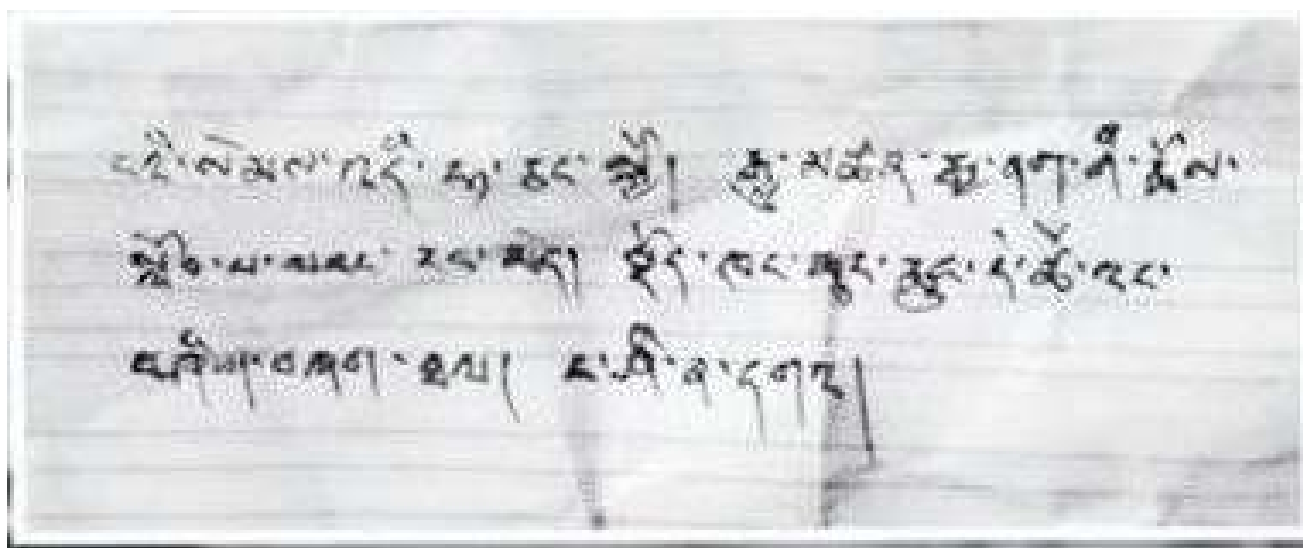


Figure 10 displays Tsering Dolma’s suicide note left on 19 July 2016 with an English translation.

“My heart is so sad. The reason is the Chinese government does not allow us the freedom to practice our religion. Even the tiny shelters have been destroyed. It is better to die.”

From TCHRD’s undercover report, sources described that more nuns were evicted than monks and that most monks can re-join other monasteries while it is not possible for nuns (TCHRD, 2017u). Religious leaders of Larung Gar took it upon themselves to arrange for temporary facilities to accommodate the displaced nuns by building five large nunneries and other smaller facilities in Tibetan areas of Qinghai and Sichuan. Many other evicted nuns who hailed from the TAR are unlikely to have found any alternative to continue their studies. In April, about 300 evicted monks were ordered to leave the temporary shelter accommodated to them at the Belo Ri retreat center in Tawu County, Kardze Tibetan Autonomous Prefecture. The temporary shelter was provided to the monks by the center but local authorities issued an order that threatened of severe consequences if they did not leave (RFA, 2017j). The lack of evidence of the government providing any adequate and sustainable alternative to the displaced monks and nuns attests to the fact that the objective is permanent displacement that would eventually force the monks and nuns to discontinue their religious study and opt for a secular lifestyle.

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In August, another demolition campaign began at Yachen Gar Buddhist Centre in Pelyul County, Kardze 'TAP' where Chinese authorities earmarked 2000 monastic residences for demolition and an equal number of Buddhist practitioners for eviction by the end of the year (RFA, 2017e). With an estimate of 10000 residents, thousands of monks and nuns were also left homeless, as many had no living family members to return to (ICT, 2017f). Comparable to Larung Gar, long strips were made after the eviction of monks and nuns and the demolition of homes. Tourists and foreigners were also restricted from visiting the centre as well as Tibetan pilgrims (RFA, 2017f; TCHRD, 2017u). On 1 April, authorities had given a notice for Tibetan pilgrims setting up temporary dwellings and wishing to attend teachings at Yachen Gar to take down their tents by 10 April. Authorities took down over 200 tents after making the announcement and forced them to leave (RFA, 2017j).

On 20 August, the Kardze prefectural authorities announced the appointment of six Communist party members to key positions to exercise direct control over the management and day-to-day operations of Larung Gar. Three were given the responsibility to manage the Larung Gar Five Sciences Buddhist Academy while the other three were to manage the Larung Gar Monastery Management Committee (TCHRD, 2017t). The establishment of direct party control over Larung Gar is part of the overall monastery management measures that are aimed at creating politically stable 'harmonious model monasteries' and 'law-abiding monks and nuns' all over Tibet.

The demolition and depopulation of Larung Gar and Yachen Gar largely represent the situation in other Buddhist Institutions in Tibet. Mass tourism has diminished much of the substance and authenticity of Tibetan culture and religion. The allure of Tibetan monastic institutions for tourists is no more meaningful than destructive urbanisation in the name of economic development.

Conclusion

The growing number of restrictions and regulations on Tibetan Buddhism has led to the continued deterioration of religious freedom in Tibet. A raft of specific policies and practices has enabled Chinese authorities to violate religious freedom in the name of law and label a host of religious acts and behaviours as illegal. The enforcement of the revised regulation on religion in 2018 will further aggravate the situation of religious freedom in Tibet. The Chinese Party-state increasingly views Tibetan Buddhism and its followers as ideological and political threats by equating religious beliefs and practices with criminal acts that can be punished with imprisonment, torture and other intimidating tactics. Tibetan Buddhism is still viewed with suspicion and hostility by an atheist Party-state. In the many forced political education campaigns conducted across Tibet, Chinese authorities criticize the influence of religion as a feudal vestige standing in the way of economic development and denounce the Dalai Lama as a separatist despite the Tibetan spiritual leader's consistent quest to find a mutually beneficial solution to the issue of Tibet.

The Chinese government must ratify the International Covenant on Civil and Political Rights without further delay and allow Tibetans to exercise the right to freedom of religion or belief as provided for in article 18 of the ICCPR and article 18 of the UDHR. Numerous PRC policies and practices on Tibetan Buddhism violate international standards on freedom of religion or belief and other human rights.

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The demolition of Tibetan religious centres violates article 6 of the 1981 Declaration of the General Assembly (hereinafter ‘Declaration’), article 9(e) and 9(g) of Human Rights Council resolution 6/37 and general comment 22 of the Human Rights Committee that aim to secure rights to places of worship and religious activity (OHCHR, n.d.) The practice of interfering with Tibetan reincarnation system under the 2007 on Reincarnation and further emphasized in the revised regulations on religion goes against article 6 (g) of the Declaration of General Assembly. The censorship provision in the revised regulation on religion violates article 6(d) of the Declaration, paragraph 4(d) of the Commission on Human Rights resolution 2005/40, paragraph 4(d) of the Human Rights Council resolution 6/37, and paragraph 4. In particular, Chinese authorities must stop criminalizing religious beliefs and practices by using vague and overbroad laws in the name of national security, extremism and terrorism. The international community is urged to apply sustained and concerted pressure on the PRC government to provide a concrete timeline for the ratification of the ICCPR during PRC’s 2018 Universal Periodic Review; bring its laws and regulations on religion on par with international standards; and reverse policies and practices that forbid Tibetans from fully exercising the right to freedom of religion and belief.

Development

"A human rights approach respects the dignity and autonomy of persons living in poverty and empowers them to meaningfully and effectively participate in public life, including in the design of public policy, and to hold duty bearers accountable. "

– The Guiding Principles on Extreme Poverty and Human Rights

This year on 18 October during the 19th National Congress of the Chinese Communist Party, president Xi Jinping announced his two-staged development plan with goals to build PRC into a “great modern socialist country” by 2050. The first stage of the plan includes achieving “economic and technological improvements”, reducing regional and urban-rural disparities, providing equitable access to public services, protecting “the rights of the people to participate and to develop as equals”, and ensuring a “harmonious and orderly” society by 2035. In the second stage PRC would have increased “every dimension of material, political, cultural, ethical, social, and ecological advancements”. Common prosperity for everyone will be achieved, and PRC would become a global leader in terms of national strength and international influence by 2050 (Xinhua, 2017a).

In March, at a panel discussion with TAR deputies during the annual session of the National People’s Congress, premier Li Keqiang had reiterated the importance of maintaining stability and development of TAR and promised more funding and efforts to develop tourism, transportation and power-grid infrastructures, clean energy and ethnic medicines, while also protecting the environment. Vowing to improve public services in areas such as education, healthcare and heating, Li pledged to intensify efforts in “poverty alleviation, especially for those living near the nation's borders”. (China Daily, 2017f).

In September, Chinese state media reported “double-digit GDP growth for 24 consecutive years” in TAR with the growth rate for the first half of 2017 reaching 10.8%. Chinese authorities claimed that the growth rate was achieved by focusing on “improving people’s livelihood, exploring resources, building industry and encouraging urbanization” in the past five years by building highways, airports, and hydropower facilities, in addition to developing TAR into a mass tourism destination. Revenue generated from tourism sector accounts for nearly 29% of TAR’s GDP. (People's Daily, 2017).

The overarching emphasis on political stability and economic development has formed the basis of PRC’s longstanding policy in Tibet. PRC authorities have always hoped that rapid economic development will help accelerate the integration and assimilation of Tibetans into the Chinese nation-state and neutralise the deep-rooted distrust and resistance against Chinese authorities. For decades, Chinese authorities have imposed a ‘carrot and stick’ policy of applying a predatory development model on the one hand and engaging in political repression on the other. The numerous development projects

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that the PRC has launched over the years including the long-running Western Development Strategy (Ch: xibu da kaifa) are part of a political strategy aimed at winning Tibetans over to Chinese rule. But the 2008 Tibetan uprising and the continuing repression and crackdown demonstrate the failure of this development policy because it has primarily served the interests of the Chinese state and the increasing number of Chinese migrants. The top-down economic development model with its enduring focus on extractive industries, infrastructure construction projects including building hydro dams, railways, highways, pipelines and power pylons, urbanisation, and mass tourism has had deeply disempowering effects on Tibetans and led to an artificial growth in Tibetan economy fuelled by massive state subsidies and dominance of Chinese migrants in urban centres where the double digit growth is most manifest.

China's 13th five-year plan (2016-2020) follows the same ill-conceived development policy in Tibet with specific emphasis on rural development, poverty alleviation, and ecological protection. For instance, the plan includes "the building of the Sichuan-Tibet railway", "new hydro power plants with an aggregate capacity of 60,000 mw", "big reservoirs in Tibet and other areas", "urbanization of 100 million people in central and west China", and "ecological restoration of Qinghai-Tibet Plateau and other ecologically important areas" (China Daily, 2016). But these state-sponsored and state-directed mega projects do little to benefit the ordinary Tibetans who are increasingly evicted from their ancestral lands in the name of environmental protection, infrastructure development, and poverty alleviation. Instead of achieving the professed goals of improving conditions for the rural poor, the PRC's development policy has contributed to the impoverishment and disempowerment of millions of rural Tibetans including farmers and nomads and the perpetuation of extreme dependence on government handouts.

Chinese migrants have notoriously dominated Tibet's economy while Tibetans continue to remain trapped in an unsustainable economy as the rest of the region grows. Government subsidies and other external investments in the TAR, for instance, go into sectors outside of agriculture and animal husbandry, which is the most common and productive form of employment for Tibetans. The financial benefits result in an economy of "extraordinary inefficiency and extreme dependence, as well as strong cultural, linguistic, and political biases stemming from characteristics of the dominant cultural and political group controlling the subsidies, such as Chinese fluency, Chinese work cultures, and connections to government or business networks in China proper" (Fischer, 2014). Despite the increase in opportunities and overall growth of the region, Tibetan language, culture, and accustomed labor practices have been undermined and Tibetans compete in an unfair labor market.

A review of 2017 reveals no significant policy changes that created more employment opportunities that were stable, culturally appropriate, and environmentally sound for Tibetans. However, changes were made that gave foreigners more ease in seeking employment in the TAR. Effective 1 April, a unified work permit application process would simplify procedures and reduce the amount of paperwork for foreigners instead of going through multiple separate government agencies that could take months (Nyima & Daqiong, 2017). Rather than investing in the native population that would produce a sustainable economy, the PRC government hopes to attract more foreign talent in addition to growing Chinese migrants. Instead of aiming to eliminate structural and cultural barriers for Tibetans, PRC implements development policies including the so-called poverty alleviation plans that produce the opposite effect of pushing a larger number of Tibetans into living in a state of increased poverty.

Renewed Emphasis on “Ecological Civilization”

A seemingly new direction president Xi Jinping has incorporated into the two-staged development plan was to introduce more environmental protection while striving to solve prominent ecological problems. The goal of “Beautiful China” involves establishing “regulatory agencies to manage state-owned natural resource assets and monitor natural ecosystems” and developing “a nature reserves system composed mainly of national parks, while vowing tough steps to stop and punish all activities that damage the environment” by 2035 (China Daily, 2017c). While the inclusion of environmental protection is a step towards a more commendable approach to development, there is more to it than meets the eye. Xi Jinping’s concept of “ecological civilization” is not new and was first introduced in a report to the 17th National People’s Congress back in 2007. In 2013, at the Third Plenary Session of the 18th Party Central Committee, Xi had emphasised “ecological civilization” that included a series of reforms to address major environmental issues in PRC. Efforts involved enforcing better and stricter systems for “protection of natural resource rights”; “establishment of a national parks system” and “protection of arable land and water resources management” (Chun, 2015).

As part of the renewed emphasis on developing “ecological civilization” and more specifically “ecological restoration of Qinghai-Tibet Plateau”, in the 13th Five-Year Plan has announced the creation of more nature reserves and national parks to protect watersheds, biodiversity and restore grassland. PRC already has thousands of natural reserves, national forests, wetlands, geological parks and scenic spots — accounting for over 18% of the country’s total area for conservation (Caixin, 2017). More than half of these protected areas are located on the Tibetan Plateau (China Dialogue, 2014). The designation of such large swathes of land as protected areas under the regime of Main Functional Zoning or “red lines” (Lafitte, 2016) has resulted in the steady removal and relocation of Tibetan nomads from the most productive pasturelands thus depriving them of their livelihood sources.

Early this year, during the meeting of the National People’s Congress and the National People’s Political Consultative Conference, a great deal of official rhetoric was focused on drawing ‘ecological red lines’ to create ‘ecological space’ for environmental protection. It followed the issuance of a key document called Opinions on Defining and Protecting Ecological Redlines in February by the Party Central Committee and the State Council, that ended the authority to set and implement red lines by individual departments such as forestry and water and instead made the government and party authorities responsible for the protection of ecological red lines (China Dialogue, 2017). Ecological red lines are drawn around ‘ecological spaces’ that usually include nature reserves, or “reserves protecting sources of water”. The red lines permit no development within their borders and blacklist much of existing economic activities such as herding. By 2020, the process of drawing red lines all over the PRC will have been completed. In addition, the PRC’s Nature Reserve Law requires that there be a science based classification, within each nature reserve, into core zones, buffer zones and outer zones. The core zone, to be policed most strictly, is the zone from which all human activity is prohibited, in other words, all residents within this zone must be relocated. Because traditional practices such as grazing domestic animals and medicinal herb gathering are criminalised, these enforceable rules, as is often the case in PRC, are deeply ambivalent about the human beings whose home has always been those lands now declared to be nature reserve (Wasted Lives, 2015).

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Using exclusionary red lines, PRC is depopulating the most productive Tibetan landscapes in the name of climate mitigation, poverty alleviation and watershed protection. Since 2003, numerous policies such as *tuimu huancao* (“closing pastures to grow more grass”) have enforced grazing bans and nomad removals. More concerningly, these policies are implemented when independent studies have demonstrated that the traditional flexibility and mobility exercised by nomads and their herds are crucial in resolving problems of degradation, productivity and landscape protection. Recent studies conducted by Chinese scientists have shown that PRC’s definition of grassland degradation included normal grazing pressure as degradation varied wildly in its estimates of the extent of degradation and offered no pathway that causally connected exclusion of grazing animals to restoration of a grassland wilderness (Wasted Lives, 2015). Contrary to experience worldwide in community based landscape restoration, which relies on local communities to lead the recovery process, PRC has failed to enlist the time and knowledge of the nomads to do the landcare work of rehabilitating degrading areas, relying instead solely on enclosure and time to achieve rehabilitation.

Sanjiangyuan National Park

Towards the end of 2015, the PRC decided to upgrade and expand the Sanjiangyuan National Nature Reserve (SNNR), located in Yushu Tibetan Autonomous Prefecture and Golog Tibetan Autonomous Prefecture, into a national park managed by the central government. Spread over 123,100 square kilometers and expected to be complete by 2020, a budget of 1 billion RMB (\$145 million) was set aside for infrastructure construction that began in 2017 for “roads, access control facilities, visitor centers, preservation stations and sewage treatment facilities” while residents in the designated park areas will be turned into “the central forces of environmental protection” by “providing jobs, boosting farmers' incomes and giving them an incentive to protect the environment”. (China Daily, 2017a).

However a blueprint issued in September on the national parks program titled “Overall Plan for Building a National Park System” proposes to relocate tens of thousands of households living inside these parks, without addressing the contentious issues of compensation and balancing conservation goals and tourism demands (Caixin, 2017). Jointly issued by the State Council and the Party Central Committee, the document also includes plans to set up more national parks, in addition to the pilot Sanjiangyuan National Park, to enforce “the strictest protection for parks and place them within red line zones” by 2020 and create a unified national park management system by 2030. Furthermore, “residents in the core regions of the national parks would be gradually relocated” (China Daily, 2017b). In a notice released early this year the Sanjiangyuan National Park management announced the relocation of 61,588 residents living in areas newly designated for the park (Caixin, 2017).

Third Pole National Park

In May, Chinese state media reported on a plan developed by TAR authorities to upgrade the Serling (Ch: Siling) Lake nature reserve in Nagchu Prefecture and expand it to surrounding areas to establish the Third Pole National Park. The proposed park covering an area of 281,150 square kilometers will be located within Pelgon (Ch: Baingoin), Shentsa (Ch: Xainza), Nyima (Ch: Nima) and Tsonyi (Ch: Shuanghu) counties in northern Nagchu. But the plan is still in its initial stages and “the park's exact area

has not yet been decided” (China Daily, 2017). The expansion of the reserve would lead to the displacement of Tibetan nomads from their traditional homes and lands in order to "eliminate human interference and increase wild animal population".

Chinese authorities have plans to promote adventure and safari tourism in the proposed park allowing visitors to witness the migration of more than 100,000 Tibetan antelopes during the breeding season in the reserve, which is the world's biggest natural reserve for protecting the black-necked crane. Promoting tourism in the reserve, the plan envisages, would help the Tibetan nomads “make a living by accommodating to the needs of the visitors instead of herding”.

In April, media reports noted that the Chinese authorities were considering plans to develop the Third Pole National Park as the world’s largest national park covering more than 2.5 million square kilometers, including the entire area of Tibetan Plateau (Chen, 2017). The report quoted researchers, who were part of the June 2017 scientific expedition to Tibet, as saying that the expedition was partly conducted to provide “data and suggestions for the building of a national park in the Serling Tso lake area”(Xinhua, 2017b). The scientific expedition is the second largest Chinese authorities have launched in decades on the Tibetan plateau to “study changes in climate, biodiversity and environment”. The expedition is expected to last for five to 10 years and the Serling Tso lake area was its first stop. There are growing concerns that Chinese authorities have long term plans to depopulate the entire length and breadth of Tibetan Plateau and turn it into a mere watershed protection area and a backup reserve of energy sources for future extraction.

Hoh Xil World Heritage Site

On 7 July, the UNESCO approved PRC’s nomination to inscribe Hoh Xil nature reserve, known also as Achen Gangyap in Tibetan and Kekexili in Chinese, about 60,000 square kilometers area, as a World Heritage Site. The approval of Hoh Xil sends a worrying message that UNESCO World Heritage Committee members have accepted a framework that defines traditional pastoral land-use a threat and criminalises traditional productive and sustainable activities such as herding and gathering medicinal herbs (ICT, 2017c). Chinese authorities have a long history of subjecting Tibetan nomads to forced removals with little or no compensation. Seemingly unbeknownst to UNESCO, a large number of Tibetan nomads had been removed from Hoh Xil and surrounding areas long before China applied for heritage status (Yongfeng, 2008).

Located in Yushu Tibetan Autonomous Prefecture, Hoh Xil is now also a part of the larger protected area of Sanjiangyuan National Park. Experts have expressed concerns that Hoh Xil’s status, as both a World Heritage Site and a national park, would encourage mass tourism (Lafitte, 2016a). The implications for remaining residents in Hoh Xil are troubling; its new status will require conservation efforts that would relocate residents and limit a wide range of economic activities (Chen, 2017). Although PRC claims that granting of heritage status to Hoh Xil would help protect the endangered Tibetan antelope, the boundaries of the heritage site do not include the full migratory range of the endangered species whose pregnant females travel great distances to give birth safe from predators, across provincial boundaries beyond Qinghai, in both Xinjiang and TAR (Lafitte, 2017c). But the boundaries make an exemption for a 250-km wide Qinghai-Tibet Engineering Corridor (QTEC) that runs

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through the middle of Hoh Xil, allowing intensive development in a protected area in the form of a railway, highway, ultra-high voltage grid, optical fibre cabling and oil pipeline, an exception not extended to Tibetan pastoral production system or migrating female antelopes that are forced to navigate across QTEC without protection.

UNESCO's inscription classifies Hoh Xil merely as a 'natural' world heritage site despite recognition from UNESCO experts that "in addition to the traditional grazing practices, there are tangible and intangible cultural attributes within the nominated property, including sacred mountains and sites, of local and national significance. Every village has its sacred places and some of them are inside the property and the buffer zone, mainly prayer sites linked to natural features like caves, hills or mountains" (Lafitte, 2017d). There is growing evidence that Tibetan nomadic culture and belief systems have played an important role in conservation and sustainable practices of as guardians and stewards of land and animals (Wasted Lives, 2015).

Although large tracts of lands are increasingly being turned into protected areas, Chinese authorities continue to implement huge infrastructure projects such as highways, railways and airports for economic and military purposes in Tibet.

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In particular, much of these infrastructures are aimed at promoting tourism, an important contributor to the overall GDP growth in the region. Tibet's natural environment and its distinct cultural heritage are the main focus of government projects promoting tourism including exploitation of wilderness landscapes for tourist consumption such as wildlife sightseeing, glacier sightseeing, alpine adventuring, and river source exploration. As pollution increases in highly industrialised and developed Chinese cities, a huge influx of wealthy Chinese tourists has created a new demand for outdoor recreational activities in Tibet. The growing number of protected areas on Tibetan Plateau offers increased opportunities for the exploitation of natural landscapes as well as natural resources.

Since China has a poor record of balancing environmental conservation and economic development, there are concerns that promoting tourism in protected areas will cause degradation of local ecological, economic, and social systems more than conservation and biodiversity protection (Wang et al., 2011). Past practices have shown that national parks usually cater more to the whims of tourist dollars, an important source of revenue for the parks aside from government funding, than conserving the parks' ecosystems and wildlife. Moreover, the influx of tourists offer little benefit to local inhabitants as was seen in the development of Pudacuo National Park in Dechen (Ch: Diqing) Tibetan Autonomous Prefecture in Yunnan Province. Proclaimed as PRC's first national park on its inauguration in 2007, the park was created through the efforts of the Nature Conservancy (TNC) "to encourage governments and other constituencies adopt new models for conserving the area's biodiverse landscapes". But these parks soon became destinations for mass tourism. In less than three years, local authorities took charge and used the parks to promote mass tourism by sidelining participation from local residents and downgrading conservation activities (Yeh & Coggins, 2014).

It remains to be seen whether the renewed emphasis on promoting ecological civilisation, accompanied by the announcement to overhaul the broken national park system will help bring the

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crucial balance between conservation goals and demands from economic development and tourism. The new blueprint on developing national parks issued in September does not provide any guidelines on this front (Caixin, 2017). Nor does it address the contentious issue of managing the livelihood of people who live in the parks (China Dialogue, 2017a).

RELOCATE OR GET JAILED

In August, nomads from the pastures in Darlag County, Golog Tibetan Autonomous Prefecture, were forced to relocate from their traditional grazing grounds. The deadline to move was the 23rd of the month and notices announced that anyone remaining beyond the date would be met by armed police and fined 1,000 Yuan (\$152). To further ensure that the lands would be completely evicted, police stated that anyone staying would also be jailed. Nomads from the Horkor and Takor villages of Darlag's Dernang township were also ordered to relocate from areas that they had prepared as winter camps. A source shared that "they don't have anywhere else to go, and are now facing continuing harassment from officials. They are very worried about what is going to happen to them" (RFA, 2017ll).

PETITION AGAINST SEIZURE OF ANCESTRAL FARMLAND

In July, Tibetan villagers in Chamdo Prefecture who received orders to vacate their land began petitioning to higher levels of government for permission to stay. The lands have been farmed by villagers and their ancestors for centuries but are now being claimed by Pema Township local officials for development. Authorities stated that they needed the land for the construction of hospitals, schools, and public sites and offered low amounts of compensation to relocate. The villagers suspect that the "officials will, in turn, sell the land for commercial development at a much higher rate to Chinese businessmen and their relatives." The villagers believe that it is the local government and not the central government that is demanding their relocation and are determined to bring their grievances to higher authorities. The Chinese officials have resorted to threatening villagers to sign hand-over agreements of their land by 20 July (RFA, 2017mm).

NO REASON GIVEN FOR RELOCATION

In April about 200 Tibetan families living in Pashoe County and neighboring Dzogang County in Chamdo Prefecture, TAR were ordered to leave their homes to make way for an unspecified government construction project. Families had to register their names and Chinese authorities promised that they would receive compensation between the amounts of 12,000 to 20,000 Yuan (U.S. \$2,176 to \$2,901), although the assistance was later withdrawn. The families now live in two towns lying on opposite sides of the Gyalmo Ngulchu (Salween River) in Dzogang and Pashoe counties. With scarce livelihood sources in the relocated area, many poor families have found themselves in quandary: unable to live in the present location and unable to move with no money in hand. Some families filed appeals to remain in their previous homes but were told it was a government order that must be fulfilled. While the community was not told the exact reasons for relocation, speculations revolved around the construction of hydropower dams on the river, a large road project in the area, and a mining project at a sacred mountain that has been examined by Chinese geological surveyors many times since 1991. (RFA, 2017nn).

Mining and grassland degradation

Chinese authorities reportedly launched a major crackdown on environmental pollution this year by dispatching eight teams of environmental inspectors to Jilin, Zhejiang, Shandong, Hainan, Sichuan, Qinghai, Xinjiang and TAR between August and September. Quoting the Ministry of Environmental Protection, Chinese state media reported that 5763 officials were held accountable for inadequate environmental protection (Global Times, 2017).

It was the fourth environmental inspection since 2016 that the ministry had launched as part of a nationwide campaign to fight pollution and environmental degradation caused by decades of breakneck development (Global Times, 2017).

The inspection in TAR resulted in 1022 cases of pollution out of which fines totalling 28 million yuan was imposed on 784 cases. These included construction of 242 infrastructure projects in rural areas without environmental impact assessment as required by law. Illegal infrastructure was also found in the buffer region of the Namtso (Ch: Nam Co) Nature Reserve and untreated sewage directly discharged inside the reserve.

In Qinghai Province, illegal coal mines in the core zone of Sanjiangyuan National Nature Reserve had “severely damaged” grasslands and destroyed nearby mountains. [Global Times, 2017f].

In 2016, a total of 52 illegal mining operations were found in the Qilianshan (Tibetan: Dola Ringmo mountain range) National Nature Reserve in Gansu Province. Created in 1987 to protect various wildlife and their habitats, Qilianshan has become a haven for illegal mining and other illegal development activities for years. Out of more than 150 hydropower stations found operating in the Qilian Mountains basin, 42 are located within the reserve. A total of 509 glaciers had disappeared in the past 50 years in the Qilian Mountains. A document jointly released by the Party Central Committee and the State Council in July listed a plethora of environmentally damaging activities in the area including “overexploitation of mineral resources, illegal construction and operation of hydropower facilities, excessive emissions by local enterprises, as well as the failure of local officials to rectify existing environmental issues”. (China Daily, 2017). The document also noted that environmental violations in the Qilianshan reserve have been a long-standing issue and that “excessive and disorderly development since the 1960s had left the area in a deep crisis, with water sources contaminated and grassland degraded” (Xinhua, 2017c). It is evident from the limited information released by Chinese state media that predatory development projects have caused extensive environmental degradation on the Tibetan Plateau. And yet as a solution to the situation in Qilianshan, the Party chief in Zhangye city announced the implementation of the *tuimu huancao* policy for another three years that would lead to the eviction of nomads and their herds and equated the impacts of mining with overgrazing (China Daily, 2017).

Months before the environmental inspection was launched in TAR, Lobsang Gyaltsen, chairman of the standing committee of TAR People’s Congress told a press conference in March that TAR authorities had not approved any mining projects in the past four years, signalling a tougher stance on pollution (GlobalTimes, 2017g). Mining, along with tourism, has long been a ‘pillar industry’ in Tibet, which has a rich deposit of mineral resources much of which remain unexploited due to difficult geographical terrain and expensive extraction costs. The seeming moratorium on new mining projects in TAR is at best temporary and at worst deceptive. At least in the short term, China may find it cheaper to import mineral reserves than extract them at home. Explaining the purpose behind the plan to establish the Third Pole National Park, Wang Shiping, a researcher with the Institute of Tibetan Plateau Research

and a member of China's natural reserve review committee had said, "The government has decided to keep the natural resources in Tibet as a strategic reserve," indicating that this strategic reserve is safe from exploitation as long as energy sources can be imported cheaply.

Lithium Rush on Tibetan Plateau

Lithium, used for making batteries that power smart phones, laptops, drones (military and civilian), electric cars and other new-energy vehicle (NEV), has emerged as one of the most prized mineral reserves. Globally, demand for lithium is projected to increase from 189,000 tons in 2016 to 1 million tons in 2026. Although PRC's huge lithium carbonate reserves rank second in the world with 3.2 million tons, or around 20 percent of the global total, it still relies heavily on importing the material due to technological and geographical challenges in lithium exploitation. Most of PRC's lithium reserves are concentrated in Tibetan areas in Sichuan, Qinghai and TAR (GlobalTimes, 2017h).

In recent years, prices of lithium carbonate have been rising due to limited global supply and PRC's huge demand and imports. The domestic Chinese market for NEVs has also witnessed a rapid growth with official estimates predicting an annual production of 2 million NEVs in 2020 and at least 20 percent sale of NEVs out of the total car sales in 2025. The expected boom in domestic electric car market has led to a rush to exploit lithium ore on the Tibetan Plateau.

In Qinghai, Chaerhan Salt Lake and the surrounding area in Tsaidam (Ch: Qaidam) Basin contain 83% of PRC's lithium deposits (The Hindu, 2017). The 2014 Qinghai Statistical Yearbook states that 5.7 million tons of lithium was mined in 2013 from Tsaidam Basin lakes located in Tsonub (Ch: Haixi) Mongol and Tibetan Autonomous Prefecture. The city of Gormo (Ch: Golmud) provides the entry point to salt lakes in Qinghai. In addition to the Gormo-Lhasa railway that was introduced in 2006, Gormo now has a brand new airport that was completed in late 2017 to facilitate lithium mining (Nikkei Asian Review, 2017).

In March, China's largest electric vehicle manufacturer BYD set up a joint venture with Qinghai Salt Lake Industry Co. and Shenzhen Zhuoyucheng Investment to exploit lithium in Qinghai (Global Times, 2017i). BYD also has exclusive rights to mine lithium from the Chabyer/Drangyer Tsaka (Ch: Zhabuye salt lake) for 20 years until 2030 in Shigatse, TAR (Lafitte, 2013).

Lithium extraction from the salt lakes of Qinghai is easier and less expensive compared to the extraction from hard rock, as in Jiajika mine located in Kardze Tibetan Autonomous Prefecture. But the constraints that had limited lithium extraction from hard rock are disappearing given the huge demand for lithium battery in domestic Chinese market and the rising costs of lithium in the overseas market (Lafitte, 2015).

This year Chinese state media reported the discovery of a 519,500-ton lithium deposit at Keeryin Ore Concentration Area in Ngaba Tibetan and Qiang Autonomous Prefecture that is expected to "reduce China's reliance on imports as energy experts called for protection of its exploitation and the creation of a strategic reserve." (Global Times, 2017j)]. Chinese geologists have hailed the discovery as a breakthrough that could make Ngaba the "lithium valley" of PRC.

Despite environmental concerns and protests from local Tibetans, PRC continues to allow mining of natural resources on the Tibetan Plateau. Lithium-rich mineral reserves such as in Lhagang (Ch: Tagong), where a sustained protest by local Tibetans in 2016 put a temporary halt to lithium mining (ICT, 2016), are also rich in rare earths such as niobium, beryllium and tantalum (Lafitte, 2017).

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The announcement of the mining moratorium comes in the midst of increased focus on Tibet's rich hydropower resources, coupled with the creation of more protected areas and positioning China as a champion of climate change (CNN, 2017). PRC authorities see more economic gains and political leverage in controlling and exploiting Tibetan water, the source of Asia's major river systems. As Tibetan water becomes a precious commodity for many countries, China continues to exploit and commercialise it as they have with much of Tibet's natural resources.

In addition to the number of hydropower projects announced for the 13th Five-Year-Plan (The Third Pole, 2016), China has a large and growing water bottle industry tapping into the fragile water sources. For instance, the Tibet Linzhi Deji Real Co. Ltd. gets its water from Benri Mountain, a sacred 4500-metre peak mountain that devout Tibetans visit every spring for a meditative ritual walk that takes about 24 hours to complete. While some Chinese officials argue that the water bottle industry can create jobs and provide safe drinking water, the exploitation of Tibet's environment will only accelerate the depletion of glaciers as the industry expands due to rising consumer demand (Vanderklippe, 2016).

Under the 'Share Tibet's Good Water with the World' campaign, Chinese authorities provide bottling companies incentives in the form of tax breaks, low-interest loans and small extraction fee of only 3 yuan (US\$0.47) per 1,000 litres (Chellaney, 2017). China is already considered one of the world's biggest consumers of bottled water with sales increasing 6% per year, and the numbers are only expected to grow.

In July, the announcement from Liverpool Football Club (LFC) that Tibet Water Resources Ltd. would be their official regional water partner in China (LFC, 2017) sparked strong concerns from Liverpool fans that urged the sponsorship to be dropped in a petition containing 27,000 signatures. Responding to an email, a LFC representative had stated that "such concerns would need to be raised directly with Tibet Water" (Tibet Society, 2017). The sponsorship currently remains intact despite the overwhelming criticism by LFC fans. While climate change has contributed to the shrinking of Tibetan glaciers to a certain extent, China's extractive development projects undoubtedly exacerbates it.

Poverty Alleviation

A major development agenda of PRC's 13th Five-Year Plan (2016–2020) is the poverty alleviation program that aims to end extreme poverty by 2020 primarily through the relocation or resettlement of millions of 'poverty stricken' rural population (Xinhua, 2017d). In its battle to eradicate extreme poverty, Chinese authorities have allocated an investment of 946.3 billion yuan on relocation to wage its "war on poverty" (NDRC, 2016). According to 2015 official figures, there are 70 million people living in poverty out of which 55 are in rural areas, which is the major focus of the current poverty alleviation program. The poverty alleviation program is implemented across TAR and other Tibetan areas in Qinghai, Gansu, Sichuan and Yunnan and mainly involve relocation or resettlement of Tibetans living in farming and nomadic communities.

Chinese authorities claim that relocation is targeted at people living in "harsh conditions" such as "high and cold areas, areas with endemic disease, resource-poor areas, high-mountain and canyon areas, ecologically fragile areas, places with poor local infrastructure, areas with slow development of production, places with low living standards, areas of deep poverty", according to Chinese authorities (China Tibet Online, 2017a). By this logic, Tibetans remain poor because they live in Tibet, which has

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cold and harsh climate distinguished by difficult geographical terrain. Such a simplistic assessment inadvertently or by design achieves two main propaganda victories for PRC: 1) poverty in Tibet has nothing to do with decades of failed development policies and 2) top-down relocation helps eradicate extreme poverty. Nothing can be further from the truth. The poverty alleviation card is used in numerous government propaganda for a variety of purposes: fend off criticisms against poor human rights record [People's Daily, 2017a), promote political stability (Reuters, 2017a), and justify involuntary relocation and forceful land expropriation.

Rather than eradicate poverty or protect environment, studies conducted by Chinese researchers show that relocation policies cause further impoverishment, food insecurity and water scarcity. Such policies are ecologically and economically unsustainable and aggravate local ecological and social problems (Fan. et. al.,2015).

In some Tibetan areas, relocation does not even guarantee housing security. In June, relocated nomads from Dzatoe and Domda towns in Yushu Tibetan Autonomous Prefecture were ordered to move out of their resettlement homes. After being forced to reduce or get rid of their herds and live in settlement homes for two years, they were again forced to move without any details on compensation (RFA, 2017v). The settlement homes were demolished to make way for a government project to construct tourist centers and employee housing (Tibetan Review, 2017b). Those who still had some animals returned to their former lifestyle while those who had none moved into temporary tent settlements and experienced even harsher forms of poverty than they did in their resettlement homes. With this trend of government mistreatment and neglect, the future of the Tibetan nomadic population is concerning as more relocation programs are being implemented.

Against the backdrop of deteriorating human rights situation in Tibet, PRC committed to the Sustainable Development Goals (SDGs) (DSD, 2015) of which poverty alleviation and equity are explicit objectives. The SDG agenda is guided by the purposes and principles of the UN Charter, including full respect for international law and is grounded in the Universal Declaration of Human Rights and international human rights treaties among others. It also “recognizes the need to build peaceful, just and inclusive societies that provide equal access to justice and that are based on respect for human rights (including the right to development), on effective rule of law and good governance at all levels and on transparent, effective and accountable institutions.”(DSD, 2015).

The UN Guiding Principles on Extreme Poverty and Human Rights further emphasise that basic human rights principles are the basis on which all government policies to reduce or eradicate poverty should be designed and implemented such as dignity, universality, indivisibility, interrelatedness and interdependency of all rights; equal enjoyment of all human rights by persons living in extreme poverty; agency and autonomy of persons living in extreme poverty; participation and empowerment; transparency and access to information; accountability (OHCHR).

PRC conceives of human rights as both aspirational and subordinate to collective stability. Using a consequentialist approach, the Chinese state sees the fulfilment of human rights as a result of development. But this development-centred approach has not addressed the underlying causes of poverty and inequality in Tibet while human rights violations abound. In his report on his country visit to PRC in August 2016, UN Special Rapporteur on extreme poverty and human rights, Philip Alston,

acknowledged that the plights of Tibetans and Uyghurs were “deeply problematic” before adding that “most ethnic minorities in China are exposed to serious human rights challenges, including significantly higher poverty rates, ethnic discrimination and forced relocation”. The report highlighted the situation of minority nationalities as one of the most significant equality-related challenges for PRC in its anti-poverty work noting that the poverty rate in eight provinces with significant minority population such as Tibetans and Uyghurs was over 12 percent, compared to the national rate of 5.7 percent.

It is obvious that PRC’s top-down and “one size fits all” approach to poverty alleviation has proved unsuitable for Tibetans. These programs focus more on the so-called national interests than finding sustainable solutions to eliminating extreme poverty in rural Tibetan communities. Tibetans are increasingly forced to give up their lands, lose food security and depend on government handouts so that China can assert its control over Tibet’s rich natural resources including water by creating vast tracts of protected areas ostensibly in the name of wildlife conservation, carbon capture and global leadership in climate change. Tibetans are not involved during the design and implementation of anti-poverty programs and their livelihood interests are not protected or given proper consideration. As Andrew Fischer cogently concluded in his evaluation of economics in TAR, PRC’s policies have the effect of reinforcing poverty, inequality and underdevelopment in the region (Canada Tibet Committee, 2016).

Using Force and Intimidation to Implement Poverty Alleviation Program

In July, Tibetan nomads in Chentsa Thang (Ch: Jiānzhātang) Township filed an 18-point petition to the township authorities criticising the use of “force, intimidation and suppression” to relocate Tibetan nomads off their ancestral lands in the name of ‘accurate poverty alleviation program’. The petition dated 3 July 2017 was signed by 41 individuals belonging to 230 families. They were ordered to relocate to a place called Saga Nyagar, where the government was building 300 houses in a resettlement camp. The petition was ignored and local authorities went ahead with the relocation scheme. A copy of the petition, written in Tibetan, was obtained by TCHRD.

Under the relocation program that was started in 2016, each family was given a house that was built at the cost of 20000 yuan with a loan of 10000 yuan from the government. The relocation agreement mentioned, among others, that only the government had the sole ownership rights over the pastures. It was one of the conditions in the agreement that the nomads, particularly those with animals, found hard to accept. Despite objections, the township government held a ceremony on 29 December 2017 to mark the completion of the housing facilities and announced the relocation of 230 families.

In the petition, local Tibetans expressed concerns about the availability of livelihood sources after being deprived of the right to graze their herds on their pastures. They criticised the poor quality of the housing facilities that they claimed was different from the blueprint prepared in 2016. For instance, the wooden door had turned into metal door. Some houses had developed cracks after a bout of heavy rainfall due to the use of cheap building materials that could endanger the security of the residents. The petitioners also expressed strong disapproval against the use of Chinese language to draft the relocation agreement and demanded the use of Tibetan language or all documents in future. They added that officials must publicly explain the details of the documents to the people before asking them to sign it blindly. They complained that the agreement they were made to sign did not contain any date or time.

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The ninth point in the petition demanded that the authorities stop using “force, intimidation and suppression” to relocate the nomads. The petition then called for the payment of full compensation, as determined by national standards, for the seizure of pasturelands and urged the local authorities to “stop using deception, force and intimidation” to pay smaller compensation. Some nomads had yet to receive compensation for giving up their lands for power pylons. Criticising the misuse of funds meant for poverty alleviation projects by township authorities, the petitioners demanded that jobs be provided to the nomads. They complained that not just skilled but also unskilled labour was sourced from outside the area depriving local nomads employment opportunities in their own area.

The petition concluded that only through people’s involvement and decision-making in the design and implementation of the projects will determine whether one has escaped poverty or not.

In a separate yet related incident, some Tibetan netizens had shared pictures of the resettlement houses with cracked walls and ceilings in an online chat group sparking vigorous discussions among group members. Netizens shared and exchanged opinions on the poorly built houses promoted under the poverty alleviation program. Soon the online censors swung into action and the prefecture and county authorities launched an investigation. The investigation ended with the detention of the person who initially shared this information who was also the founder of the chat group. Others who participated in the discussion were also detained and interrogated for a day. They have since been put under increased surveillance.

Figure 11: Ceremony held on 29 December 2017 in Chentsa Thang Township (Photo: WeChat)



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