

Statement on the UPR Pre-session on China

Of Lhadon Tethong
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This statement is delivered on behalf of Tibet Advocacy Coalition, along with over 120 International Tibet Network Member Groups from over 50 countries.

This submission sets out some of our key concerns and recommendations related to the Government of China's continued failure to implement previous UPR recommendations and uphold its international human rights obligations as it affects the Tibetan people. The issues below are not an exhaustive list.

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ISSUE 1: COOPERATION WITH UN MECHANISMS

Luxembourg recommended for the Chinese government to "Strengthen cooperation with the Office of the United Nations High Commissioner for Human Rights and the special procedures" while Poland recommended that China "Respond positively to the invitation addressed to it by the Special Rapporteur on freedom of religion or belief".

The abject failure of the Chinese government to cooperate with the UN has led to a serious deterioration of the human rights situation in Tibet.

As of today, there are at least 25 outstanding visit requests to China by UN experts, some of which have been outstanding for over 15 years.

The last UN expert to visit Tibet was the former Special Rapporteur on Torture in 2006.

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The last UN High Commissioner to visit Tibet was over 25 years ago.

The situation has reached such a level of severity that in June 2022, over 50 UN experts urged China to cooperate fully with the UN mechanisms and grant unhindered access to independent experts. They stressed "the urgent need for a complete assessment of the human rights situation... especially in... the Tibet Autonomous Region."

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We recommended that the Chinese government:

- Immediately grant meaningful and unfettered access to Tibet for independent observers, including the UN High Commissioner for Human Rights and his Office, and all relevant special procedure mandate holders.

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ISSUE 2 - RESIDENTIAL SCHOOLS IN TIBET

China accepted at least 13 recommendations related to children's rights in general and noted at least two others, including on ratifying further international legal instruments to promote and protect child rights.

Slovenia's recommendation that China "Ensure access to quality education for all children in line with the Convention on the Rights of the Child" Qatar's to "Make further efforts to provide the right to education for all without discrimination" were both accepted but China has failed to implement them.

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Today at least one million Tibetan children between the ages of six and 18 - have been forcibly separated from their families and are housed in residential boarding schools.

Another 100,000 four- and five-year-old Tibetan children are estimated to be separated from their parents and living in boarding preschools for at least five days in a week.

In these schools, Tibetan children are forbidden from practicing their religion, taught predominantly in Chinese, and subjected to intense political indoctrination.

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Considering this and existential threat this poses to the identity, culture and language of the Tibetan people, we recommended the Chinese government to:

- Immediately abolish the residential boarding school and pre-school system imposed on Tibetan children and authorise the establishment of and subsidise private Tibetan schools.
- Revise the "bilingual education" policy that replaces Tibetan with Chinese as the medium of instruction and ensure that all Tibetan children are able to use Tibetan in every aspect of their schooling.

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ISSUE 3: DENIAL OF FREEDOM OF RELIGION

China accepted 15 recommendations on respecting the rights of freedom of thought, conscience, and religion. Further recommendations to continue to strengthen the

development of laws and systems that protect religious freedom were also accepted as well as a positive response by China to the invitation addressed to it by the Special Rapporteur on freedom of religion or beliefs (Poland).

Recommendations to respect the rights to freedom of religion or belief, opinion and expression, peaceful assembly and culture for Tibetans (Germany) as well as to guarantee the freedom of religion or belief in Tibet (France) were supported by China.

The fact that China noted numerous recommendations related to Tibetans right to freedom of religion, including ceasing interference in the selection and education of religious leaders, such as Tibetan Buddhist lamas (United States of America) ceasing the arbitrary detention of religious minorities (Australia), and ending persecution on the basis of religious belief (Canada) demonstrates China's reluctance to provide Tibetans the freedom of religion rights to which they are guaranteed.

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The request by the Special Rapporteur on Freedom of Religion or Belief has remained outstanding for over 20 years.

Since 2018, China has continued to limit freedom of religion in Tibet including through the implementation of "Management Measures for the Reincarnation of Living Buddhas in Tibetan Buddhism" which seeks to entirely control the Tibetan reincarnation process.

In 2020, five UN experts raised concern that these regulations "undermine, in a discriminatory way, the religious traditions and practices of the Tibetan Buddhist" community.

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Therefore, we recommended that the Chinese government:

- Cease interference in the selection and installation of Tibetan Buddhist leaders, including any future Dalai Lama, which must be determined solely by the Tibetan people, in accordance with international human rights law.
- Immediately repeal the "Measures on the Management of the Reincarnation of Living Buddhas in Tibetan Buddhism" and the "Religious Affairs Regulations of 2017".

We hope the mentioned recommendations will be adopted and implemented in accordance with the Chinese Government's mandate to uphold the rights of the Tibetan people.

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