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"China: Treatment of Tibetans suspected of disseminating nationalist messages, including graffiti, and more generally Tibetans suspected of holding anti-China views; what are the consequences for Tibetans leaving illegally; are there any restrictions with respect to Tibetans practicing Buddhism"

Government response to protests

Freedom House states Tibetans who are "seen to be advocating greater autonomy or political independence for the region risk harsh punishment and imprisonment."¹

Human Rights Watch states that the situation in Tibet "sharply deteriorated" in 2008 and that intrusive controls over religious and cultural activities by Chinese authorities in Tibet led to widespread protests against Chinese rule in spring 2008.²

In its 2008 Annual Report the Tibetan Center for Human Rights and Democracy states that,

¹ Freedom House, 3 June 2009, The Worst of the Worst 2009 - Tibet [China], <http://www.unhcr.org/refworld/type,ANNUALREPORT,,,4a38a665c,0.html>

² Human Rights Watch, World Report 2009, China and Tibet, <http://www.hrw.org/en/node/79301>

“The uprising in Tibet in 2008 saw at least 120 known Tibetans killed in police firing, at least 6500 Tibetans arrested, over a thousand cases of involuntarily or enforced disappearance, at least ten known cases of death due to torture, and at least 190 Tibetans sentenced to varying prison terms from nine months to life imprisonment.”³

The TCHRD states that the actual figures “could be manifold in light of the magnitude of the uprising in Tibet. However, the government’s severe blockade of information which is often linked to “leaking state secrets” and punishable by lengthy prison terms under the charge of “endangering state security” for what is a standard practice of reporting human rights violation has enormously stifled the flow of information. In order to avoid international condemnation, the government engaged in a systematic and intermittent ban on communication channels. Those arrested for communicating to the outside world have been dealt with severely.”⁴

In April 2008 a request by the then United Nations High Commissioner for Human Rights, Ms. Louise Arbour, was denied with Chinese authorities stating that “the timing was not convenient”.⁵ Further requests from six UN Special Rapporteurs were also declined.⁶

TCHRD state that since protests against Chinese rule in March 2008, hundreds of Tibetans have been arbitrarily detained, killed, disappeared and imprisoned. TCHRD have documented at least 235 instances of Tibetans having been sentenced to ‘harsh’ prison terms. Five of these Tibetans were sentenced to death, 10 were given life imprisonment and approximately 130 were given sentences of 10 years or more.⁷ According to TCHRD the official Chinese statements give the number of those sentenced for involvement in the “March 14 Lhasa riot” as 74.

According to the TCHRD, the Kardze Region in Eastern Tibet saw the most sustained protests and has seen the highest numbers of arrests.⁸ The USSD reports that following the protests Tibetans were arrested arbitrarily and subjected to extrajudicial punishments.⁹

“Prisoners were subjected routinely to “political investigation” sessions and were punished if deemed insufficiently loyal to the state. According to numerous sources, many of those detained after March 10 were subjected to extrajudicial punishments such as severe beatings and deprivation of food, water, and sleep for long periods. In some cases, detainees suffered broken bones and other

3Tibetan Centre for Human Rights and Democracy, Annual Report 2008, http://www.tchrd.org/publications/hr_updates/2009/hr200901.html#2008

4 Tibetan Centre for Human Rights and Democracy, Annual Report 2008, http://www.tchrd.org/publications/hr_updates/2009/hr200901.html#2008

5 Tibetan Centre for Human Rights and Democracy, Annual Report 2008, http://www.tchrd.org/publications/hr_updates/2009/hr200901.html#2008

6 Human Rights Watch, World Report 2009, China and Tibet, <http://www.hrw.org/en/node/79301>

6Tibetan Centre for Human Rights and Democracy, Annual Report 2008,

7 Tibetan Centre for Human Rights and Democracy, 16 May 2009, TCHRD fears for the fates of two Tibetans sentenced to death, <http://www.tchrd.org/press/2009/pr20090516.html>

8 Tibetan Centre for Human Rights and Democracy, 16 May 2009, TCHRD fears for the fates of two Tibetans sentenced to death, <http://www.tchrd.org/press/2009/pr20090516.html>

9 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

serious injuries at the hands of PAP and Public Security Bureau (PSB) officers. According to eyewitnesses, the bodies of persons killed during the unrest or subsequent interrogation were disposed of secretly rather than returned to their families.”¹⁰

Some lawyers offering to represent the arrested Tibetans were threatened with punishment and put under police surveillance.¹¹

Instances of detention, disappearance, beatings reported.¹² The TCHRD claims that the systematic use of torture in police stations, prisons and detention is used as a tactic to suppress protests.¹³

Monks, Nuns and civil servants are amongst those documented to have been arrested following protests.¹⁴

The USSD reports that Freedom of movement was “extremely limited in the TAR and other Tibetan areas following the protests and unrest in March”.¹⁵

The TCHRD and Amnesty International report that the Chinese authorities launched a 42-day winter “Strike Hard” Campaign beginning 18 January 2009.¹⁶ Its objectives are described as securing public security and stability.¹⁷ The TCHRD quotes the Lhasa Evening News as reporting,

““Within three days of the launch of Winter “Strike Hard” Campaign beginning 18 January 2009, Lhasa City Public Security Bureau (PSB) office had deployed 600 officers, around 160 police vehicles and conducted raids on 7 housing blocks, 2922 rented houses, 14 guest house and hotels, 18 bars and 3 internet cafés in Lhasa. After conducting the raid on these locations, the PSB were able to round up 5766 suspects and questioned them. This figure highlights the result of the launch of the “Strike Hard” campaign in Lhasa since it was launched three days ago.”¹⁸

10 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

11 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

12 Tibetan Centre for Human Rights and Democracy, Human Rights Update, March 2009, China arrests a Tibetan civil servant in Mangra County, Qinghai Province, http://www.tchrd.org/publications/hr_updates/2009/hr200903.html#95

13 Tibetan Centre for Human Rights and Democracy, Annual Report 2008, http://www.tchrd.org/publications/hr_updates/2009/hr200901.html#2008

14 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, February 2009, http://www.tchrd.org/publications/hr_updates/2009/hr200902.html#2008

15 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

16 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, February 2009, China grills 5766 Tibetans Under Winter “Strike Hard” Campaign in Lhasa, http://www.tchrd.org/publications/hr_updates/2009/hr200902.html#2008. Amnesty International, 10 March 2009, Unrest in Tibet continues as human rights violations escalate, <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=49b8dfc11a&skip=0&category=COI&coi=CHN&querysi=tibet&searchin=title&display=10&sort=date>

17 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, February 2009, China grills 5766 Tibetans Under Winter “Strike Hard” Campaign in Lhasa, http://www.tchrd.org/publications/hr_updates/2009/hr200902.html#2008

18 Radio Free Asia, 26 January 2009, China 'strikes hard' in Tibet, <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4982d64b2d&skip=0&category=COI&coi=CHN&querysi=tibet&searchin=title&display=10&sort=date>

Amnesty further reports that as part of this campaign two people were detained for having "reactionary songs and opinions" on their mobile phones.¹⁹

The Lhasa City Government has also declared that outside visitors to the City must obtain a temporary stay permit from the Public Security Bureau.²⁰

The TCHRD reports that it believes that the intention of the campaign is to detain Tibetans suspected of being involved in the 2008 spring protests, target former political prisoners and many Tibetans from outside Lhasa city who do not have official temporary stay permits.²¹

63 combat vehicles and special combat equipment has also been issued to Lhasa Security Personnel by the Chinese authorities such as "special gloves with sharp nails, tear gas, batons and laser torch to deal with protesters and demonstrators on the streets."²²

The TCHRD quotes the Tibetan Daily, as stating that the Tibetan authorities main task this year (2009) was to "resolutely go toe-to-toe in a battle against all destructive separatist activities to maintain stability."²³ TCHRD quotes an unnamed Chinese State media reporting from a conference of Chinese Communist leaders, "the meeting called on the party, government, military, police and public in all areas... to firmly crush the savage aggression of the Dalai clique, defeat separatism, and wage people's war to maintain stability,"²⁴

In February 2009 the TCHRD reported an increased military presence in Tibet, particularly in "Lhasa, the capital; Labrang (Ch: Xiahe), a town in Gansu Province that witnessed a persistent and large scale protest last year; Rebkong (Ch:Tongren), a monastery town in Qinghai Province; and Lithang, a town in Kardze [Ch: Ganze²⁵] "TAP" Sichuan Province".²⁶

The TCHRD states that,

19 Amnesty International, 10 March 2009, Unrest in Tibet continues as human rights violations escalate, [http://www.unhcr.org/cgi-](http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=49b8dfc11a&skip=0&category=COI&coi=CHN&querysi=tibet&searchin=title&:display=10&sort=date)

[bin/texis/vtx/refworld/rwmain?page=country&docid=49b8dfc11a&skip=0&category=COI&coi=CHN&querysi=tibet&searchin=title&:display=10&sort=date](http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=49b8dfc11a&skip=0&category=COI&coi=CHN&querysi=tibet&searchin=title&:display=10&sort=date)

20 Radio Free Asia, 26 January 2009, China 'strikes hard' in Tibet, [http://www.unhcr.org/cgi-](http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4982d64b2d&skip=0&category=COI&coi=CHN&querysi=tibet&searchin=title&p;:display=10&sort=date)

[bin/texis/vtx/refworld/rwmain?page=country&docid=4982d64b2d&skip=0&category=COI&coi=CHN&querysi=tibet&searchin=title&p;:display=10&sort=date](http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4982d64b2d&skip=0&category=COI&coi=CHN&querysi=tibet&searchin=title&p;:display=10&sort=date)

21 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, February 2009, China grills 5766 Tibetans Under Winter "Strike Hard" Campaign in Lhasa, http://www.tchrd.org/publications/hr_updates/2009/hr200902.html#2008

22 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, March 2009, China to step up unprecedented restriction in Tibet, http://www.tchrd.org/publications/hr_updates/2009/hr200903.html#95

23 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, February 2009, Lithang under siege days after the protest, http://www.tchrd.org/publications/hr_updates/2009/hr200902.html#2008

24 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, February 2009, Lithang under siege days after the protest, http://www.tchrd.org/publications/hr_updates/2009/hr200902.html#2008

25 Radio Free Asia, 18 August 2006, China Detains Teenage Girl for Writing Pro-Independence Leaflets, http://www.rfa.org/english/news/tibet_arrest-20060818.html

26 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, February 2009, Lithang under siege days after the protest, http://www.tchrd.org/publications/hr_updates/2009/hr200902.html#2008

“The Chinese authorities in the name of maintaining stability in Tibet are committing a large-scale human rights violation, clampdown on the freedom of expression, opinion, thought, movement and peaceful assembly and resorting to arbitrary detention.”²⁷

According to TCHRD official Chinese state news agency, "Xinhua News Agency" reported on 4 February 2009 that the Security Department of the Central Government of China released an official paper entitled "The Key Task To Improve The Overall Security Situation in 2009".²⁸ The TCHRD states that the paper detailed 33 points to combat security threats, 15 points dealt with security concerns in the Tibetan Autonomous Region (TAR) and non-TAR regions of Tibet. The paper identified "Three Categories of People" as being the biggest risks to social stability and security inside Tibet: 1) individuals who took part in the last year's protest and who were later released, 2) individuals who illegally left and re-entered Tibet and 3) monks and nuns who were expelled from monasteries and nunneries.²⁹ The TCHRD states that Xinhua reports that the Chinese authorities would be monitoring these three groups closely and that orders to step up "restriction, surveillance and inspection had been given."³⁰

TCHRD further states that,

“Numerous check posts have been installed on major roads, highways, streets and alleyways. There has been intense restriction on the movement of Tibetan people. According to many sources, temporary police and military bases have mushroomed up at important and strategic locations inside Tibet where protests and demonstrations previously took place.”³¹

TCHRD also reports that authorities use phone tapping to monitor activity.³²

In May 2009 TCHRD reported that two brothers who participated in protests in Kardze County, Sichuan Province on 18 March 2008 were arrested after a year in hiding. Many Tibetans have been charged with crimes “of endangering state security, inciting to split the country and espionage” in relation to the 18 March protests.³³

In June 2009 the Xinhua News Agency reported a Tibetan official as stating that “China's central government enjoys wide public support in Tibet and people there also uphold the current regional autonomous policies. Further the official is quoted as stating

27 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, February 2009, Lihang under siege days after the protest , http://www.tchrd.org/publications/hr_updates/2009/hr200902.html#2008

28 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, March 2009, China to step up unprecedented restriction in Tibet, http://www.tchrd.org/publications/hr_updates/2009/hr200903.html#95

29 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, March 2009, China to step up unprecedented restriction in Tibet, http://www.tchrd.org/publications/hr_updates/2009/hr200903.html#95

30 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, March 2009, China to step up unprecedented restriction in Tibet, http://www.tchrd.org/publications/hr_updates/2009/hr200903.html#95

31 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, March 2009, China to step up unprecedented restriction in Tibet, http://www.tchrd.org/publications/hr_updates/2009/hr200903.html#95

32 Tibetan Centre for Human Rights and Democracy, Human Rights Update, March 2009, China arrests a Tibetan civil servant in Mangra County, Qinghai Province, http://www.tchrd.org/publications/hr_updates/2009/hr200903.html#95

33 Tibetan Centre for Human Rights and Democracy, 21 May 2009, China arrests brothers who were on the run, <http://www.tchrd.org/press/2009/pr20090521.html>

that "What is most valuable is that Tibetans today enjoy more political rights, economical subsidies and freedom of religion,"³⁴

In February 2009 in Lihang County 15 Tibetans protestors chanting 'Long Live the Dalai Lama,' 'Independence for Tibet,' 'Swift return of the Dalai Lama to Tibet' and 'No Losar (Tibetan New Year) celebration this year, were badly beaten and taken away in military trucks of the Chinese Public Security Bureau (PSB) and People's Armed Police (PAP).³⁵

Treatment of Tibetans suspected of disseminating nationalist messages, including graffiti, and more generally Tibetans suspected of holding anti-China views

The International Federation for Human Rights states that "almost any expression of Tibetan identity not directly sanctioned by the state can be branded as 'reactionary' or 'splittist' and penalized with a long prison sentence, or worse. Pop stars, artists and writers have been detained under a new drive against "cultural products" with suspect ideological content such as songs referring to the Dalai Lama, and in music bars Tibetan performers are no longer allowed to address the audience as "*Tibetan brothers and sisters*" because it is considered "*subversive*" to the "unity of the nationalities".³⁶

According to Freedom House, the Chinese authorities already strict control on the flow of information in to and out of Tibet tightened after the spring 2008 protests.³⁷

"Tibetans who spoke to foreign reporters, attempted to relay information to foreigners outside China, or passed information regarding the March and April protests were subject to harassment or detention".³⁸

The USSD states that authorities jammed Tibetan language Voice of America, BBC, Radio Free Asia, Voice of Tibet radio broadcasts and cut off satellite feeds from BBC World News and CNN.³⁹

Human Rights Watch reports that foreign journalists and their sources face intimidation and obstruction from government agents if they pursue stories which document social unrest.⁴⁰

Reporters Without Borders (RWB) report that a man has been jailed for three years for sending texts and emails about the March 2008 protests against the Chinese

34 Xinhua News Agency, 23 June 2009, China's central government enjoys wide public support in Tibet: official, http://news.xinhuanet.com/english/2009-06/23/content_11583961.htm

35 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, February 2009, Fifteen Tibetans arrested in Lihang after a peaceful protest, http://www.tchrd.org/publications/hr_updates/2009/hr200902.html#2008

36 International Federation for Human Rights, 10 March 2009, A Great Mountain Burned by Fire: China's Crackdown in Tibet', <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=49b7bfe4c&skip=0&category=COI&coi=CHN&querysi=tibet&searchin=title&display=10&sort=date>

37 Freedom House, 3 June 2009, The Worst of the Worst 2009 - Tibet [China], <http://www.unhcr.org/refworld/type,ANNUALREPORT,,,4a38a665c,0.html>

38 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

39 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

40 Human Rights Watch, July 6 2008, China's Forbidden Zones, <http://www.hrw.org/en/reports/2008/07/06/china-s-forbidden-zones>

authorities.⁴¹ He was found guilty of "incitement to separatism" in the autonomous Tibetan prefecture of Degen, in Yunnan, southern China on 26 April 2008. In sentencing the verdict stated that the man had used the internet to "deliberately fabricate rumours twisting the facts and inciting separatism". He was sentenced under Article 103 (2) of the Chinese criminal code which states "if a counter-revolutionary crime is behind a savage criticism of the state and if the circumstances are particularly flagrant, the death sentence is possible".⁴²

RWB has recorded a significant increase of trials of Tibetans accused of sending information abroad, to their knowledge 7 people have been sentenced between October and November 2008 in Lhasa.⁴³

The International Federation for Human Rights states that in February and March 2009, "the Chinese government stepped up levels of intimidation and adopted an increasingly harsh and systematic approach to silencing Tibetans and suppressing dissent, with the authorities calling upon officials, security forces and the general public to "crush" any signs of support for the Dalai Lama."⁴⁴

The 10 March 2009 marks the 50th anniversary of the Tibetan Uprising in Lhasa that led to the Dalai Lama's escape from Tibet. IFHR state that during this anniversary period "Tibetans continue to 'disappear,' often being taken from their homes in the middle of the night to face extreme brutality in 'black jails.'"

The TCHRD reports that protestors had painted graffiti on a police station and raised the national Tibetan flag, however it did not report on the official response to this.⁴⁵

"As a mark of a strong defiance and resistance against the Chinese government, on 28 February 2009, (fourth day of the Tibetan New Year) a huge banned Tibetan National flag was seen being hung on the wall of a police station in Lhoba Township, Kardze County, Kardze Prefecture, Sichuan Province. In addition, a huge graffiti in red paint carrying a slogan, "Independence for Tibet" was written just below the hung Tibetan National flag."⁴⁶

41 Reporters Without Borders, 25 June 2009, Tibetan in prison for more than a year for sending texts and emails, <http://www.unhcr.org/refworld/country,COI,,,CHN,,4a44918f1f,0.html>

42 Reporters Without Borders, 25 June 2009, Tibetans in prison for more than a year for sending texts and emails, <http://www.unhcr.org/refworld/country,COI,,,CHN,,4a44918f1f,0.html>

43 Reporters Without Borders, 25 June 2009, Tibetan in prison for more than a year for sending texts and emails, <http://www.unhcr.org/refworld/country,COI,,,CHN,,4a44918f1f,0.html>

44 International Federation For Human Rights, 10 March 2009, A Great Mountain Burned by Fire: China's Crackdown in Tibet, <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=49b7bfe4c&skip=0&category=COI&coi=CHN&querysi=tibet&searchin=title&display=10&sort=date>

45 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, March 2009, Tibetans Protest in Kardze during the Tibetan New Year, http://www.tchrd.org/publications/hr_updates/2009/hr200903.html#95

46 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, March 2009, Tibetans Protest in Kardze during the Tibetan New Year, http://www.tchrd.org/publications/hr_updates/2009/hr200903.html#95

Radio Free Asia reports that a monk in Sichuan County is facing up to eight years in prison for writing separatist graffiti on government buildings and two iron bridges and distributing pro-independence posters which showed the Tibetan national flag.⁴⁷

Seven schoolboys and a monk were detained and beaten in September 2007 for allegedly scribbling graffiti calling for the Dalai Lama's return and freedom for Tibet on walls of a school and police station in a Tibetan area of Gansu province. One boy was reportedly very ill in hospital with possible head injuries. Two boys were released after payment of fines by their parents. All of the boys were made to carry out hard labour whilst in detention. Four of the boys were still in detention a month later.⁴⁸

In 2006 Radio Free Asia reports that six people were arrested for writing and distributing pro-independence leaflets.⁴⁹

The TCHRD and USSD report that the Chinese authorities often monitor, censor, block and hack into websites run by Tibetans, which highlight the culture and experience of Tibetan people inside Tibet.⁵⁰ According to the USSD, Internet police automatically censor emails and web forums using sensitive key words such as "Tibetan Independence".⁵¹

The USSD reports that in May 2008 an internet writer based in Sichuan Province was sentenced to three years in prison for "inciting subversion of state power." The man was arrested after he participated in an environmental protest and for posting articles supportive of Tibetan demonstrators online.⁵²

Freedom House describes the judicial system in Tibet as "abysmal", stating that most judges lack legal education, that there is minimal access for defendants to legal representation, and that trials involving "state security" are held in secret.

The USSD reports that "Officials deployed a wide range of tactics to obstruct the work of lawyers representing sensitive clients, including unlawful detentions, disbarment, intimidation, refusal to allow a case to be tried before a court, and physical abuse."⁵³

What are the consequences for Tibetans leaving illegally?

47 Radio Free Asia, 14 July 2007, Tibetan Monk Faces Eight Years for Separatism, http://www.rfa.org/english/news/tibet_monk-20060714.html

48 International Campaign for Tibet, 2 October 2007, Schoolboys blamed for Tibet graffiti still held incommunicado after beatings, <http://www.savetibet.org/media-center/ict-news-reports/schoolboys-blamed-tibet-graffiti-still-held-incommunicado-after-beatings>

49 Radio Free Asia, 18 August 2006, China Detains Teenage Girl for Writing Pro-Independence Leaflets, http://www.rfa.org/english/news/tibet_arrest-20060818.html

50 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, March 2009, A website proprietor arrested in Gansu province, http://www.tchrd.org/publications/hr_updates/2009/hr200903.html#95. US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

51 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

52 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

53 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

It is illegal for Tibetans to cross the border into Nepal and India, however each year it is estimated that thousands of Tibetans make the crossing through the Himalayas seeking religious freedom and better education opportunities.⁵⁴

The USSD state that “Tibetans seeking to flee to India and other countries overland via Nepal risked violence and arrest at the hands of security forces.”⁵⁵

In 2006 Chinese Border Police were recorded opening fire on a group of Tibetans as they made their way across the Nangpa pass in the Himalayas.⁵⁶ One member of this group who was captured told the BBC that he was tortured, the BBC states that he was

“beaten, interrogated and tortured with whips and electric cattle prods for three days. After three months in a Shigatse jail, his uncle paid a hefty fine and [] was set free.”⁵⁷

The USSD states that “Tibetans repatriated from Nepal reportedly suffered torture, including electric shocks, exposure to cold, and severe beatings, and were forced to perform heavy physical labor.”⁵⁸

Reuters reports that China considers “Tibetans who were reportedly tortured for trying to escape to Nepal belonged to an illegal migration scheme and faced punishment.”⁵⁹

According to USSD, “Police vowed to “strike hard” against such border crossings as part of a campaign against “separatists.” The government continued to try to prevent many Tibetans from leaving and detained many who were apprehended in flight”.⁶⁰

A resident of the Nepal border area told Radio Free Asia that ““Chinese officials recruit Tibetans who are paid to spy and inform on the escapees. Spies in the area are paid 300 yuan a month, and they get a special bonus for tracking and informing on Tibetan escapees.”⁶¹

Numbers arriving at the UNHCR reception centre in Kathmandu were 75% lower than the previous year, the USSD reports this being due to increased security within Tibet and along the border.⁶²

According to the USSD the Chinese authorities strictly regulated the travel and movement of Tibetans, “Many Tibetans, particularly prominent religious figures,

54 BBC, 10 November 2008, Tibetans' risky journey into exile, http://news.bbc.co.uk/1/hi/programmes/this_world/7715401.stm. Radio Free Asia, 13 October 2006, Tibetans, Westerners Describe Deadly Shooting at China-Nepal Border, http://www.rfa.org/english/tibet/tibet_shooting-20061013.html

55 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

56 BBC, 10 November 2008, Tibetans' risky journey into exile, http://news.bbc.co.uk/1/hi/programmes/this_world/7715401.stm. Radio Free Asia, 13 October 2006, Tibetans, Westerners Describe Deadly Shooting at China-Nepal Border, http://www.rfa.org/english/tibet/tibet_shooting-20061013.html

57 BBC, 10 November 2008, Tibetans' risky journey into exile, http://news.bbc.co.uk/1/hi/programmes/this_world/7715401.stm

58 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

59 Reuters, 1 February 2007, China calls escaping Tibetans law-breakers, <http://www.reuters.com/article/worldNews/idUSPEK12650820070201>

60 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

61 Radio Free Asia, 13 October 2006, Tibetans, Westerners Describe Deadly Shooting at China-Nepal Border, http://www.rfa.org/english/tibet/tibet_shooting-20061013.html

62 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>.

scholars, and dissidents, as well as those from rural areas, continued to report difficulties obtaining passports.”⁶³

Are there any restrictions with respect to Tibetans practicing Buddhism

The USSD reports that religious repression increased in Tibetan areas during 2008.⁶⁴

“Officials in the XUAR, the TAR, and other Tibetan areas tightly controlled religious activity. Followers of Tibetan Buddhism, including those in the Inner Mongolian Autonomous Region and most Tibetan autonomous areas, faced more restrictions on their religious practice and ability to organize than Buddhists in other parts of the country.”⁶⁵

The USSD reports that

“continued tight government controls on religious practices and places of worship in Tibetan areas was a major factor contributing to the widespread protests that began in March. Although authorities permitted many traditional practices and public manifestations of belief, they promptly and forcibly suppressed activities they viewed as vehicles for political dissent or advocacy of Tibetan independence.”⁶⁶

This includes religious activities venerating the Dalai Lama, whom the Government continued to characterize as a separatist.⁶⁷

According to several sources the authorities expanded their “patriotic education” programme, requiring monks, nuns, business people, students, government workers and lay people to denounce the Dalai Lama⁶⁸

“by early April, “patriotic education” campaign was being extended beyond the monasteries into the community of lay Tibetan society in rural areas of Ngaba County. “Patriotic education” “work teams” arrived in homes and ordered Tibetans to condemn the recent protests, denounce the Dalai Lama and pledge allegiance to the Communist Party. Eight points were forced to be reiterated in front of a camcorder and those who refused to cooperate were threatened with imprisonment.”⁶⁹

Some monks and nuns had to take ‘patriotic tests’ to be able to stay at their monasteries, in some cases this included trampling a photo of the Dalai Lama.⁷⁰

63 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

64 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

65 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

66 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

67 US State Department, International Religious Freedom Report 2008, China, <http://www.state.gov/g/drl/rls/irf/2008/108404.htm>. US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

68 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>. Tibetan Centre for Human Rights and Democracy, Annual Report 2008, http://www.tchrd.org/publications/hr_updates/2009/hr200901.html#2008. Freedom House, 3 June 2009, The Worst of the Worst 2009 - Tibet [China], <http://www.unhcr.org/refworld/type,ANNUALREPORT,,4a38a665c,0.html>

69 Tibetan Centre for Human Rights and Democracy, Annual Report 2008, http://www.tchrd.org/publications/hr_updates/2009/hr200901.html#2008

70 US State Department, International Religious Freedom Report 2008, China, <http://www.state.gov/g/drl/rls/irf/2008/108404.htm>

Restrictions were placed on religious ceremonies, pilgrimages to monasteries were restricted, some monasteries were 'locked down' and the gathering for celebrations was banned during Tibetan New Year celebrations.⁷¹

Monasteries in the TAR were not permitted to establish relationships with other monasteries in the TAR or to hold religious events together.⁷²

Radio Free Asia reports that a man was jailed for offering prayer for Tibet's exiled leader.⁷³

Radio Free Asia states that Images, writings, and video of the Dalai Lama, who is universally revered by Tibetans, are banned in Tibet, and those found in possession or who are believed to oppose Chinese rule are punished, typically with prison sentences."⁷⁴

TCHRD report that a Regulation on Religious Affairs introduced in 2007 is repressing religious freedom,

"On 1 January 2007, a new "Measures for the 'Regulation on Religious Affairs'" with 56 articles, issued by the 11th Standing Committee of the "TAR" People's Government on 19 September 2006, entered into force. This new regulation, instead of providing the protection of religious affairs, aimed at enforcing compliance with government regulations and policies on religious organizations, religious personnel, and religious citizens."⁷⁵

In 2007 the Management Measures on Reincarnation (MMR) was issued by the State Administration for Religious Affairs (SARA). It codifies that the government controls the selection of Tibetan religious leaders and reincarnate lamas and that senior monks, known as "living buddhas" cannot reincarnate without permission⁷⁶.

The MMR stipulates that

"local governments at the city-level and above have the power to deny permission for a Tibetan Buddhist lama to be reincarnated. Reincarnations must be approved by at least provincial-level governments, while the State Council reserves the

71 Tibetan Centre for Human Rights and Democracy, Human Rights Updates, March 2009, Tibetans Protest in Kardze during the Tibetan New Year , http://www.tchrd.org/publications/hr_updates/2009/hr200903.html#95. US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/drl/rls/hrrpt/2008/eap/119037.htm>

72 US State Department, February 2009, Human Rights Report 2008, China, <http://www.state.gov/drl/rls/hrrpt/2008/eap/119037.htm>

73 Radio Free Asia, 18 August 2006, China Detains Teenage Girl for Writing Pro-Independence Leaflets, http://www.rfa.org/english/news/tibet_arrest-20060818.html

74 Radio Free Asia, 18 August 2006, China Detains Teenage Girl for Writing Pro-Independence Leaflets, http://www.rfa.org/english/news/tibet_arrest-20060818.html. Radio Free Asia, 14 July 2006, Tibetan Monk Faces Eight Years for Separatism, http://www.rfa.org/english/news/tibet_monk-20060714.html

75 Tibetan Center for Human Rights and Democracy, 4 June 2007, TIBET: Colossal Guru Rinpoche's Statue Demolished in Tibet: China's New Religious Affairs Regulations for 'TAR' Entered into Force, http://www.ahrchk.net/news/mainfile.php/ahrcnews_200706/3056/

76 Japan times, 23 August 2007, China tightens grip on Tibetan Buddhism, <http://search.japantimes.co.jp/cgi-bin/ea20070823fc.html>. US State Department, International Religious Freedom Report 2008, China, <http://www.state.gov/drl/rls/irf/2008/108404.htm>

right to deny the reincarnation of living Buddhas of "especially great influence." The regulations state that no foreign organization or individual can interfere in the selection of reincarnate lamas, and all reincarnate lamas must be reborn within the PRC and not abroad."⁷⁷

This has been seen as an unwarranted attempt to interfere with the practice of Tibetan Buddhism and to weaken the influence of the Dalai Lama.⁷⁸

In 2007 the TAR Implementation of the PRC Religious Affairs Regulations (the Implementing Regulations) were also introduced. They asserted state control over "all aspects of Tibetan Buddhism, including religious groups, venues, and personnel." The Implementing Regulations restricted the movement of monks and nuns, limiting the practice and study of Buddhism.⁷⁹ The USSD explains that "in Tibetan Buddhism, visitation to different monasteries and religious sites for specialized training by experts in their particular theological tradition is a key component of religious education".⁸⁰

The USSD reports the officials often associated monasteries with pro-independence activities, the government oversaw the daily activities of major monasteries through the Democratic Management Committees (DMCs) and local religious affairs bureaus (RABs).⁸¹

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International Federation For Human Rights
Irish Times
Radio Free Asia
Reporters Without Borders
Tibetan Center for Human Rights and Democracy
US State Department
Xinhua News Agency

77 US State Department, International Religious Freedom Report 2008, China, <http://www.state.gov/g/drl/rls/irf/2008/108404.htm>

78 US State Department, International Religious Freedom Report 2008, China, <http://www.state.gov/g/drl/rls/irf/2008/108404.htm>

79 US State Department, International Religious Freedom Report 2008, China, <http://www.state.gov/g/drl/rls/irf/2008/108404.htm>

80 US State Department, International Religious Freedom Report 2008, China, <http://www.state.gov/g/drl/rls/irf/2008/108404.htm>

81 US State Department, International Religious Freedom Report 2008, China, <http://www.state.gov/g/drl/rls/irf/2008/108404.htm>