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Human rights situations that require the Council's attention

Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[24 August 2012]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Denial of freedom of opinion, expression and information in the Tibet Autonomous Region and adjacent areas where Tibetans live

Freedom of opinion and expression, essential component to protect and promote human rights, are recognized in all universal human rights instruments. Article 19 of the Universal Declaration of human rights states “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.”

And also Article 35 of the constitution of People's Republic of China declares “Citizens of the People's Republic of China enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration.”

In reality, any independent information or expression other than Chinese government viewpoints are restricted and considered "subversive" and "state secret". Tibetans, including human rights defenders who speak to foreign reporters, share information regarding protests or other information to abroad, through mobile phones or e-mail are charge of "interfering state secret" and given lengthy prisons sentences.

Wangdu, a 41-year-old health worker was sentenced to life imprisonment on 27 October 2008 by the Lhasa City Intermediate People's Court. His crime had been that he sent an email abroad.

In April 2012, Athar, a 33-year old Tibetan comedian was given three years imprisonment by the Lithang County court. He was detained in February 2012 on the eve of his video release detailing China's repressive policies leading to a series of protest including self-immolation by Tibetans.

In June 2012, two Tibetan writers, Tashi Dondrup and Kelsang Gyatso were detained in Karze (Ganzi) Tibetan Autonomous Prefecture, Sichuan Province, for publishing books that were critical of China's policies in the Tibet Autonomous Region and adjacent areas where Tibetans live.

Yonten Gyatso, a 37-year old prominent monk from Khashi Monastery in Ngaba County, Sichuan Province was given a seven-year jail term on 18 June 2012 by the Ngaba prefecture court. He was imprisoned on the false charge of having sent information to the UN Human Rights Council about the human rights situation in the Tibet Autonomous Region and adjacent areas where Tibetans live since 2008. He was accused of sending a photo and related information about the nun Tenzin Wangmo who self-immolated on Oct 17, 2011. He disappeared under unexplained circumstances on 18 October 2011. Eight months later, it became known that he had been kidnapped by the Chinese state apparatus and taken to a detention centre in Bungyang city, Sichuan province. There he was tortured so severely that he nearly committed suicide.

He was formerly his Monastery's chief disciplinarian, the religious chant master (Umzey), and the head of the government-appointed Monastery Management Committee. In 1992, he helped to set up a Tibetan school in Khashi Town, 2 km from the main Ngaba Town and taught Tibetan classes at the school. As the head of the Khashi Educational Society, he took active interest in involving scholars across Ngaba Prefecture to help keep alive Tibetan traditional identity through the preservation of its distinct religion, culture, language, tradition, and morality.

Restricting access to information

According to the United States State Department's Human Rights Report 2011, Chinese authorities routinely jammed radio broadcasts of Voice of America and Radio Free Asia Tibetan and Chinese language services. In June 2011, police in Gansu Province and Karze (Ganzi), Tibet Autonomous Prefecture in Sichuan Province confiscated and destroyed satellite dishes suspected of receiving VOA Tibetan-language television and radio services.

In January 2012, Mr Chen Quanguo, the Party Secretary of Tibet Autonomous Region called for a complete ban on flow of voice and image of the Dalai Lama, and ensured to strengthen that the voice and image of the Party and central governments are heard and seen across the territory. In March and June 2012, he reiterated the complete ban on flow of information and the policy to restrict information must not only over usage of internet, but also cover all forms of news media. In July, Li Changchun, the head of the Central Propaganda Department of Communist Party of China, called to promote 'ethnic unity' by strengthening party's propaganda project, such as implementing the "radio and television" project in Tibetan nomadic areas.

In a seminar held on 11 July 2012 in Lhasa, the propaganda chief of the Communist Party of China (CPC) Committee of Tibet Autonomous Region (TAR) reiterated the "prevention of leaking state secrets and enhancing the sense of confidentiality". In and outside of TAR, information receives through sources, besides state media, is offensive and subject to imprisonment.

Online expression of opinion and thought were tightened by passing new regulation which call all the internet user to furnish 'second-generation' citizen ID card (Chinese: Shen Feng Teng) and 'other documents' to register at internet cafes. Similarly, all internet cafes in Lhasa were ordered to install the second- generation ID card reader and internet users without the card are barred to surf the internet. This regulation has not only denied the people's right to express their opinion and to be informed, but also curtails the basic fundamental means to protect their rights.

On 22 August 2012, Beijing-based Foreign press associations said they are "extremely concerned" over recent instances of harassment and violence against foreign journalists. Foreign journalists are prevented from obtaining permits to travel to the Tibet Autonomous Region. Foreign journalist who tried to access the Tibet Autonomous Region were frequently stopped and intimidated with expulsion despite government rules, adopted in 2008, which stated that foreign journalists did not need the permission of local authorities to conduct reporting.

In early 2012, despite risks and threatening by security personnel in Karze (Ganzi), Tibetan Autonomous Prefecture in Sichuan Province, media crews for CNN managed to sneak and interview Tibetans in the area. Following this, they were grabbed, detained and questioned for five hours in the airport. Police also confiscated some of their videos. Furthermore, the Chinese authorities blacked out CNN news channel, when they aired report on the situation in the Tibetan-inhabited Karze (Ganzi) area.

Freedom House, a US advocacy group for democracy and human rights around the world, noted China's stringent control over the flow of information within the Tibet Autonomous Region. According to the report, "University professors are not permitted to lecture on certain topics, foreign journalists are only allowed limited access into Tibet [Autonomous Region] and over 60 writers, intellectuals and cultural figures have been arrested since 2008".

The London-based media freedom group Index on Censorship has reported a peculiar instance of online freedom of expression restriction that, the authorities in Karze (Ganzi) Tibetan Autonomous Prefecture had disabled text messaging and internet access in Karze

(Ganzi) for two days, beginning on July 6, the birthday of Tibetan spiritual leader, the Dalai Lama.

Under the guise of combating 'stability' and 'state secret', the Chinese authority denied Tibetans' freedom of opinion, expression and right to be informed. At least 24 Tibetan intellectuals, including monks, men and women, were given sentences ranging from few months to life imprisonment for excising their freedom of expression. The Chinese authorities especially targeted Tibetan writers, bloggers, singers, teachers, documentary makers and environmentalists under a crackdown policy in place since the 2008 Beijing Olympic Games.

These new generations of young Tibetans born and educated under Chinese Communist rule have edited banned magazines and are tech-savvy bloggers imprisoned for gathering, expressing and sharing information about conditions in the Tibet Autonomous Region and adjacent areas where Tibetans live especially after the March 2008 demonstrations. Their writing challenged the official account of the events of 2008 and situation in the Tibet Autonomous Region and adjacent areas where Tibetans live in general. The crackdown on Tibetan artists and intellectuals are the harshest since the Cultural Revolution.

12 intellectuals were released on fear of custodial death after excessive torture during detention by the Chinese authorities. Due to the severity of the torture some have become physically and mentally dependent on their family members. The whereabouts of about 37 intellectuals are unknown. There are great concerns for their health. Family members have been intimidated and denied visits to prisons. Four school teachers were expelled and one demoted. A writer and comedian escaped into exile.

Due to severe restriction on outflow of information from the Tibet Autonomous Region and adjacent areas where Tibetans live and denial of independent observers including journalist access, it is impossible to independently verify the situation on the ground in TAR and its neighbouring Tibetan-inhabited areas.

In view of the current deteriorating human rights situation Tibet Autonomous Region and adjacent areas where Tibetans live, Society for Threatened Peoples urges the People's Republic of China:

- To respect freedom of opinion and expression guaranteed in China's Constitution including the right to be informed;
- To allow unrestricted access to international media, foreign diplomats and UN Special Procedure mandate holders for fact-finding missions to the Tibet Autonomous Region and adjacent areas where Tibetans live;
- To release unconditionally who have been sentenced or arbitrarily arrest or detained for expressing their views and opinion;
- To provide information to the immediate family of the arrested;
- To allow family visit for those who were imprisoned.