Violations of the Human Right to Freedom of Religion in Tibet

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Summary: In Tibet today, political control of religion in Tibet is exercised via regulatory restrictions, interference with the selection of religious leaders, a virulent campaign against His Holiness the Dalai Lama, a lack of cooperation with international human rights mechanisms, crackdown on dissent, and limitations on the study and practice of Tibetan Buddhism.
Introduction

Religious persecution in Tibet is not simply a matter of ethnic or religious conflict or even of discrimination by a majority against its minorities. Religious persecution in Tibet is a politically motivated and consciously constructed policy implemented with the idea that it might be possible to undermine the distinctiveness of the Tibetan culture and to thereby curb dissent.

In Tibet today, political control of religion is exercised via regulatory restrictions, interference with the selection of religious leaders, a virulent campaign against His Holiness the Dalai Lama, a lack of cooperation with international human rights mechanisms, a crackdown on dissent, and limitations on the study and daily practice of Tibetan Buddhism.

Regulatory restrictions

After the Dalai Lama was forced into exile in 1959, Chinese forces targeted their attacks on the monastic institutions that formed the core of Tibetan society and culture. By 1966, eighty percent of Tibet’s monasteries had been destroyed and looted. Only an estimated 6,900 of 115,600 monks and nuns remained in their institutions of religious practice.¹

In 1994, China’s third “National Forum on Work in Tibet” called for new strategies to decrease the impact of religion and culture on the Tibetan national identity.² Denunciation of the Dalai Lama became the primary marker of loyalty to the motherland. Refusal to sign affidavits denouncing the Dalai Lama led to the expulsions of monks and nuns from monastic institutions. An official ban on the public display of pictures of the Dalai Lama soon came into effect. By 1996, the ban had been extended to temples and monasteries and the so-called “Patriotic Education Campaign” was fully underway. Political teams were sent into monasteries and nunneries throughout Tibet often accompanied by armed police. The assault on religious freedom has continued unabated since the third work forum, with repeated “strike hard” campaigns and a series of measures designed to render the transmission of religious philosophy and practice impossible.

In 2012, the Central Government launched a new initiative designed to take over management of Buddhist institutions in Tibetan areas including through the adoption of control regulations, creation of an oversight bureaucracy (Monastery Management Committees that were established in each monastery of the Tibet Autonomous Region in February 2012), and the launch of “theological institute” mandated in part “to resist the Dalai Clique”. Nine of the ten Tibetan autonomous regions in China issued edicts to subordinate internal Tibetan Buddhist affairs to central government regulation, including by giving the

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¹ Religious Intolerance & Persecution in Tibet, Prof. Ronald Schwartz, Canada Tibet Committee, 1999
government the power to arbitrarily remove monks and nuns from their places of worship, to limit the number of monks and nuns within each monastery, and to demand political allegiance to Beijing.³

**Interference in the selection of religious leaders**

On May 15, 1995, the Dalai Lama named 6 year-old Gendhun Choekyi Nyima as the 11th Panchen Lama. On May 17, 1995, Chinese authorities abducted the child and his family. No charges have been disclosed and no trial is known to have taken place. China has admitted holding the Panchen Lama on numerous occasions including at the United Nations.⁴ Yet, despite repeated requests from UN special procedures and world governments, including Canada, there is still no information as to the whereabouts or safety of the Panchen Lama.⁵

In July 2007, China’s State Religious Affair Bureau issued its Order No.5 which was a set of "management measures for the reincarnation of Living Buddhas in Tibetan Buddhism." The regulations put forward conditions under which reincarnated lamas (Tulkus) could be recognized, including a requirement of government approval.⁶

In November 2015, Zhu Weiqun, chairman of the ethnic and religious affairs committee of the top advisory body to China’s parliament, reiterated a long-stated position that only the Chinese state could confirm the next Dalai Lama saying that the Dalai Lama’s succession "...is first and foremost an important political matter in Tibet and an important manifestation of the Chinese central government's sovereignty over Tibet".⁷

In 2016, China issued a list of more than 800 “approved” reincarnated lamas. The move was viewed by Tibetans as a direct challenge to the very idea of religious freedom and an effort to exert more control over the transmission of Buddhist teachings and management of religious institutions.

**Virulent campaign against the Dalai Lama**

The Government of China has long referred to the Dalai Lama as a “splittist”, “separatist”, or “wolf in monk’s clothing”. Efforts to denigrate his reputation as a religious leader and advocate of peace extend far beyond the borders of Tibet to India where he lives in exile, or to any country where he travels.

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³ Tibetan Monasteries Placed Under Direct Rule, Human Rights Watch, March 16, 2012
https://www.hrw.org/news/2012/03/16/china-tibetan-monasteries-placed-under-direct-rule

⁴ For example, see report of the Committee on the Rights of the Child Sixty-fourth session, Summary record of the 1834th meeting, Geneva, 27 September 2013, at 10 a.m. CRC/C/SR.1834

⁵ Government of Canada response to parliamentary e-petition E-431, October 31, 2016,


⁷ China sticks to right to decide reincarnation of Dalai Lama, Reuters, November 30, 2015
http://www.reuters.com/article/us-china-tibet-idUSKBN0TJ0LN20151130
It is long-standing policy for Chinese officials to launch protests whenever the Dalai Lama meets with world leaders, parliamentarians, or when he speaks at international events. China commonly defends it protests as based on the principle of “non-interference in internal affairs”. In just one example, when the Dalai Lama was welcomed to Mongolia in 2016 – a predominantly Buddhist country - China reacted by imposing fees on commodity imports from Mongolia, charging additional transit costs on goods passing through the border into China. Mongolia’s foreign minister quickly announced that the Dalai Lama would not be invited back to his country.\(^8\)

In Canada, where the Dalai Lama was awarded honourary citizenship, the Chinese Embassy has actively distributed printed materials claiming that he “organized armed forces and engaged in terrorist activities”.\(^9\) China’s characterization of the Dalai Lama as a terrorist was repeated in 2015 in an article published by the state-run Global Times which quoted Zhu Weiqun as saying that the Dalai Lama sympathized with ISIS.\(^10\)

In 2015, Reuters exposed the role played by China’s Communist Party in supporting a Buddhist sect known as Dorje Shugden. Supporters of Dorje Shugden had sponsored campaigns and rallies in western countries whenever the Dalai Lama visited accusing him of being “fake” and a “liar”. A prominent former member of the sect, who was based in India and Nepal, revealed to Reuters that he had been paid by China’s Communist Party to coordinate the anti-Dalai Lama activities in cooperation with Chinese counterparts facilitated via a special-operations unit, the United Front Work Department.\(^11\) The protest activities have since ceased.

Efforts to vilify the Dalai Lama include heavy penalties levied against Tibetans attempting to receive his religious teachings. For example, Tibetans returning from the Kalachakra teaching in India in 2012 were detained by police upon return and forced to undergo “patriotic education”. Some were imprisoned or subjected to hard labor. All had their passports confiscated.\(^12\)

The experience was repeated in 2017, when the Dalai Lama again offered the Kalachakra teaching in India. This time, in addition to confiscating passports or blocking passenger air travel, online restrictions limited access to the teachings via the Internet for fear of retaliation and punishment by authorities.\(^13\)

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\(^13\) Tibetans blocked from Kalachakra at borders and on WeChat, Monk Centre University of Toronto, January 10, 2017, https://citizenlab.org/2017/01/tibetans-blocked-from-kalachakra-at-borders-and-on-wechat/
Lack of cooperation with international human rights mechanisms

Over the years, numerous UN mechanisms have raised concerns about the denial of religious freedom in Tibet including the Special Rapporteur on Religious Intolerance (who visited Tibet in 1994), the Committee on the Elimination of Racial Discrimination, the Committee on the Rights of the Child, the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, the Special Rapporteur on the Right to Freedom of Opinion and Expression, the Working Group on Enforced or Involuntary Disappearances, the Working Group on Arbitrary Detention, and the Independent Expert on Minority Issues. Their efforts have not brought religious freedom to Tibet.

During China’s first Universal Periodic Review (UPR) in 2008, Canada recommended that China “respond positively to outstanding requests made by several United Nations Special Procedures, including the Special Rapporteur on Freedom of Religion or Belief, to visit China”. Although the Rapporteur had been officially invited to visit China in 2004, he never received final approval for his visit.

During China’s second cycle UPR in 2013, China accepted a recommendation by Switzerland that the UN High Commissioner for Human Rights and Special Rapporteur on Freedom of Religion or Belief be invited to visit China including with side visits to Tibet. Neither of those visits has yet taken place. China’s third cycle UPR is scheduled to take place in 2018.

Crackdown on dissent

In 2008, a wave of renewed protests spread across the Tibetan plateau. While the protests aired a number of concerns including the denial of political rights, demonstrators also called for religious freedom and the return of their spiritual leader His Holiness the Dalai Lama to Tibet. Several hundred of the monks, nuns, and lay Tibetans arrested during the 2008 uprising remain in detention today or their whereabouts are unknown.

China’s harsh crackdown following the 2008 uprising, including an information black-out and an expanded re-education campaign, gave way to a new form of protest in Tibet – self-immolation. Since 2009, at least 147 self-immolation protests have been confirmed, the most recent in March 2017. Self-immolators called for freedom and the return of the Dalai Lama to Tibet. Authorities responded by criminalizing the act of self-immolation and detaining family members, colleagues or friends as co-conspirators.

In 2013, new restrictions were imposed on the use of communications technology in Tibet, placing those who transmit information to India or other countries, at risk of detention or arrest.

Once detained in Tibet, access to justice falls short of international standards in many respects. For example, prisoners may be detained without charge for lengthy periods of time. They are not protected by rules prohibiting the use of evidence gathered through illegal means such as torture. The right to remain silent does not exist. There are virtually no remedies for violations of defendant rights. It is difficult to obtain access to a lawyer especially in politically-sensitive cases, court proceedings lack transparency, and judges are not independent.

CASE STUDY: Demolitions and Evictions at Larung Gar Buddhist Institute

Larung Gar is a religious study community located in Serthar (Chinese: Seda), Kardze (Chinese: Ganzi) Tibetan Autonomous Prefecture, Sichuan (the Tibetan area of Kham). It was founded by the late Khenpo Jigme Phuntsok in 1980 and quickly became an important center of learning, practice, and promotion of Buddhist teachings which were otherwise difficult to access in regular monasteries and nunneries due to government restrictions. In 2015, there were an estimated 10,000 residents at Larung Gar.

In June 2016, the Serthar county government issued an order following the 6th Central Government Tibetan Areas Work Conference, and National Religious Affairs meeting. The order stated that all but 5000 residents at Larung Gar would be evicted and that their homes would be demolished before September 30, 2017. Thereafter, the institute would be prohibited from hosting more than 5000 residents.¹⁷

This was not the first time that the institute had been subjected to such restrictions. In 2002, video reached the outside world showing workers demolishing homes at Larung Gar, sometimes with elderly residents still inside them. Eventually more than a thousand homes were demolished.¹⁸

In July 2016, as local authorities began implementing the Serthar county order, images circulated on social media showing bulldozers demolishing wooden buildings with monks standing in the rubble. The Tibetan lamas in charge of the institute, urged calm in the face of the demolitions reportedly advising residents to continue with their studies and to focus on their studies rather than the destruction of physical dwellings.¹⁹

Armed security forces were stationed at the work site and in nearby areas. Authorities warned residents that attempts to protest or resist would be met with arrests and incarceration. In addition, a clamp-down was imposed on telephone calls and messages sent via social media from the area. Local authorities

actively sought out individuals who may have sent images of leveled dwellings and other structures to outside contacts, according to sources quoted by Radio Free Asia.20

Residents at a second Tibetan Buddhist institution, Yachen Gar in Pelyul (Ch: Beiyu) in Kardze, also came under threat as the demolitions at Larung Gar continued. Up to a 1000 religious practitioners were forced to leave Yachen Gar following an order issued to family members by officials from the Tibet Autonomous Region (TAR), warning there would be severe consequences for those who did not recall their relatives from studying at the two religious institutes.21

Government authorities responded to international criticism and community appeals to stop the demolitions by claiming that the action was a ‘construction development’ and part of a process of “accelerated urbanization” towards “a more orderly, beautiful, secure and peaceful land.”22 It does appear, in fact, that Kardze prefectoral authorities have intensified efforts to attract investment and develop tourism in the area according to numerous sources.23 In 2016, China invited several foreign delegations on propaganda visits to the region, including an official tour by diplomats from Canada as well as from Germany, Poland and the UK, presumably in an effort to encourage investment in Tibet’s “cultural industries”.24

The demolitions and evictions led to at least three suicides. In July 2016, the Tibetan service of Radio Free Asia reported that 20 year-old Rinzin Dolma hanged herself as Chinese work crews began to tear down monks’ and nuns’ houses. On August 17, 2017, Tsering Dolma, also age 20, from Ngaba (Ch: Aba) left a note to say that she had hanged herself “when she could no longer bear the pain of seeing the destruction of Larung Gar”. A nun named Semga, a native of Dowa village in Ngaba’s Dzamthang County, also killed herself, though details on how and when she died are not known. A fourth nun attempted suicide “though others intervened in time and saved her.” 25

There is little information about what happened to the evictees but many were reportedly forced to return to their place of birth rather than their current family residence. In November 2016, images circulated on social media depicting the “re-education” of evictees from Larung Gar. The images depict nuns forced to dance on stage (in contravention of religious vows) and others dressed in military-styled clothing while singing patriotic songs.26 Human Rights Watch characterized such degrading treatment as a violation of

26 For example, see https://www.facebook.com/robbie.barnett.14
the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which China is a party.\(^27\)

On March 12, 2017, new orders were issued to re-start the evictions and demolitions at Larung Gar following the winter break. The plan called for an accelerated pace including the demolition of 3,225 homes before the end of April 2017. Authorities warned that non-cooperation would result in destruction of the entire community. On March 16, 2017, a senior abbot at Larung Gar reportedly confirmed that more than 4800 residents have now been evicted with approximately 250 still to leave as the final demolitions take place.\(^28\)

- **International appeals to the Government of China go unanswered**

On October 27, 2016, International Religious Freedom Day, the UK All-Party Parliamentary Group for Tibet issued a statement expressing its deep concern over China's crackdown at Buddhist institutes in eastern Tibet, urging the Chinese government to halt the expulsions and demolitions at Larung Gar and Yachen Gar, and calling on the UK government to raise its concerns with China and make a public statement.

In a letter to the Chinese Ambassador to the United States, Cui Tiankai, dated October 19, 2016, Co-Chairs of the United State Congress’ Tom Lantos Human Rights Commission, Representatives James P. McGovern and Joseph R. Pitts condemned violations of religious freedom in Tibet and urged China to reverse its policies at Larung Gar.\(^29\)

On November 7, 2016, six independent United Nations human rights experts wrote directly to Chinese authorities expressing their “deep concern” about the serious cultural and religious repression in Tibet. The statement asked the government to provide information about the legal grounds for the demolitions and expulsions, and what steps had been taken to resettle or rehouse those made homeless. In conclusion, the UN experts stated that actions taken at Larung Gar and Yangchen Gar “seem to be concerted attacks on tangible and intangible cultural heritage, which constitute serious violations of cultural rights of current and future generations.”\(^30\) Although according to the UN, China responded to the letter in December 2016, the response has not been made public.


\(^{30}\) Karima Bennoune, Special Rapporteur in the field of cultural rights; John H. Knox, Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment; Maina Kiai, Special Rapporteur on the rights to freedom of peaceful assembly and of association; Leilani Farha, Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; Rita Izsák-Ndiaye, Special Rapporteur on minority issues; Ahmed Shaheed, Special Rapporteur on freedom of religion or belief. Full Communication can be read at: [https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=22816](https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=22816)
On December 15, 2016, the European Parliament passed a joint urgency resolution calling upon Chinese authorities to “stop the demolition of Larung Gar and the eviction of its residents”.  

- **Canadians appeals to the Government of Canada on behalf of Larung Gar**

In August 2016 Canadian MP Arif Virani, who chairs the Parliamentary Friends of Tibet, issued a public statement of concern about the demolitions at Larung Gar saying he was “devastated” to learn of them and that he prayed for the well-being of those who had been evicted. His statement was followed by an International Day of Action in October when Canadians held vigils and rallies in cities across Canada.\(^{32}\)

On November 23, 2016, the head of the Central Tibetan Administration based in India, Sikyong Dr. Lobsang Sangay, appeared before Canada’s Subcommittee on International Human Rights to update Members of Parliament on the human rights situation in Tibet. During his appearance, Sangay appealed for Canadian action to end the destruction at Larung Gar.\(^{33}\)

Subsequently, on December 12, 2016, the Canada Tibet Committee appealed to then Minister of Foreign Affairs, Stephane Dion in a letter marking International Human Rights Day. In the letter the CTC reiterated Dr. Sangay’s request for Canadian action in defence of religious freedom in Tibet and to end the violations of human rights at Larung Gar.\(^{34}\)

#StandWithLarungGar

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**RECOMMENDATIONS:**

1. The Government of Canada should make a public statement expressing its concern over demolitions and evictions at Larung Gar, and seeking assurances from the Government of China that individuals who have been evicted have been compensated and enjoy full rights to freely practice their religion.

2. In preparation for China’s 3\(^{rd}\) cycle UPR, the Government of Canada should urge China to confirm a visit to Tibet by the UN High Commissioner of Human Rights and the Special Rapporteur on Freedom of Religion or Belief as per its commitment made during the 2\(^{nd}\) cycle UPR in 2013.

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3. The Government of Canada should re-assert its long-standing commitment to the Dalai Lama as an honorary citizen of Canada, Nobel Laureate, and religious leader for Buddhists worldwide, particularly during his upcoming visit to Canada in October 2017.

4. The Government of Canada should seek immediate permission for a diplomatic delegation to visit Gendhun Choekyi Nyima, the Panchen Lama, in order ascertain his whereabouts and well-being.

5. The Government of Canada should take steps to monitor and document violations of religious freedom in Tibet and report specific areas of concern annually to the Parliamentary Subcommittee on Human Rights.

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The Canada Tibet Committee (CTC) is a federally-registered, non-governmental organization founded in 1987 and based in Montreal, Quebec. The CTC defends and promotes human rights and democratic freedoms of the Tibetan people. The CTC monitors developments inside Tibet and builds public awareness in Canada through its outreach activities. The CTC encourages support for Tibet from the Government of Canada.