A sentence in CERD/C/179/Add.1 that clearly exemplifies the conceptual attitude underlying discrimination against non-Chinese peoples in the PRC is the first sentence in paragraph 11: "Owing to historical and environmental conditions, the minority areas of China are relatively more backward."

ARTICLE 2

Paragraph 8 refers to "solidarity and mutual assistance": Tibetans claim this is a façade to divert jobs and resources in Tibet for the benefit of immigrant Chinese and the Chinese authorities.

Paragraph 8 refers to "sabotaging ethnic cohesion". As the topic is discrimination, is it unreasonable to plead for respect for ethnic diversity?

Paragraph 16 states that in 1980, infrastructure investment in Tibet increased 57% over 1988. In this connection it is worth mentioning that the old Tibetan heart of Lhasa is being torn down and rebuilt without the consent of the previous occupants, at least partly to accommodate large vehicles in the previously narrow streets. This small area now boasts three police stations: the roof of the tallest dominates the entire neighborhood and is continuously manned by armed guards.

On the road between Shigatse and Lhasa, a long tunnel is being built for a hydroelectricity project. The road itself has been upgraded considerably and a large camp is being built by armed troops. This project was not approved by the late Panchen Lama (previously China's seniormost Tibetan official), who had many objections to it.

In paragraph 17, State support and aid to Tibet is put at 15.97 billion yuan since the early 1950s. When attempting to cover the same point in CERD/C/153/Add.2, conservative estimates of the resources derived from Tibet by China in the same period included 200 billion yuan from timber, 80 billion yuan from art and religious artefacts sold abroad, 28 million yuan in 1987 alone from iron, borax and gold extracted in a single region of Tibet (Ngari) plus the hard-currency income from tourism. Even if these generally accepted estimates were halved and income from minerals, uranium and tourism left out, they still represent ten times the figure advanced by the PRC as "State support and aid to Tibet". Shortly before his sudden death in January 1990, the Panchen Lama spoke out forcefully about the Chinese presence in Tibet, saying that whatever development may have accrued, the price had been too high.
Paragraph 18 refers to a special sum of 100,000 yuan for "universal elementary education", 54% of which is shared among eight areas, including Tibet. This works out at about 7000 yuan or 1500 US$ a year for Tibet.

In paragraph 20, it is difficult to see how production figures can be advanced for 1949, when entire areas the size of Tibet (over two million sq. km.) were not yet part of China and the P.R.C. itself was just emerging from a civil war. In 1950, Tibetan lay students in Lhasa and in the main towns throughout Tibet attended public and private schools while all young monks were taught to read and write and many went on to become great learned masters of Buddhist philosophy and psychology.

In 1990, very few young Tibetans in Tibet are taught either Tibetan or Chinese really well. Young adult refugees, recently arrived in India, spend a full year studying Tibetan and acquiring general knowledge before they can follow classes at the medical school or in the monasteries. It seems that only the sons and daughters of cadres admitted to the best Lhasa schools, some of the children sent to China and the very few already living in China are likely to get get a real education. It would be interesting to have a genuine basis for comparing the educational level of Tibetans before and after the Chinese occupation.

The health care situation is not clear, as most of the population of Tibet is rural and claims to receive little if any benefit. Urban Tibetans also complain of segregated facilities, discriminatory treatment and numerous, very serious irregularities and medical malpractices such as being used as experimental subjects, being treated by unqualified technicians, being forced to submit to undesired interventions, etc. in addition to being charged high fees for whatever service is provided when it is advertised as being free of charge.

ARTICLE 4

Paragraph 48: see first sentence of paragraph 11.

Shortly before his last visit to Tibet, the Panchen Lama is said to have spoken out in Peking about the "intense religious oppression occurring while the government claims to be safeguarding constitutional guarantees of religious freedom".

ARTICLE 5

d) other civil rights

i) freedom of movement:

The following restrictions existed long before the imposition of martial law in March 1989, but were not always applied as strictly as they are now, despite the official lifting of martial law.
Ordinary Tibetans who are not Lhasa residents may not visit Lhasa without obtaining passes from three different local authorities and a permit from the Lhasa authorities known as the "Blue book", for a fee of one yuan a day (average monthly income of a rural Tibetan: 20 yuan). House to house searches are still being conducted to find and expell unauthorized residents. During martial law, regulations were far more strict, and thousands of people were trucked away, supposedly to their area of origin.

Lhasa resident Tibetans may visit anywhere in Tibet except within what is known as the "border area". "Border Travel Permits" issued by the main People's Armed Police headquarters are sometimes delivered for a cash deposit of 20 to 50 yuan. In May 1990, much distress was caused to religious pilgrims from all over Tibet who converged on Mount Kailas for a ceremony held only once every 12 years. As Buddhism was still banned in 1978 and 1966, the pilgrimage has not been held freely since 1954. Pilgrims now require four stamps, from the Religious Bureau (Chinese), the provincial authority, the district and the neighborhood committees.

Tibetan pilgrims visiting Lhasa get temporary registration valid 15 days, whereas arriving all Chinese immediately get permits valid up to three years.

Chinese immigrants get these residence permits (if they want to register) and ration cards automatically. Chinese children, registered or not, get a ration card immediately. If the family of a Chinese settler joins him/her in Tibet, all the members get a ration card without even having to register. Whereas a non-resident Tibetan, even married to a Lhasa resident, cannot obtain a residence permit (registration) and a ration card for Lhasa, except, with difficulty, through "backdoor" connections. One 65 year-old Tibetan man, who came to Lhasa as a child long before the occupation, but who never registered, has recently been expelled and separated from his Lhasa-born wife and children.

Monks now require a pass from the Affairs Unit (las.don.ru.kha.) to visit nearby Lhasa.

ii) the right to leave any country:

26 Tibetans (including several children) who left Tibet in spring 1988 to visit pilgrimage places in Nepal and join monasteries in India were arrested in Kathmandu, kept in jail for three months and examined, interrogated and photographed by Chinese police before being officially handed back to the Chinese at the border. They were roughly handled for several weeks, packed into a truck in Lhasa and told they were being taken to their area of origin within Tibet. Noticing the route taken was not in the direction of their home but to the labour camps in the northeast, 7 re-escaped and found their way to India where they now live. The Chinese authorities claim to have returned all 26 to their homes...(cf W.G. on Disappearances)

Many Tibetans who were turned back at the border have been arrested and held without charge for months and some have been severely
vii) freedom of thought, conscience and religion:

Party members and civil servants are not allowed to profess Buddhism (nor Islam nor Christianity, it seems).

Tibetan Buddhist monks are subjected to novel rules and regulations devised by the Chinese authorities, which often conflict totally with their ancient traditions and preclude serious study and meditation. They are treated particularly harshly in jail and subjected to additional restrictions on movement within Tibet (see (i)).

Novices are selected by a Committee appointed by the authorities, according to non-religious criteria. Since 1987, very few novices have been admitted to the 3 large monasteries and the nunneries in the Lhasa area; hundreds of monks and nuns have been arrested or expelled. Recently, several nunneries were forced to close and the recent expulsion of the more advanced students from the 3 major monasteries provoked the remaining monks to express their frustration and feeling of helplessness by locking up and leaving the monasteries in protest. Chinese pressure has forced them to return and reopen the buildings, but there are not enough senior monks left to hold lessons or debating sessions.

viii) freedom of opinion and expression:

Since 1987, countless peaceful demonstrations, large and small, have been repressed with growing brutality. According to General Zhang Shaozong, addressing the National People's Congress about military affairs in the Tibet area, there had been 600 casualties in these incidents by February 1989. The death toll has risen considerably since then, but reliable figures are not available. Among the hundreds imprisoned for their opinions:

Ngawang Phulchung and three other monks have received sentences ranging from 17 to 19 years in jail for publishing a political manifesto and leaflets describing the suffering of the Tibetan people.

Tseten Norgye has been arrested for publishing posters and leaflets of a political nature and for possession of a mimeograph machine. He has been blinded as the result of ill-treatment in jail.

Venerable Yulu Dawa Tsering, 57, a lecturer at Lhasa University, was detained in December 1987 for the crime of holding a private conversation about Tibet's history and future prospects with a foreign tourist in his family home. He has been sentenced to 14 years in jail.

A Lhasa school teacher has been arrested for teaching her students a nationalistic song. She has been tortured so badly that she is presently being treated (at her family's expense) in a Lhasa hospital, before returning to jail to serve the rest of her sentence.
Despite the concerns expressed in paragraph 71, six schoolchildren were arrested for writing Free Tibet on the classroom blackboard, one is known to have been sent to labour camp for an unspecified period of time while the others were "awaiting trial".

ix) freedom of peaceful assembly and association:

In paragraph 70, reference is made to the celebration in Peking of the 40th anniversary of the Universal Declaration of Human Rights in December 1988. On the same day in Lhasa, the police fired without warning on participants in a peaceful march around the main temple: three monks died on the spot, up to 15 are said to have died later and a Dutch tourist was among the many onlookers wounded by stray bullets.

Even one of the most common and popular rituals, the "gsang.gsol." which involves joining in public for prayers and then briefly throwing a pinch of barley flour in the air at the end has been officially banned by the authorities as "a political act".

A recent visitor tells of police action to scatter the crowd watching the ritual changing of the banners around the main temple.

In addition to the above examples, public gatherings in Lhasa (and throughout China since Tiananmen) are now subject to the issuance of permits well in advance. The conditions are impossibly strict. The streets in the Tibetan quarter are watched by armed uniformed and plainclothes police from new permanent watchpoints that have been erected to cover the entire area. Old buildings and small alleyways are being transformed to permit the passage of military-type vehicles.

e) Economic, social, cultural rights:

i) right to work, etc.

Tibetans complain of massive unemployment since Chinese settlers started flocking to Tibet in 1983. All recent testimony describes a dramatically worsening situation since martial law. Nevertheless, the Chinese government continues to advertise its "Giving Assistance to Tibet" program to bring in more Chinese.

Equal pay is seldom given to Tibetans, who also complain of being tricked into working for little or no pay after being promised a reasonable wage (cf Tibet Review July 1990).

Chinese workers in Peking were executed in June 1989 for having formed a free trade union.

iii) right to housing:

Tibetans complain of acute discrimination in this field. Arriving Chinese are given modern accommodation, equipped with light and water for token rents. "a completely furnished apartment with
electricity, heater, etc. at the office staff quarters, very convenient after office night duty" (at the Tibet Television Studios)

After applying for three years, a Tibetan was given accommodation to be shared with another person, whereas all the Chinese had individual housing. In the recently completed building, nearly all units were given to Chinese, even to recent arrivals, whereas the only Tibetans that were accommodated had either been working in the office for 15 years or had excellent "backdoor" connections.

Another Tibetan who has worked for the Chinese government in Nagchu for 18 years, initially shared with four Chinese colleagues who were rapidly moved into individual housing. Only a few years ago he finally obtained a small apartment with no facilities, whereas his colleagues all have modern housing.

Most Tibetans have been living in old, unrestored housing since 1950, without light, water or sewerage, several families having to share the space enjoyed by a single family before the occupation.

Visitors unanimously describe electric wires along the main roads bypassing Tibetan villages entirely. In towns, Tibetans complain of second-rate facilities, electricity being available only at odd hours for the Tibetan quarter, and it is noticeable that Tibetans arriving in India initially leave the lights on all the time out of habit - "not to miss it when it is available".

iv) right to public health, medical care...

Tibetans claim they are discriminated against by getting second-rate service in others, when they are not turned away outright. Medical care is advertised as being "free for Tibetans" but they assert they have to pay high prices if they want medicine or care beyond first aid treatment. Local residents entitled to free treatment are turned away, but patients from government offices (insured) or outside the administrative area are welcomed and made to pay. This is said to be the result of economic competition within the hospital service. Wounded demonstrators have repeatedly been turned away from Chinese facilities.

Nomads deny receiving any health care beyond vaccinations for their children.

A Tibetan doctor interviewed in 1988 states that malnutrition has become endemic among Tibetans since the Chinese arrived and upset their self-sufficient economy. (There were two famines in the 60s, the first in Tibetan history.) He claims that new diseases such as tuberculosis have emerged, brought by the wave of settlers from China. This disease was unknown before, when the people were more healthy and there were hardly any foreigners in Tibet.

Tibetan women claim that they do not get post-operative care when they are aborted or sterilized against their will, "as a lesson". There exists the documented case of a 14 year-old Tibetan girl recently having been compelled to have an abortion as her pregnancy out of
wedlock "offended Chinese morality". It does not offend Tibetan morality, whereas killing does.

v) right to education and training:

This has been covered to some extent above, the main questions being why do children have to be sent to China, why can't there be good schools in Tibet? Why are Tibetan students limited to Tibetan subjects at Lhasa University? Why does every topic in secondary school including the Tibetan language have to be taught through Chinese as a medium? Why can't Tibetans run their own schools (they did so successfully before 1950 and continue to do so in exile)?

Why can't more Tibetans study abroad as easily as Chinese students? Why are they so poorly trained that "Chinese experts" have to be brought in at great cost? Why has a Chinese been sent to Peking by the Lhasa Television Studios to study film dubbing into Tibetan when initially, a Tibetan was quite naturally recommended for the job?

f) access to any place or service...

Tibetans dressed in their traditional clothes are at best not welcome and at worst refused access to Chinese-operated hotels and many offices and public buildings.

Post Offices, prisons, police stations and the administrative offices make a point of requiring Chinese clothing. If Tibetans dressed in traditional clothing enter a Chinese store and try to buy something, they will be completely ignored and even mocked. At Chinese hospitals, they may first be insulted, before getting summary treatment, such as being sent home with some medicine when they require hospitalization.

Ironically, whereas traditionally-dressed Tibetans are refused access to the Lhasa Holiday Inn, the mainly Chinese waitresses are dressed up in the same traditional Tibetan dresses.

ARTICLE 6

In the case of the provisions of Chinese law relevant to Article 6, the situation may well be the same as with respect to victims of torture. At the April 1990 session of the Committee Against Torture, China's report and the introduction made reference to provisions for protection, remedies and reparation, but despite repeated requests by the experts, no actual examples were made available.