



**Destruction of Serthar Institute:
A special report**

TIBETAN CENTRE FOR HUMAN RIGHTS AND DEMOCRACY

The Tibetan Centre for Human Rights and Democracy (TCHRD) is the first Tibetan non-governmental organisation (NGO) to be formed with the mission "to highlight the human rights situation in Tibet and to promote principles of democracy in Tibetan community." TCHRD is independent of the Tibetan Government-in-Exile, and is based in Dharamsala, India. It is funded by donations from individual supporters and foundations around the world. It was founded in January 1996 and was registered as an NGO on May 4, 1996. In addition, a branch office has been set up in Kathmandu, Nepal. Our objectives are to protect and promote human rights of Tibetan people and to build our society based on the principles of human rights and democracy.

TCHRD conducts regular, systematic investigations of human rights abuses in Tibet and publishes research documents on various human rights issues confronted by the Tibetan people in Tibet.

TCHRD attends the UN Commission on Human Rights and takes part in other national and international conferences to highlight the human rights situation in Tibet.

TCHRD organises various educational programmes like workshops and seminars in an effort to empower the Tibetan Community to play an important participatory and vigilant role in a democratic future Tibet. We produce various educational materials on human rights and democracy in both Tibetan and English languages.

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© December 2001
Funded by Heinrich Böll Foundation

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Preface

The summer and autumn of 2001 saw the dismantling of the leading centre for Buddhist scholarship and practice on the Tibetan plateau. In the 21 years of its existence, Serthar Institute (known locally as Larung Gar¹) had expanded from a solitary mountain hermitage to spiritual oasis for over 8,000 monks, nuns and lay students.

Khenpo Jigme Phuntsok founded Serthar Institute in Larung Valley near Serthar town, Karze Prefecture, Sichuan Province in 1980 to meet the pressing need for renewal of meditation and scholarship all over Tibet in the wake of China's Cultural Revolution (1966-77)². This non-sectarian academy drew nearly 1,000 Mainland and Overseas Chinese practitioners as students; they were the first group to face expulsion and deportation to their places of origin in June and July 2001. Chinese appointed "work teams"³ next targeted the over 4,000 Tibetan nuns forming Serthar's affiliated nunnery. The official Beijing directive was to reduce their number to 400 and destroy their meditation huts to ensure the eviction was permanent.

According to monitoring agencies, over 1,000 dwellings had been destroyed at Serthar by late October, thousands of monks and nuns had been successfully evicted, and Khenpo Jigme Phuntsok was believed to be incommunicado in Chengdu, capital of Sichuan. The charismatic founder of Serthar had previously been removed from his institute for medical treatment at a military hospital in Barkham, Ngaba "TAP" (Tibet Autonomous Prefecture).

1 Gar denoted an encampment or religious settlement not comprising a monastery

2 *Buddhism in Contemporary Tibet: Religious Revival and Cultural Identity*, University of California Press, 1998

3 Ch: *gongzuo dui*, Tib: *las don ru khag*; Temporary units of Chinese Communist Party members specially formed and sent to conduct investigations or give political education in a particular institution or locality

2 SERTHAR REPORT

The removal of Khenpo Jigme Phuntsok to Chinese custody, the eviction of the majority of Serthar Institute's students, and the official ban on religious teachings and practices, is the culmination of two years of escalating restrictions and propaganda campaigns instituted by the Chinese authorities against the Buddhist academy.

On 8 November 2001, China's cabinet, the State Council, issued a 16,000 word White Paper hailing Tibet's "modernisation". It claims: "The Tibetan people's freedom of religious belief, traditional customs and habits, and their freedom to study, use and develop their own language have been respected and protected."

By striking at this remote and apolitical heart of Tibetan Buddhist scholarship, Beijing has succeeded in strangling a thriving revivalist movement in Tibet. In presenting Serthar Institute as a case study, the Tibetan Centre for Human Rights and Democracy is focussing on the People's Republic of China's (PRC) planned and systematic policy to deny Tibetans their right to practice religious freedom and preserve their cultural traditions.

Serthar Institute

The broad valley housing Serthar Institute is 15 kms from Serthar town in Serthar County, Karze “Tibetan Autonomous Prefecture” (TAP), Sichuan, a region between yesteryear’s Kham and Amdo provinces. In 1980, Khenpo Jigme Phuntsok founded the institute in this nomadic region on the site of a renowned Nyingma hermitage.

Khenpo Jigme Phuntsok was born into an illustrious religious family of nomads in the Dhok region of Kham in 1937. At the age of two, Tertön Wangchuk and Tashul Lama of the Nyingma School of Tibetan Buddhism recognised him as the reincarnation of Tertön⁴ Lerab Lingpa (1852-1926)—or Sogyal Rinpoche—a close spiritual and personal friend of the 13th Dalai Lama. Khenpo first studied under an uncle, a renowned scholar-lama at Nubsur Monastery, and was schooled in Dzogchen (the Great Perfection teachings). At an early age of 14, he sought monk ordination from Khenchen Sonam Rinchen, Abbot of Drakdzong Monastery. At 18, he remained at Dzatoe Changma Retreat Centre where he studied under the guidance of many renowned teachers, practised meditation and lived as a hermit for six years. He was ordained a *bikshu* (a fully-ordained monk) at the age of 22, and at 26 founded a retreat centre, Senggey Yangtsung, in Amdo.

In 1980, Serthar Institute was established as a non-sectarian study centre with less than 100 students, a number that spiralled spontaneously to 8,800 within 21 years. Later, an affiliated nunnery under the guidance of Khenpo’s niece was built in the valley. Until the authorities undertook major demolition exercises and expulsions in June and July 2001, Serthar Institute was the pre-eminent centre of religious scholarship in Tibet under Chinese rule. The standard of teaching was acknowledged to rival the level in the major monasteries in exile in India. The monastic universities

4 A “treasure revealer” in esoteric Nyingma tradition

with comparable enrolments and curricula in Tibet were destroyed during China's Democratic Reforms (1955-1961) and the Cultural Revolution (1966-1977) and today the number of resident monks at what remains of these institutions is severely curtailed.



A close view of Serthar Institute © ICT

In 1987, Khenpo led hundreds of his disciples from Serthar Institute on a pilgrimage to the sacred mountains of Wutaishan in China's Shaanxi Province. En route in Beijing, he met the 10th Panchen Lama, and gave teachings on the 37 Practices of Bodhisattavas to a congregation of over 5,000 including Tibetans, Chinese, Mongolians and other Buddhist practitioners. At Wutaishan the congregations for his teachings swelled to almost 10,000 on occasions. He also undertook retreats⁵ at sacred locations and caves. Many extraordinary phenomena were said to have witnessed by his disciples during this pilgrimage.⁵

⁵ *op.cit* #2

At this time, the late Panchen Lama secured approval from Beijing for Serthar to be designated a Buddhist institute, whereby it was recognised as an academy and named Serthar Larung Ngarig Nangten Lobling. The official seal of the institute carries the name “Larung Metropolis Buddhist Academy”.

In 1993, Khenpo Jigme Phuntsok expanded his already massive following during teaching tours of the United States, Canada, Germany, England, France, Japan, Taiwan, Hong Kong, India, Nepal and Bhutan. Financial offerings made to him during this overseas tour funded a major building programme at Serthar.

Prior to the recent series of crackdowns, the institute had nearly 9,000 ordained and lay students, with a diverse mix of nationalities including some 1,000 from overseas. The international students were drawn from Taiwan, Hong Kong, Singapore, Malaysia, South and North Korea and from regions of China including Shaanxi Province, the Inner Mongolian Autonomous Region and Xinjiang Autonomous Region (Eastern Turkestan).

The Tibetan students hailed from various counties in Eastern Tibet including Serthar, Drango, Tawu, Dartsedo, Karze, Derge, and Nyarong in Sichuan Province; Dechen County in Yunnan Province; and “TAPs” such as Jyekundu and Malho in Tsongon (Ch: Qinghai) Province, and Chamdo and Nagchu in “Tibet Autonomous Region” (TAR). While some students donned the traditional Chinese-style grey or yellow monastic robes, others wore the Tibetan maroon and saffron.

In addition to those who stayed and studied at the institute on a permanent basis, many other disciples congregated to seek teachings from Khenpo Jigme Phuntsok once a year, residing there only for the duration of the teachings and empowerments. During these times, the broad valley was host to upwards of 100,000 disciples.

Religious Division

Serthar Institute's student body consisted of monks, nuns, lay "vow-holders" of both Tibetan and Chinese origins, and tantric practitioners. They studied under four major religious divisions:

1. Ngarig Nangten Lobling
2. International Religious Committee
3. Pema Khandro Duling Nunnery
4. Lektso Charbeb Ling

Ngarig Nangten Lobling consisted of 2,500 Tibetan monks headed by Khenpo Tsultrim Lodoe and Tulku⁶ Tenzin Gyatso. They held a special prayer session annually (the Sangkyu Monlam) for six days during the sixth lunar month of the Tibetan calendar, corresponding to July or August.

The International Religious Committee oversaw around 1,000 disciples from regions of the PRC and Overseas students from Asia. Mandarin Chinese was the medium of instruction for ethnic Chinese students. The President of the International Religious Committee was Khenpo Sonam Dhargyal and Khenpo Yeshi Phuntsok was the department head. Under the sponsorship of this section, a prayer session would be conducted in the fourth Tibetan lunar month, corresponding to May or June.

Pema Khandro Duling Nunnery was home to approximately 3,500–4,000 nuns from all regions of Tibet. The heads of the department were President Jetsunma Mumey Yeshi Tsomo, Khenpo's 35-year-old niece, and Khenpo Rigdol. The curriculum allowed nuns to achieve the coveted Khenpo degree for the first time in Tibet. This department held a prayer offering ceremony, Rinzin Bumtsog, for 15 days during the first lunar month of the Tibetan calendar, around February. Up to 30,000 people would be drawn to Serthar Valley for this auspicious beginning to the Tibetan New Year.

⁶ a reincarnate lama

Lektso Charbeb Ling was the section training lay Tibetan “vow holders” and tantric practitioners from Serthar and other regions of Tibet. The number of disciples in this section was around 1,000, with Lama Jachoe as the department head. Its members organised a prayer cycle, Dechen Shedrop Chenmo, for eight days during the eleventh lunar month around December.

Serthar Institute had a standing executive committee of seven learned lamas (Tulku Tenzin Gyatso, Khenpo Tsultrim Lodoe, Khenpo Sonam Dhargyal, Khenpo Sabsang, Khenpo Sherab Sangpo, Tulku Longtop, and Khenpo Rigdol) but major decisions were only confirmed and implemented after consultation with Khenpo Jigme Phuntsok.

Administrative Division

In addition to being divided into religious sections, the institute was managed through four main administrative bodies:

1. Education Management
2. Finance Management
3. Discipline Management
4. Government Office

Tulku Tenzin Gyatso and Khenpo Tsultrim Lodoe were jointly in charge of the Education Management section; Khenpo Sherab Sangpo and Tulku Longtop were in charge of Finance; and Khenpo Sabsang and Khenpo Rigdar were responsible for Discipline. At the time of going to press, the identity of those running the Government Office is not known.

The Discipline Management Committee upheld three main principles; amicability, proper discipline, and training in listening, contemplation and meditation. A Relief Committee was set up to aid and alleviate the needs of the sick, poor, aged and those in

need of assistance. In addition to a general healthcare clinic, there were four other medical clinics serving each of the four sects of Buddhism. There was also an Environment Preservation Committee to oversee issues concerning health and sanitation. Another office dealt specifically with religious matters such as organising butter lamp offerings and prayer cycles.

Students at the institute built their own accommodation from mud brick, stone and timber, and were largely self-sufficient in terms of food, clothing and other miscellaneous items. Due to its high elevation above the tree line, students endured extreme climatic conditions, ranging from below-freezing winters to the intense heat of summer.

The Curriculum

Serthar Institute was home to over 500 *khenpos*—holders of doctorates in divinity—and was renowned widely for the high quality of both its religious and contemporary education. English, Chinese and Tibetan languages and modern computer studies were taught alongside traditional non-sectarian Buddhist studies. All four traditions of Tibetan Buddhism, as well as Tibet's indigenous religion, Bon, could be studied in depth. All education was free.

The institute offered a variety of courses in the classical fields of Tibetan Buddhist studies. The five subjects taught under sutra were *madhyamika* (middle-way philosophy), *pramana* (logic), *prajñāparamita* (perfection of wisdom), *abhidharma* (metaphysics) and *vinaya* (discipline). The four classes of tantra (esoteric practice) were *kriya-tantra* (action tantra), *carya-tantra* (performance tantra), *yoga-tantra* (yogic tantra) and *anuttara-tantra* (superior yogic tantra). As well as debating and composition, the institute taught grammar, linguistics, poetry, medicine, religious art and architecture. The students' aptitude in all subjects throughout the entire course determined attainment of degree.



Nuns holding debate © ICT

Chronology of Events

It is believed that the roots of the current repression go back to 1990 when Khenpo Jigme Phuntsok travelled to India to seek an audience with the Dalai Lama. During this visit, Khenpo formed an enduring spiritual relationship with the exiled Tibetan leader. Khenpo had also visited a number of foreign countries in 1993, which gave him an international profile and following. His extraordinary charisma and authentic teaching style proved particularly popular among Overseas Chinese in Southeast Asia.

In 1994, when the Chinese authorities imposed a ban on Khenpo Jigme Phuntsok's overseas travel, the official accusation was that Khenpo had had meetings with the Dalai Lama in Dharamsala four years earlier.

That year, a meeting in Beijing presided over by President Jiang Zemin—the Third Forum on Work in Tibet—had decided to tighten control over monasteries and nunneries on the plateau. Religious institutions had come to be viewed as “breeding grounds and hotbeds” for “splittist activities of the Dalai clique”. The Forum's directives resulted in “Patriotic Education” and “Strike Hard” campaigns and in 1997 “Patriotic Education Work Units” were set up across Tibet to force monks and nuns to denounce the Dalai Lama and pledge allegiance to the Communist Party.

In 1998, officials from Sichuan United Work Front Department⁷ and the Central Government's Religious Bureau visited Serthar Institute and interrogated Khenpo Jigme Phuntsok three times concerning his connection with the exiled Dalai Lama. Khenpo responded that the Dalai Lama, as his spiritual guide, advised him to work for the welfare of all sentient beings. Khenpo categorically denied any involvement in politics and vowed that the Dalai Lama had never encouraged him to undertake political activities.

⁷ A Beijing ministry uniting Party and bureaucratic functions

It was at this time that the “work team” of Serthar County was established. The “work team” assembled the institute’s students for political indoctrination sessions and distributed documents on communist ideology.

Following his interrogation, and the institute’s “re-education” sessions, restrictions began to be imposed on Khenpo’s freedom of movement within Tibet. He was permitted to travel within Sichuan Province only after obtaining prior permission from the authorities of Serthar County. At the same time, two security police check-posts were set up beside a lower path leading to Serthar Institute to monitor the movements and activities of residents and visitors.

In 1998, the Beijing authorities also placed limitations on the number of residents (including monks, nuns and lay students) permitted at the Institute. Khenpo Jigme Phuntsok was directed to reduce the total number from over 8,000 residents to 150. Khenpo pointed out that “limiting the number of residents would not only cause problems for the institute but would shake its very foundations”.

Khenpo Jigme Phuntsok argued that, “... since acquiring academy status, it has become the duty of every resident to preserve and protect the institute. The students have joined the institute out of their own free will and, therefore, forcefully expelling them would be akin to trampling upon the laws guaranteeing religious freedom”. Khenpo also emphasised the lack of alternative religious institutions in today’s Tibet, particularly for nuns.

As a result of repeated pleas from Khenpo, the Chinese authorities allowed an increase in the number of residents permitted to remain in the institute to 400. Later this figure was raised to 1,400.⁸

⁸ These were the figures stipulated by Chinese authorities; the actual population remained at well over 8,000.

In March 1999, the Sichuan provincial authorities issued a circular titled “Responsibility Planning Document no. 45” to the institute. The circular criticised the size and strength of the institute, the enrolment of foreign students, the enactment of elaborate religious rituals, so-called disorganised management, inferior health and sanitary conditions, and accused the institute of having many negative aspects. Importantly, the circular regularised the directive that a reduction in the institute’s resident population to 1,400 was to be enforced. This circular also directed the institute to halt all religious activities until its orders were met.

The 1999 government circular clearly spelled out the future organisation of the institute. It stated that officials of the PRC would oversee all religious activities of the institute, appoint its abbots, authorise any teachings in other provinces by lamas and *rulkus*, investigate and oppose “splittist” activities, implement “patriotic education”, and ban any ethnic Chinese students—and those below 18 years of age—to study at the institute in future.

Soon after the March circular, “work teams” from Karze County and Serthar County arrived to implement its orders. They counted the number of permanent residents and estimated the total figure at 8,888, barring those who were temporarily absent. Subsequently, they directed that only 1,400 residents (1,000 monks and 400 nuns) within the ages of 18 to 50 years were permitted to remain at Serthar.

The second visit, in April 2000, was by “work teams” from Karze County and Sichuan Province. Their instructions were to deport Tibetan students back to their regions of origin. Residents were then interrogated about their names, origin and other personal details during a mass meeting and again the number of permanent residents at the institute was counted.

During the 2000 visit the “work teams” again conducted classes aimed at politically indoctrinating Serthar students in Chinese communist ideology. Since the residents of Serthar staunchly

resisted official orders, the “work teams” returned to their counties fearing mass protests and possible unrest. No forced expulsions took place during either the first or second of these “work team” visits.

But in late 2000 a 70-strong “work team” arrived at the institute. Its members were recruited from various counties including Serthar, Karze, Nyarong, Drango, Tawu, Dartsebo and Derge in Sichuan Province; Dzamthang, Chuchen, and Barkham in Ngaba “TAP”; Golok and Rebkong in Tsongon Province; Chamdo “TAP” and Nagchu “TAP” in “TAR”. This sizeable team included officials from the PRC government.

Residents of the institute—particularly those who were Chinese citizens—were officially ordered to return to their places of origin. When the students appealed to the authorities, they were informed that the orders had come directly from Beijing from President Jiang Zemin. Any failure to implement them would result in harsher measures against the institute and any non-compliant students. All petitions were rejected. Later, some monks and nuns voluntarily returned to their homes; the exact number is not known.

On 18 April 2001 the Chinese authorities issued a notice reiterating their command that Serthar Institute must have a ceiling of 1,400 residents which necessitated the eviction of over 7,000 students. Senior officials from Beijing, including personnel from the United Work Front Department, were reportedly instructed to enforce the expulsion orders and ensure the subsequent demolitions.

Several reports by monitoring agencies indicate that October 2001 was set as the deadline by the authorities for implementation of the April notice. The authorities were instructed to instigate legal actions and impose fines for non-conformity after this date. A similar notice was circulated to authorities at various counties and provincial levels, instructing them to appoint three officials to collect Serthar students whose domicile fell under their jurisdiction.

“Work teams” from various counties within Sichuan Province, Tsongon Province and the “TAR” began arriving at the institute in April 2001, causing disturbances to the study regimen but failing to curb the institute’s activities. The institute was again ordered that the majority of residents were required to depart by October. Only students from Serthar County were permitted to remain on the condition that they denounced the Dalai Lama.

The “work teams” also laid the blame for the institute’s expanding population on Khenpo Jigme Phuntsok and demanded that he direct the students to leave. He was ordered to deal with the “situation”, before, “it got out of hand”. Khenpo, however, responded that it would be inappropriate to evict the students, as they were only there to study Buddhist teachings, and did not cause harm to anyone.

Recent History of Repression

Expulsions

*International Covenant on Civil and Political Rights
(ICCPR)*

Article 12 (1) (2) Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movements and freedom to choose his residence. Everyone shall be free to leave any country including his own.

Universal Declaration of Human Rights (UDHR)

Article 20 Everyone has the right to freedom of peaceful assembly and association.

The 18 April 2001 order for over 7,000 Serthar students to leave the institute began to be implemented on 24 May when the authorities forcefully transported approximately 1,000 students' back to their respective counties in Tibet and China. "Work teams", PSB (Public Security Bureau police) and PAP (People's Armed Police) expelled large number of residents who originated from Lhasa, Chamdo, and various regions of Tsongon, Golok, Yushul and Kenlho.

On the same day, two county officials from the Karze "TAP" relayed an order from the Central Government calling for a ban on Khenpo Jigme Phuntsok's teaching programme and religious ceremonies. Khenpo was then in the third month of a seven-month-long cycle of teachings. This was halted on 24 May and since then the authorities have cancelled entire religious ceremonies and other public functions. For those students who remain at the institute, lectures and studies have been severely disrupted.

It is believed that almost 3,000 nuns of the institute's 3,500-4,000 had been expelled up to November 2001. Serthar was one of the few institutions remaining in Tibet where nuns could study and the only nunnery offering curricula leading to a khenpo degree. The Chinese government has systematically closed down and demolished most nunneries, or limited enrolment in those that still stand. These

massive expulsion drives will have a serious impact on the opportunities for Tibetan women to study religion or receive any higher education. Many nuns have reportedly returned for their families and now labouring in the family fields. Others have been seen begging on the roadsides in major cities. Those without a family or home may see escape to exile in India as their only option.

Particularly for those nuns with disabilities or who were widowed or divorced, Serthar Institute provided a lifeline in terms of spiritual and secular sustenance that has now been removed. The nuns' petition to higher authorities to "restrain from such unbelievable acts of barbarism" was interpreted as being a challenge to local authority and to Beijing.

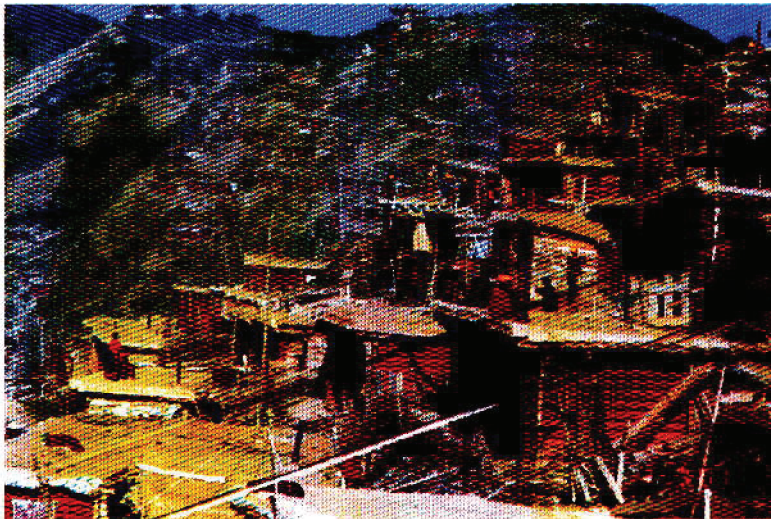


Hired labour demolishing dwellings at Serthar Institute © ICT

The expulsion and demolition operations monitored by the large contingent of police force and army personnel at Serthar directly contravenes laws guaranteeing punishment for violation of religious freedom. The Article 251 of the Chinese Revised Criminal Law states: "State personnel who unlawfully deprive citizens of their freedom of religious belief and infringe upon the customs and habits of minority ethnic groups, when the circumstances are

serious, are to be sentenced to not more than two years of fixed-term imprisonment or criminal detention”.⁹

In the Decisions on the Standards for Filing Directly Received Cases of Infringement Upon Citizens’ Democratic and Personal Rights and those of Malfeasance, it is stipulated that a people’s procuratorate shall place on file a case in which a State functionary illegally deprives anyone of his or her legitimate freedom of religious belief—such as by interfering in normal religious activities, forcing a believer to give up his/her membership of a religion or compelling a citizen to profess a certain religion or adherence to a certain religious sect—and in which the offence is of an abominable nature and has brought about serious consequences and undesirable effects. It furthermore state that a people’s procuratorate shall also put on record cases of illegally closing or destroying lawful religious sites and other religious facilities.¹⁰



Chinese Inspection Team at the site of Serthar Institute ©ICT

⁹ *Judicial and Administrative Guarantees and Supervision of the Freedom of Religious Belief*, on *People’s Daily* website <http://english.peopledaily.com.cn/features/religion/religion3.html>

¹⁰ *Ibid.*

An Eyewitness Account of the Expulsions

Since 20 June 2001, a large force of PSB, PAP and “work teams” from the United Work Front Department arrived in Serthar Institute to suppress any opposition to their expulsion orders. There were approximately 100 PAP each from the 18 counties under the Karze “TAP” and a large contingent from the People’s Liberation Army (PLA) to assist in the task of controlling the situation. Over 2,000 personnel were camped at Lorok Township, located near Serthar Institute.

The officials summoned, entreated, and cajoled us to return to our respective places of origin. We were threatened with dire consequences if we refused to comply, including that our families would be fined and that Khenpo and the seven-member Standing Committee would be labelled guilty if we disobeyed their orders.

The official order caused utter shock and desperation to all the residents and we initially refused to comply with the eviction orders. In the process of mass expulsion that was carried out so vigorously, we were told to sign a document that entailed denouncing the Dalai Lama, committing to uphold the policy set by the Chinese authorities, and pledging not to return to the institute. We refused to sign the document and maintained our stance at all cost. When the level of threats and warnings escalated, we opted to leave the institute without signing the document.

The authorities tried to entice us into signing the document by offering various worldly incentives—money, six yaks and six *dri* (female yak), construction and repair of houses, jobs and matrimonial alliances. The nuns retorted, “Khenpo Jigme Phuntsok is our root guru (spiritual teacher) and we have no desire to leave Serthar Institute at all. We renounced the worldly life and became nuns in order to pursue spiritual studies and we intend to carry on our spiritual practice till our last breath.

Abuse, threats and beatings accompanied the enforced expulsions. The officials spat, kicked, threw cups at us and brandished guns to threaten us. We were told that refusal to abide by the order would be tantamount to committing an illegal act, punishable by law.

*Destruction of dwellings***ICCPR**

Article 17 (1) (2) No one shall be subjected to arbitrary interference with his privacy, family home or correspondence, not to attack upon his honour and reputation. Everyone has the right to the protection of law against such interference or attacks.

International Covenant on Economic, Social and Cultural Rights (ICESCR)

Article 11(1) The States parties to the present Covenant recognise the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.

The United Nations Commission on Human Rights has defined “adequate housing” to include the right to be protected against forced evictions. “Forced evictions” entails “the permanent or temporary removal against their will of individuals, families and/or communities from their homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection.”¹¹ The Commission has repeatedly declared forced evictions to be a gross violation of human rights. Where evictions occur, the Commission instructs that governments must offer immediate, appropriate and sufficient compensation and/or alternative accommodation in consultation with the people who have been evicted.¹²

11 Committee on Economic, Social and Cultural Rights General Comment No. 7 (1997) “Forced Evictions”, UN Doc.E/1998/22. Annex IV.

12 UN Commission on Human Rights “Resolution 1993/877 on Forced Evictions” UN Doc E/CN.4/1993/65/122

The Chinese government has promulgated the Regulations on the Administration of Sites for Religious Activities so as to protect the lawful rights and interests of such sites. The Regulations specify: Sites for religious activities shall be run independently by the administrative organization thereof, whose lawful rights and interests and normal religious activities at the sites shall be protected by law. No organization or individual may violate or interfere with such rights.¹³



Site of a demolished dwelling © ICT

In July 2001, the authorities in Sichuan Province labeled the institute “illegal” and ordered its closure. Over 2,000 dwellings within the institute including eight buildings housing the International Religious Committee and a number of restaurants and shops were demolished during June and July 2001. Between 1 to 8 July, the huts of around 300 nuns were destroyed. Chinese officials have admitted to demolition of 1,875 dwellings in their work report. However, it is believed that the actual number exceeds the official figure.

¹³ *Legal Protection of the Freedom of Religious Belief*, People’s Daily Web-site <http://english.peopledaily.com.cn/features/religion/religion3.html>

During June 2001, the Institute's seven-member Standing Committee was repeatedly ordered to write and distribute documents justifying the demolitions. Chinese officials instructed the Committee members to write that the ongoing destruction of Serthar Institute was on the orders of the institute. They were also assigned to destroy two huts. The committee members refused to comply with these demands replying that it was against their religious and secular beliefs.

First-hand account of demolition from a monk student

Army personnel dressed in civilian clothes, and hired workers, arrived in four trucks to carry out the demolition. They were armed with spades, iron rods and cables. The workers were paid 130-350 yuan (up to US\$41) for each hut destroyed. There were two big army trucks and 40 to 50 vehicles. The labourers worked from eight in the morning to seven in the evening with three hours' rest in between. These labourers demolished 200 to 300 huts in a day.

The demolition of the living quarters was carried out with full force; this was done to prevent the expelled residents from returning to the institute. Choephel, the leading official in Karze "TAP", was in charge of the operation. The huts were demolished with all household possessions and shrines still inside. Several cases have been reported of workers stealing the residents' belongings after destroying the huts. The workers dragged out invalids and elderly residents, sometimes even dismantling the roofs while the owners were still inside.

During the operation, taking photographs and video footage of the demolished site was banned. All roads were blocked and visitors strictly prohibited. Tourists and foreign officials were denied entry to the area. It was announced that visitors were liable to face arrest and detention. Policemen carrying guns and binoculars surveyed the scene.

Khenpo Jigme Phuntsok held incommunicado

ICCPR

Article 9 (1) 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.

ICCPR

Article 12 (1) (2) Everyone has the right to freedom of movement and residence within the borders of each State. Everyone has the right to leave any country, including his own and to return to his country.

By late autumn of 2001, conflicting reports had begun to emerge regarding the current status, whereabouts and physical condition of Khenpo Jigme Phuntsok, the 68-year-old founder and Abbot of Serthar Buddhist Institute. Since the age of 50, Khenpo had suffered from a digestive disorder and failing eyesight. The onset of mass expulsions and demolitions exacerbated these ailments and Khenpo's health began to deteriorate physically and mentally during the summer of 2001.

According to TCHRD sources, the Chinese authorities initially withheld permission for Khenpo to receive medical care and he remained at Serthar Institute for the ensuing months without treatment. However, once the authorities were satisfied that their mission of evicting the "excess" students and destroying their huts was accomplished, Khenpo was permitted to leave Serthar for medical treatment.

A first-hand source reports that Khenpo was transferred to a military hospital in Barkham, Ngaba region, Sichuan Province, in early August 2001. He was accompanied by Khenpo Tsultrim Lobdon, Tsedom and Palzue (Khenpo's nephews), Jetsunma

Mumey Yeshe Tsomo (Khenpo's niece and abbess of Serthar's nunnery), Sonam Dhondup (attendant), Pema Gelek (bodyguard) and Raldi (county police officer).

Rigzin, a Tibetan doctor who is currently employed at Barkham military hospital, had previously been a personal physician to Khenpo. However, the authorities denied Khenpo the right to consult with him and instead he was diagnosed and treated by an unknown physician. No outside visitors were allowed to see Khenpo thereafter.

Khenpo Jigme Phuntsok's followers and students then became gravely concerned about his health and the level and type of medical treatment he might be receiving under the PRC authorities.



Khenpo before the crackdown © ICT

According to a Tibet Information Network (TIN) report of 8 November 2001, Khenpo has been moved from the Barkham military hospital to Chengdu, capital of Sichuan. "It is not known whether he is receiving medical treatment in hospital in Chengdu, where medical facilities are more sophisticated than in Barkham," writes the London-based monitoring agency.

There have also been unconfirmed reports that Khenpo Jigme Phuntsok is today being detained under virtual house arrest but the authorities' previous decision to transfer Khenpo elsewhere has been suspended owing to his prolonged illness.

Curtailment of personal and religious freedom

ICCPR

Article 18 (2) No one shall be subjected to coercion, which would impair his freedom to have or to adopt a religion or belief of his choice.

Article 19 (1) (2) Everyone shall have the right to hold opinions without interference. Everyone shall have the right to freedom of expressions.

TCHRD has obtained as yet unconfirmed information that six nuns have died following the crackdown on Serthar. Four of the nuns are reported to have died of unknown causes while two are said to have hung themselves. TCHRD has no further information concerning the names or the exact circumstances of these deaths. However, informed sources believe the deaths were related to stress, desperation and despair triggered by the recent crackdown. Serthar Institute's authorities reportedly downplayed the deaths for fear of provoking harsher reprisals by the Chinese authorities.

Overseas and Mainland Chinese students were the first group to be targeted by the wave of official orders stating that foreigners

would no longer be permitted to remain at the institute. When these students' argued that the Chinese constitution guarantees religious freedom, the officials claimed that Chinese and Tibetan Buddhism stem from different schools. Chinese Buddhism, they say, follows the Hinayana path whereas Tibetan Buddhism follows Mahayana tradition.¹⁴

The authorities warned these students that failure to leave the institute within the specified time would be considered illegal and could result in arrest. Currently no students from the international category remain at the institute. TCHRD sources reported that the foreign students expressed deep sorrow at the turn of events and left with the hope of returning in the near future.

The Article 4 of the Rules on Administration of Religious Activities of Aliens in China stipulates that the PRC respects the freedom of religious belief of aliens¹⁵ within Chinese territory, and protects and administrates the religious activities of aliens within Chinese territory in accordance with law.¹⁶

The devotion Khenpo inspires among Chinese Buddhists had been of concern to the Beijing authorities for some time. One reason as explained by a Tibetan Buddhist teacher living in the West: "Most of the monks studying at Serthar from China are well-educated and from urban rather than rural areas... just the sort of people that the authorities would not wish to be influenced by Tibetan Buddhism or Tibetan views." According to International Campaign for Tibet (ICT) report, a Chinese doctor who studied

14 The official assertion is inaccurate. Chinese Buddhists follow Mahayana tradition.

15 In *Full text of Rules on Administration of Religious Activities of Aliens in China*, the Article 2 describes aliens as those who are within Chinese territory without Chinese nationalities pursuant to the Nationality Law of China, including the long-term resident personnel in China and those staying in China for short-term visits.

16 *Full text of Rules on Administration of Religious Activities of Aliens in China*, *People's Daily*, 28 September 2001

at Serthar testifies that officials told the institute's teachers that they were forbidden to give Vajrayana¹⁷ teachings to Chinese, to travel to China to teach and that Chinese nationals are forbidden to follow or receive Buddhist discourses from Tibetan lamas

Suicide and Sickness among Expelled Nuns: An eyewitness account

Wangmo was a 21 year-old nun from Drango County. She committed suicide on 6 July 2001, using the belt of her robe to hang herself. I saw her corpse dangling from the branch of a tree. Wangmo's elderly parents were also residents of the institute.

Approximately 200 nuns are being treated in hospitals in Drango County, Serthar County and Barkham County. In the process of expulsions, many nuns fainted with shock and sadness. Unable to bear the enforced restrictions, hundreds of nuns left the institute during the dead of night. A few clergy, especially nuns, have suffered mental breakdowns. The forceful separation from Khenpo Jigme Phuntsok, our root lama, and the imposition of restrictions on religious practices to which our life is dedicated has had tremendous psychological impacts.

17 Vajrayana is synonymous with Buddhist Tantra Practice.

Conclusion

Beijing's bureaucracy is reluctant to give reasons for the crackdown at Serthar, but the few official comments are conflicting. One official from the Sichuan Religious Affairs Bureau expressed concern about "social stability", and justified the evictions as being "carried out at the orders of central authorities". However, local officials issued a statement, which termed the recent expulsions as a "reorganisation" operation. Yet another official said that the police were called in to "clean and rectify" Serthar's increasing population. All officials have denied that force was employed in expelling and evicting over 7,000 students.

In public statements, the PRC authorities justify their actions merely as a means to downsize the excess number of disciples. However, in confidential documents Serthar Institute is accused of supporting the "Dalai clique", harbouring anti-Chinese elements and "lacking official standing". The presence of a large number of international students at Serthar is viewed as a potential threat to the "stability" of the nation.

This official suspicion of religion was voiced by the PRC's Vice-President, Hu Jintao, in March 2001 when he stated that "illegal activities under the cover of religion must be resolutely stopped ... " Hu, the heir apparent of Jiang Zemin, was the hard-line Communist Party Secretary overseeing "TAR" from 1988 to 1992.

Before the crackdown on Serthar, senior Party official had apparently expressed concern to President Jiang Zemin and others in the Beijing hierarchy about "allowing the number of monks and nuns to remain unchecked". This was portrayed as posing "threats of separatist activity". The United Work Front Department reportedly investigated these suspicions and cleared the institute of wrongdoing, finding "little or no evidence of splittist activity". Nonetheless, the authorities persisted with the expulsions.

When the first wave of “Patriotic Education” campaign targetting monasteries and nunneries began in 1996, Serthar Institute remained untouched. The reason is widely attributed to the institute’s “academy” status whereby Serthar was recognised as an educational rather than a religious institution. However, reports suggest that Khenpo’s refusal to attend the enthronement ceremony of the Chinese-appointed Panchen Lama in Lhasa in 1995 may have incensed the Chinese leadership.

Beijing had allowed the institute to expand and flourish without interference during the 80’s and early 90’s because the religious leadership had never preached politics in their spiritual discourses. The growing popularity and international recognition of the institute however, acted as a catalyst for very real Chinese concern.

Informed refugee testimonies confirm that the residents of Serthar Institute have never challenged nor committed offences against the Chinese authorities, so the recent repression is seen as a reaction provoked by fear. It is believed that there is no legal evidence to justify the authorities’ actions. However, owing to its exceptionally high student enrolment, officials claim that Serthar Institute cannot be solely scholastic, and so the centre is suspected of engaging in political and espionage activities.

The crackdowns on Serthar during 2001 contradict the Chinese government’s frequent assertions of religious freedom existing in Tibet. The demolition and destruction of this premier institute for higher Buddhist studies—incomparable in Tibet today for the size, scope and the quality of its teachings—is not only a major loss to Tibet, scholarship in the whole international world of Buddhist studies is curtailed by this action.

In the words of two students who recently arrived in exile after being expelled: “The Chinese authorities obviously feared the impact that all those highly-trained intellectuals would have one day. That’s why they launched this attack on Serthar in the name of ‘reviewing policy and discipline’.”

TIBETAN CENTRE FOR HUMAN RIGHTS AND DEMOCRACY

The Tibetan Centre for Human Rights and Democracy (TCHRD) is the first Tibetan non-governmental organisation (NGO) to be formed with the mission "to highlight the human rights situation in Tibet and to promote principles of democracy in Tibetan community." TCHRD is independent of the Tibetan Government-in-Exile, and is based in Dharamsala, India. It is funded by donations from individual supporters and foundations around the world. It was founded in January 1996 and was registered as an NGO on May 4, 1996. In addition, a branch office has been set up in Kathmandu, Nepal. Our objectives are to protect and promote human rights of Tibetan people and to build our society based on the principles of human rights and democracy.



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