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Office of the United Nations High Commissioner
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Memorandum of Appeal for Urgent Action on Concerning Issues of Human Rights Situation in TIBET

His Excellency Mr. Zeid Ra'ad Al Hussein,

Tibetan communities all over the world commemorated 59th anniversary of Tibetan National Uprising day against illegal occupation of Tibet by the Chinese military on 10th March 1959, which is also known as darkest day in the history of Tibet. Since then Tibetans have been deprived of basic human rights enshrined in the Universal Declaration.

Particularly from the incidence of 2008 protests in Tibet, human rights situation in Tibet became bad to worse with the rising number of self-immolation protests in Tibet rising to 151 so far, including six cases of self-immolations protests in the year 2017. Out of 151 self-immolators, 129 died on the spot or shortly thereafter. Due to China's systematic suppression and violations of universal basic rights of its people, the Freedom House report 2017 ranked Tibet as among the least free among countries and territories in the world above Syria.

Following are the areas of special concern that require international communities' attention:

1. Freedom of Religious Belief and Practice:

The right to freedom of religion and belief remained severely restricted through a combination of laws, policies and practices. The atheist party-state rejected legitimate calls for religious freedom and warned against "distorting China's religious situation in the name of 'religious human rights'." To further use law as a sword to curtail religious freedom, a revised draft of the 2005 Regulations on Religious Affairs was released and was implemented in 2017. Measures to control and exploit the system of reincarnation, and to discredit and delegitimize the person and position of the Tibetan spiritual leader His Holiness the Dalai Lama were intensified. For the greater part of 2016, the PRC conducted a large-scale demolition of the 20,000-strong religious community of Larung Gar Tibetan Buddhist Institute. Despite worldwide condemnation and protests including calls from various governments and civil society groups to halt the demolition operation, the PRC did not relent.

Today, in Tibet, monasteries and nunneries are forbidden to give traditional monastic education, which forms an integral part of Tibetan Buddhism. Monks and nuns are instead subjected to regular "patriotic education" and other political campaigns that are fundamentally against the basic tenets of Tibetan Buddhism. Political indoctrination has replaced Buddhist education in monastic institutions where monks and nuns are drawn compelled to serve the interest of the government of the PRC.

Authorities in western China's Sichuan province have further tightened controls at the Larung Gar Buddhist Academy, setting up checkpoints at which monks, nuns, and visitors must now show permits allowing them to enter, according to RFA reports.

The checkpoints are installed at two points on the main road leading to the complex, and magnetic security gates through which only those holding proper documents may pass, one local source told RFA's Tibetan Service. Residents and visitors are checked through each day after being closely questioned by the guards.

The new restrictions on access to Larung Gar are being applied not just to monks and nuns but also to laypersons, who must show I.D. cards at the checkpoints before being passed through.

2. Control on Tibetan Monastery:

The administrative takeover of Larung Gar by Party officials shows that the government's aim was not merely to reduce population of the settlement. Chinese authorities are also imposing pervasive control and surveillance over every level of activity within religious communities.

The scale of the Communist Party's intervention at Larung Gar is unprecedented. Since October 2011 permanent teams of cadres have been stationed in all monasteries in the Tibet Autonomous Region, the central Tibetan area far to the west of Larung Gar, where they have taken over the management committee of each monastery. There have been reports of similar takeovers of some monasteries in eastern Tibetan areas as well. But none are known to have consisted such large teams of cadres, or to have included cadres even at the lowest levels of monastery management.

The Chinese authorities have imposed new administrative controls on the Tibetan Buddhist monastic center of Larung Gar that infringe upon freedom of religion, said a Human Rights Watch's reports of 24 Jan 2018.

According to an official document obtained by Human Rights Watch, some 200 Communist Party cadres and lay officials are taking over all management, finances, security, admissions, and even the choice of textbooks at the center, following demolitions and expulsions in 2017.

The recent tragic news of the fire breakout on February 17th at the Jokhang temple in Lhasa, the holiest shrine in the Tibetan Buddhist world and also a UNESCO recognized world heritage site, is of great sadness to Tibetans and Buddhists around the world.

There are reports of extensive damage and loss owing to the burning of dozen precious statues, hundreds of artifacts and thangkhas, and murals. Clearly this is an irreplaceable loss of a sacred treasure of an ancient Tibetan civilization. Now, even after a fortnight, the authorities' refusal to clarify the cause of the fire and the damage that it has caused is disturbing and raises more questions.

We therefore urge UNESCO to send UN officials to investigate into the matter and send journalists into Tibet for an independent investigation.

3. Spate of Self-Immolation Protests: Latest on 07th March 2018

Since 2009, 152 Tibetans have self-immolated in Tibet. 130 of them have died on the spot or shortly thereafter. The latest tragedy happened on 07th March 2018. Tsekho Tukcha in Ngaba died on the site where he set himself on fire. The 40 years old husband left a daughter, his wife and his mother behind. The whereabouts and conditions of the surviving self-immolators remain unknown. All the self-immolators have called for "freedom in Tibet" and the "return of His Holiness the Dalai Lama to Tibet". However, instead of addressing the underlying grievances of Tibetans, the Chinese authorities have responded to these self-immolations with further repressive policies by tightening restrictions in Tibetan areas and

dismissing the self-immolations as an "act of terrorism", while criminalizing partners, spouses, friends and relatives of the self-immolators, as a preventative measure.

Till date, we have more than 50 known cases of Tibetans who have been sentenced to varying prison terms from one to up to 15 years under the alleged link with self-immolation protests. In one case, the husband of a self-immolator was given a death sentence. Chinese authorities accused Dolma Kyab of killing his wife Kunchok Wangmo who self-immolated on 13 March 2013 to protest against China's rule of Tibet. China's prosecutions of Tibetans in response to the self-immolation protests, which China thinks is a preventive measure to stop the self-immolation protest is actually, in a way compelling Tibetans to stage more tragic protests, including the self-immolation protests.

4. Freedom of Expression and Movement

The right to freedom of expression remained extremely restricted due to the introduction and enforcement of new and existing laws in the name of fighting terrorism, securing the Internet, and protecting state security. PRC authorities systematically exploited vague and over-broad legal definitions in the state secrets legal framework to carry out abusive, political prosecutions against those peacefully expressing their views or sharing information from inside Tibet. Self-immolation and solo peaceful protests, which are symptomatic of fast shrinking space for free expression in Tibet, are punished as criminal offences. With the extension of a mass surveillance program, freedom of opinion and expression are subjected to further restrictions forcing Tibetans to resort to unprecedented levels of self-censorship.

The right to freedom of movement was also systematically violated with the imposition of explicit restrictions such as local directives prohibiting overseas travel, passport confiscations, and issuing of threats and intimidations to Tibetans in Tibet. The PRC treated the right to travel including the right to obtain passport as a privilege granted by the government rather than a fundamental human right. The plethora of new and existing restrictions on passports and travel including restrictions on movement within Tibet has turned Tibet into "a giant open prison". The violation of the right to freedom of movement has enabled violations of the rights to freedom of religion, liberty and security and adequate housing. Forced evictions and displacement of Tibetan religious practitioners violate their right to practice their culture and religion with other members of their community.

In November 2017, the National People's Congress Standing Committee passed a cyber security law that further strengthened the legal mechanisms available for security agencies to survey and control content online. Some observers noted that provisions of the law, such as Article 12, could disproportionately affect Tibetans and other ethnic minorities in China. Article 12 criminalizes the use of the internet to commit a wide range of ill-defined crimes of a political nature, such as "harming national security," "damaging national unity," "propagating extremism," "inciting ethnic hatred," "disturbing social order," and "harming the public interest." The law also codifies the practice of large-scale internet network shutdowns in response to "major [public] security incidents," which public security authorities in Tibetan areas have done for years without a clear basis in law. A work conference held in Lhasa on 8 November 2017 urged the TAR and other provinces with Tibetan areas to step up coordination in the management of the internet.

5. Environmental Destruction:

Although PRC ratified the Paris climate change agreement, accelerated economic development is threatening the fragile environment, livelihood and food security of millions of Tibetans. Numerous mining sites and hydro-dams are already becoming operational in Tibet, and more similar projects have been announced in the PRC's 13th Five-Year Plan. Although PRC's revised Environmental Protection Law (EPL) provides greater public participation in environmental affairs, it means little for Tibetans in Tibet where civil society is non-existent and environmental activists are routinely jailed on politicized charges. The PRC's flawed understanding of the right to development became obvious again in its December 2016 white paper on development that attempted to expound human rights in aspirational terms and rejected the universality and indivisibility of human rights. It prioritized 'right to development' as a precondition for enjoyment of civil

and political rights by stating that economic development is the top priority for the PRC and the key to resolving all other problems. This clearly contradicts the intentioned meaning of the UN Declaration on the Right to Development which asserts the importance of environment and self-determination including the people's "inalienable right to full sovereignty over all their natural wealth and resources."

In its 13th FYP, the PRC announced plans to build more hydro dams despite the fact that rapid population growth, industrialization, and deteriorating water sources, have long threatened water availability and food security of millions living in countries downstream. Many of Asia's rivers are dependent on seasonal melting of Tibetan glaciers. The current rate of glacial melt in Tibet is seven percent annually. It is estimated that two-thirds of Tibetan glaciers will be gone by 2050, causing serious social and environmental consequences. Although water supply in some rivers will increase in the short term due to glacial melt, this will only last as long as the glaciers do.

6. Tibet needs Dialogue:

It has been the consistent position of His Holiness the Dalai Lama that the question of Tibet must be resolved peacefully through dialogue with the best interest of the Tibetan people in mind. Over many years His Holiness did his best to engage the Chinese leadership in an honest dialogue. Unfortunately, a lack of political will and vision on the part of the Chinese leadership resulted in their failure to reciprocate the numerous initiatives of His Holiness. Finally, in August 1993 the Tibetan leadership's formal contact with the Chinese government came to an end.

The Sino-Tibetan dialogue resumed in 2002 in a bid to consider prospects of "genuine" autonomy for Tibet as called by the Dalai Lama, but it got stalled in 2010 without any breakthrough after nine formal rounds of discussion and one informal meeting.

During the seventh round of talks in Beijing on 1 and 2 July 2008, the Vice Chairman of the Chinese People's Political Consultative Conference and the Minister of the Central United Front Work Department, Mr. Du Qinglin, explicitly invited suggestions from His Holiness the Dalai Lama for the stability and development of Tibet. The Executive Vice Minister of the Central United Front Work Department, Mr. Zhu Weiqun, further said they would like to hear the views on the degree or form of autonomy that Tibetans are seeking as well as on all aspects of regional autonomy within the scope of the Constitution of the PRC

Accordingly, the memorandum puts forth our position on genuine autonomy and how the specific needs of the Tibetan nationality for autonomy and self-government can be met through application of the principles on autonomy of the Constitution of the People's Republic of China, as we understand them. On this basis, His Holiness the Dalai Lama is confident that the basic needs of the Tibetan nationality can be met through genuine autonomy within the PRC.

The essence of the Middle Way Approach is to secure genuine autonomy for the Tibetan people within the scope of the Constitution of the PRC. This is of mutual benefit and based on the long-term interest of both the Tibetan and Chinese people. We remain firmly committed not to seek separation or independence. We are seeking a solution to the Tibetan problem through genuine autonomy, which is compatible with the principles on autonomy in the Constitution of the People's Republic of China (PRC). The protection and development of the unique Tibetan identity in all its aspects serves the larger interest of humanity in general and those of the Tibetan and Chinese people in particular.

But none of the Tibetan leader's proposals seeking Genuine Autonomy through Middle Way Approach has been taken up or accepted by the Chinese side in the negotiations, including an upfront call for a face-to-face meeting between the Dalai Lama and the Chinese leadership.

The case of Tibet is urgent and dramatic. It needs the immediate attention of the international community. The international community needs to send a strong message of hope and solidarity to Tibetans in Tibet. A

message that will give them hope, inspiration and courage in a situation of deep despair and that helps in persuading them to refrain from such desperate acts of protest.

In conclusion, we call upon the members of the United Nations Human Rights Council to urge China:

- To resume dialogue with representatives of His Holiness the Dalai Lama without any pre-condition,
- To end all its repressive policies and practices in Tibet that drive Tibetans into to resort to tragic act of self-immolation protests,
- To urge China to allow Tibetans to use Tibetan language in schools and facilitate Tibetan students to learn the Tibetan language,
- To provide verifiable and genuine information on the whereabouts and well-being of Gedhun Choekyi Nyima and his family.
- To allow UN human rights mandate holders and experts to visit Tibet.

We earnestly urge your Excellency to use your good office to help protect and secure the lives of Tibetan people who are determined to sacrifice their lives for basic human rights.

Your consistent support and concern is the only hope for a nationality whose identity is on the verge of extinction from this world under the Chinese communist rule.

With high regards and respect,



Tenzin Nyingbu
President of Tibetan Community in Switzerland and Liechtenstein (TCSL)



Thomas Büchli
President of Swiss-Tibetan Friendship Association (STFA)

In the name of all Organizations of the “Europe stands with Tibet” - rally on 10.03.2018 in Geneva:

All Tibetan Communities in Europe
International Campaign for Tibet, European Branch (ICT)
Tibetan Youth Association in Europe (TYAE)
Tibetan Women's Association in Switzerland (TWAS)

Copy forwarded to:

1. All the Permanent Missions to the United Nations in Geneva
2. Non-Governmental Organizations

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