



བོད་གྱི་འགྲོ་བ་མིའི་ཐོབ་ཐང་དང་མང་གཞི་འཕེལ་རྒྱས་ལྗོངས་ལྷན་ཁང་།

Tibetan Centre for Human Rights and Democracy

Secretariat of the UN committee against discrimination censors TCHRD report

The Tibetan Centre for Human Rights and Democracy (TCHRD) welcomes the 75th session of the United Nations Committee on the Elimination of Racial Discrimination (CERD). Today, the experts examine the 10th, 11th, 12th and 13th state report of the People's Republic of China (PRC).

While the TCHRD expresses its full faith in the CERD experts, the Centre is disappointed at the selective censorship of non governmental organisation reports by the Secretariat of the CERD serviced by the Office of the High Commissioner for Human Rights (OHCHR). TCHRD's alternate report to the CERD was subjected to conditions to be made public on the official webpage of the CERD. The Secretariat demanded the removal of the phrases "China's occupation of Tibet", which occurs six times in the report, and "cultural genocide" in the concluding paragraph.

The Secretariat's directive is unacceptable to the TCHRD as it deems that not only would it be a tremendous factual error but also acceptance of indirect diktats of the PRC. It is universally accepted that Tibet is a land under foreign occupation and it is also a universally accepted truth that discrimination is inherent in colonized land. The uprising by the Tibetan people in spring 2008 in the so-called "Tibet Autonomous Region" and other Tibetan areas under the present day China clearly revealed that systematic and institutional discrimination is one of the biggest factors behind the uprising. China's occupation of Tibet is at the root cause of the systematic violations of human rights currently taking place in Tibet.

The TCHRD's report focuses on the denial of the following rights on the basis of the racial distinction of Tibetan as a people and as a land; denial of Civil and Political Rights, Environment and Resource Exploitation, Forced Evictions and the survival of the Tibetan nomadic lifestyles and Discrimination in Education. It is interesting to note that while the Secretariat bars the TCHRD report, it ironically published a report by a Chinese government NGO, Research Centre for Ethnic Issues in China, on the official webpage.

The TCHRD considers the directive by the CERD Secretariat as a regression of rights of the civil society groups including the TCHRD. The Centre maintains its position that Tibet is a land under foreign occupation and hence would not be able to comply with the directive. However, the Centre extends its full faith in the CERD experts competence and authority in a just examination of the state party report of the People's Republic of China.

HEAD OFFICE
TOP FLOOR, NARTHANG BUILDING
GANGCHEN KYISHONG
DISTT KANGRA, DHARAMSALA
H.P. 176215 INDIA

PHONE/FAX: +91 1892 223363 / 225874
EMAIL: office@tchrd.org
WEBSITE: www.tchrd.org

PATRON
HIS HOLINESS THE DALAI LAMA

INTERNATIONAL ADVISORY BOARD
BISHOP DESMOND TUTU
JOSE RAMOS HORTA
GEORGE FERNANDES
HARRY WU
MICHAEL C.VAN WALT VAN PRAAG
SULAK SIVARAKSA

"Registered under the Societies Act
21 of 1860 891/96/C/H/RC"

A Briefing Paper Submitted for the

75th session (3 – 28 August 2009) of the

**UNITED NATIONS
COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION**

Submitted By



བོད་རྒྱུ་འགྲོ་བ་མིའི་ཐོབ་ཐང་དང་མང་གཞི་འཕེལ་རྒྱས་ལྟེ་གནས་ཁང་།

Tibetan Centre for Human Rights and Democracy

Top Floor, Narthang Building

Gangchen Kyishong, Dharamsala

H.P.- 176215

TeL +91 1892 223363

Fax: +91 1892 225874

Email: office@tchrd.org

30 June 2009

CONTENT

I	CIVIL AND POLITICAL RIGHTS	4
	1.1 PUBLIC AND POLITICAL REPRESENTATION	5
	1.2 RIGHT TO FREEDOM OF EXPRESSION.....	6
	1.3 DENIAL OF THE RIGHT TO THE RIGHT TO LEAVE ONE'S COUNTRY OR RETURN TO ONE'S COUNTRY	8
	1.4 DENIAL OF THE RIGHT TO FAIR TRIAL	9
	1.5 ARBITRARY ARRESTS AND SENTENCING.....	11
II	ENVIRONMENT AND LAND RESOURCE EXPLOITATION	13
	2.1 The Qinghai- Tibet railroad project: designed to destroy	14
	2.2 Mining projects over the Tibetan plateau	15
	2.3 The hydropower projects.....	17
	2.4 The case of the Tongren Aluminium smelter	18
	2.5 OTHER ENVIRONMENTAL CATASTROPHES.....	19
III	FORCED EVICTIONS AND SURVIVAL OF THE TIBETAN NOMADIC LIFESTYLES	21
	3.1 CHINESE GOVERNMENT'S PROGRAMME FOR THE GANSU PROVINCE	24
	3.2 CHINESE GOVERNMENT'S PROGRAMME FOR THE SICHUAN PROVINCE	24
	3.3 THE ENVIRONMENT DRIVE IN THE TIBET AUTONOMOUS PERFECTURE REGION	25

IV DISCRIMINATION IN EDUCATION..... 26

**4.1 THE ENVIRONMENT DRIVE IN THE TIBET AUTONOMOUS PERFECTURE
REGION..... 26**

4.2 CONTENT OF EDUCATION 28

4.3 DISCRIMINATION AGAINST TIBETAN LANGUAGE..... 29

INTRODUCTION:

The Tibetan Centre for Human Rights and Democracy (TCHRD) submits this briefing paper to the 75th session of the UN Committee on the Elimination of Racial Discrimination on the examination of People's Republic of China's compliance to the International Convention on the Elimination of Racial Discrimination. The TCHRD's report attempts to cover few of the pressing issues concerning the Tibetan people in Tibetan areas in the present day People's Republic of China. The paper focuses on the denial of the following rights on the basis of the racial distinction of Tibetan as a people and as a land; Civil and Political Rights denial, Environment and Resource Exploitation, Forced Evictions and the survival of the Tibetan nomadic lifestyles and Discrimination in Education.

I CIVIL AND POLITICAL RIGHTS**INTRODUCTION**

The International Convention on the Elimination of All Forms of Racial Discrimination guarantees political rights, and other civil and political rights to all members of society of State Parties.

In terms of human rights and civil liberties, the Chinese Constitution guarantees many rights and freedoms such as freedom of speech, freedom of opinion, freedom of religious belief and practice. These give an illusion of formal equality, but due to a grave lack of implementation, it does not translate to substantive equality between Tibetans and the rest of the Chinese population. When Tibetans attempt to exercise their basic human rights and freedom, they are met with repression, are ostracized and tortured.

Furthermore a primary stated goal of the justice system in the TAR is the repression of Tibetan opposition to Chinese rule. A judiciary subservient to Communist Party dictates

results in abuses of human rights in all of China, but in Tibet the problem is particularly severe due to China's campaign against Tibetan nationalism. Many Tibetans, particularly political detainees, are deprived of even elementary safeguards of due process.

1.1 PUBLIC AND POLITICAL REPRESENTATION

In theory, Chinese law provides for Tibetan political representation by establishing a system of local autonomy. In practice these legal provisions are circumvented in ways which deny real autonomy.¹

Since 1949, China has maintained control in Tibet through Tibetan and Chinese Party and government officials. The erosion of the role of Tibetans started before the TAR was established. In the 1950s, the Dalai Lama was given nominal titles in the structures set up by the Chinese authorities, including the Chairmanship of the "Preparatory Committee for the Autonomous Region of Tibet." Following the 1959 uprising, Tibetan involvement in the government was drastically limited and remained nominal. During the 1970s, China continued to transfer many Chinese cadres to Tibet, upon whom they relied heavily to govern Tibet.²

As the Chinese government and Party structures operate on a centralist basis, in which the lower level is subordinate to the higher level, political representation on the local level involves little decision making power. TAR officials are subordinate to the central government, while Tibetan officials in the Autonomous Counties and Prefectures are subordinate to their provincial governments.³

The cardinal rule of governance in China is 'Leadership by the CCP'. Significantly, China's autonomy laws remain silent on the role of 'minorities' in the CCP'. Whereas the 1984 Law

¹ 'China's Tibet', The World's largest remaining Colony, Report of a Fact-Finding Mission and Analyses of Colonialism and Chinese Rule in Tibet, Unrepresented Nations and Peoples Foundation, Geneva, *Chapter 6: Chinese rule in Tibet: establishment, administration and maintenance*, available online at <http://www.tibet.com/1humanrights/Unpo/chap6.html>

² *Ibid*

³ Part 2, annex UN General Assembly Resolution 567.

on Regional Autonomy requires that Tibetans hold positions of authority in the TAR, no such requirement exists with regard to positions in the CCP. The highest, though still nominal, government position in the “TAR” is indeed occupied by a Tibetan, while the “TAR” Party Secretary post has never been occupied by a Tibetan. The official autonomy which Tibetans enjoy on a governmental level is subject to the ultimate, de facto control of the CCP. In sum, the political representation of the Tibetan people, on the local as well as on the central level, is structurally inadequate both in law and in fact, and is nominal at best.

1.2 RIGHT TO FREEDOM OF EXPRESSION

The right to *Peaceful assembly and Association* is a fundamental human right that is further enshrined in the ICERD.⁴ However, in Chinese occupied Tibet, even acts by individuals carrying the Tibetan flag or shouting ‘long live the Dalai Lama’ or people taking to the streets calling for human rights, the release of political prisoners and the right to hold prayers at festivals, are met with immediate, brutal repression.⁵ In early March, a young monk in his twenties set fire to himself while holding an image of the Dalai Lama and a Tibetan flag. He was summarily shot three times by Chinese police and taken away.⁶

The right to freedom of thought, conscience and religion is another right guaranteed by the ICERD.⁷ The testimony of two monks who escaped from the Labrang monastery recently tell tales of further repression and horror in Tibet.⁸ At the Press conference held for the five escaped monks from Labrang Monastery on 18 May 2009 at Tibetan Reception Centre, Dharamsala, K Kelsang Jinpa and Gedhun Gyato who voluntarily engaged and initiated the political protest in Labrang area on 14 March 2008, candidly spoke of their experiences.

⁴ Article 5(d) (viii), ICERD

⁵ Philippa Carrick, *A Letter from Tibet: Blood on the Land of Snow*, Total Politics, vol. 11, April 2009; available online at <<http://www.tbet.ca/en/newsroom/wm/6371>>

⁶ Ibid

⁷ Article 5 (d) (vii)

⁸ Excerpts from the Press conference at Tibetan Reception Centre, Dharamsala, Interviewees: Five monks from Labrang Monastery, Interviewer: Norzin Dolma (Directory of Information and International Relations, Central Tibetan Administration) 18 May 2009

Excerpts from the testimony of Jamyang Jinpa revealed the following, *"We are monks. There is no freedom of religion. The photo of our root guru, His Holiness the Dalai Lama is banned, and we are forced to denounce him. He has been living in exile for the past many decades. The Chinese authorities impose limitation on the monastic populace and place restrictions on religious activities and practice." We witnessed torture, arrest and imprisonment of Tibetans. The Tibetan areas have been overwhelmed with the presence and vigilance of armed police and security personnel. We wanted the international community to know the actual situation inside Tibet. So, we spoke in front of the foreign journalists.*

Jamyang Jinpa recounts, *"Since the invasion and occupation of Tibet by China, massive human rights violation has taken place. Destruction was caused both to Tibetan lives and their property. China had exterminated 1 million Tibetans out of the 6 million Tibetans. Based on our experiences, our resentment against the Chinese government is rooted in our mind. There is absence of freedom of expression. We Tibetans are arrested for merely exercising our freedom of expression."*

Lobsang Gyatso summed up the feelings of all Tibetans when he said, *"It is important that the international community support human rights of Tibetans. All the nations that uphold peace and democracy have been working to better human rights all around the world. But only engaging in naming and shaming of China is not effective. There should be special focus and emphasis on promotion and protection of human rights and fundamental freedom of the Tibetans inside Tibet.*

Political Re Education

More than a hundred monks who held a peaceful candlelit vigil on the first day of Tibetan New Year were taken from the Lutsang monastery for 'study' at an unknown location. The phrase 'taken for study' means that the monks will be taken to a location where they will undergo political education classes.⁹

Since 29 March 2008 Chinese authorities have stepped up the patriotic re-education classes in regions beyond the 'TAR'. Particularly in monasteries all over Tibet, 'Patriotic re-

⁹ Tibet Press Watch, Spring 2009, A publication for the International Campaign for Tibet, available online at < http://72.32.136.41/files/documents/Spring_TPW_2009_final.pdf >

education', was strictly implemented. Over 100 senior officials were sent to various prefectures and countries to lead the patriotic re education campaign.¹⁰

Re-education through labour camps

Another area that entails a deprivation of liberty is the use of the re education through labour system, introduced by the Chinese Government in 1957. In accordance with the Chinese administrative Punishment Law, this system empowers the authorities to arbitrarily arrest and detain individuals without the due process of law.

The United Nations Working Group on Arbitrary Detention has reiterated that any form of deprivation of liberty- including re-education through labour, must be subject to judicial control.¹¹ However, to date no real judicial control is exercised within the procedure to commit someone to re education through labour.¹²

In 2004 a 40,000 square-foot new re education camp became operational in Senge Township in the Ngari County. Eight million Yuan were allocated by the Development Department for the establishment of the camp, which can accommodate approximately two hundred inmates.¹³ The choice of location for the camp is significant, as it is located on the route followed by Tibetans fleeing Tibet and by those returning from India and Nepal.

1.3 DENIAL OF THE RIGHT TO THE RIGHT TO LEAVE ONE'S COUNTRY OR RETURN TO ONE'S COUNTRY

Between 2,000 and 3,000 Tibetans make the dangerous crossing through the Himalayas via Nepal to India each year, seeking refuge after repression in Tibet, simply to be in the presence of the Dalai Lama, or for other personal reasons. Approximately a third are children who are being sent to study in Tibetan exile schools. Many others are monks and nuns seeking a religious education that is not possible in Tibet due to the restrictions

¹⁰ Central Tibetan Administration, *Update on Tibet Protests: 'Updates on Tibet Demonstrations'*, 29 March 2008; available online at <http://www.tibet.net/cn_flash_2008/0308/290308.html>

¹¹ Statement by Working Group on Arbitrary Detention following visit to China, 4th October 2004; available online at <<http://www.unhcr.ch/hurricane/hurricane.nsf/view01/DCE11B1DE1E7D56DBC1256E23002E1FC2?opendocument>>

¹² *Ibid*

¹³ The Tibet Daily, 21 July 2004

imposed in monasteries and nunneries. The crossing over is a dangerous one, as the Chinese have severely restricted the movement of Tibetans out of the country.

In a shocking incident in 2006, a Tibetan nun in her mid twenties was shot dead by Chinese border patrols and at least one other Tibetan may have been killed while on their way into exile in Nepal on the Nangpa pass.¹⁴ Tibetans traveling with the nun were unable to bring her body, with evident wounds from several rounds of bullets, with them because they feared arrest before entering Nepalese territory. Reports also confirmed that up to seven more Tibetans may have been killed after the group was fired upon by Chinese armed personnel. The incident took place on the glaciated Nangpa Pass at 18,753 ft, just a few kilometres west of Mount Cho Oyu, and was witnessed by a number of international mountaineers at advance base camp, who saw Chinese military personnel kneel down, take aim and open fire on the Tibetans, some of whom were children as young as ten.

Tibetans returning from exile, especially highly respected Lamas, are regarded with suspicion by Chinese authorities for their allegiance to the Dalai Lama or for presumed involvement in political activities, which China labels as attempts of 'endangering State security'. Chinese authorities also routinely target students returning to Tibet after completing their education abroad.

Tibetans returning from India are often kept in custody by Chinese authorities in detention centers located at the Nepal-Tibet border. It is quite common for detainees to undergo interrogation sessions that sometimes include beatings and other forms of physical punishment.

1.4 DENIAL OF THE RIGHT TO FAIR TRIAL

In Tibet, individuals accused of political crimes are often denied the right to a fair trial enshrined in the International Bill of Human Rights and the ICERD¹⁵. While China's

¹⁴ Tibetan nun shot dead; other Tibetans feared killed on way to Nepal, International Campaign for Tibet, October 5th, 2006; available online at <<<https://nl.sivertibet.org/news/newsitem.php?id=1030>>>

¹⁵ Article 5 (a)

legislation guarantees citizens' right to receive legal aid¹⁶, in practice, detainees in China are often denied access to legal counsel until the prosecution has concluded the investigation and is ready to go to trial.

By this time, the accused has usually been detained for a long period of time without trial, varying from several months to over a year. Visits by detainee's family members are only allowed once the court's verdict is given and the prisoner is transferred to the facility where he or she is to serve the sentence. Moreover, China's legal system does not provide sufficient safeguards against the use of evidence gathered through illegal means such as by the use of torture.

Also the Chinese legal system does not recognize the principle of 'presumption of innocence enshrined in the UDHR. China has not yet amended the provision which stipulates that no one shall be considered guilty until convicted to clearly stipulate the presumption of innocence until proven guilty.

Since the 50th anniversary of Tibetan occupation, in March 2009, Tibetans continue to 'disappear,' often being taken from their homes in the middle of the night to face extreme brutality in 'black jails.' According to figures given in official statistics, 1200 Tibetans remain unaccounted for since the protests began. The spike in numbers of political prisoners since March 10, 2008, is likely to be the largest increase that has ever occurred in Tibetan areas of the PRC under China's current Constitution and Criminal Law.

To cite the example of Tenzin Delek Rinpoche, a prominent Lama who was involved in social work in favour of the Tibetan community in the Kardze Tibetan Autonomous Prefecture of the Sichuan Province was sentenced to death on December 2nd 2002, after a trial that allegedly fell short of international norms and standards. His sentence was suspended until December 2nd 2004 and he has remained in detention ever since. He was accused of 'causing explosions' and 'inciting the separation of the state', charges he has always denied.¹⁷

¹⁶ 'Regulations on Legal Aid', 2003

¹⁷ For more information see the 'Tenzin Relek Rinpoche Campaign'; available online at <http://www.studentsforafree Tibet.org/section.php?id=35>

His co-accused, Lobsang Dhondup, was executed on January 26th 2003. Numerous and credible reports have referred to serious procedural flaws during Tenzin Delek Rinpoche's closed trial, in particular: violation of the right to a public trial, violation of the right to choose his own lawyer, denial of the right to know and have the opportunity to examine the evidence presented against him in court; as well as incommunicado detention and ill treatment during the pre-trial period.

1.5 ARBITRARY ARRESTS AND SENTENCING

Over the last fifteen years, the United Nations Working Group on Arbitrary Detention has issued 39 opinions covering 208 cases of individuals who have claimed to be arbitrarily detained in China. The UN Working Group found that 180 of those 208 cases indeed contained evidence of arbitrary detention.¹⁸

Kunchok Tsephel Gopey, the editor of the Tibetan website Chomei (The Lamp), which aims to promote Tibetan arts and culture and has enabled young Tibetan poets and artists to express themselves, was arrested in Gannan, in Gansu province, on 26 February 2008. Relatives said the police searched his house and confiscated his computer.

A monk who was jailed for five years said he continues to be monitored in Lhasa. He stated that the police often followed him, and his ID document is routinely checked in Internet cafés and many Tibetan websites are blocked. Tenpa Dhargye, a Tibetan who spent nearly five years in prison, said: "Anyone trying to access a free Tibet website is regarded as a Dalai Lama man and must be ready to end up in prison."

In trials held on 27 October and 7 November 2008, a Lhasa intermediate court convicted a total of seven Tibetans for participating in demonstrations and illegally sending information outside China. They were given jail sentences ranging from eight years to life. One, Wangdue, a former political prisoner who had helped campaign against HIV in Tibet, was

¹⁸ Engaging China on Human Rights: John Kamn remarks to the Brooking Institution

given a life sentence for endangering state security. He had been held incommunicado from 14 March to 7 November by the Lhasa Public Security Bureau.¹⁹

Another, Migmar Dhondup, was given 14 years in prison on the same charge of 'endangering state security.' Phuntsok Dorjee was sentenced to nine years in prison followed by five years of loss of political rights on 'treason' charge for illegally giving information to people outside China. Tsewang Dorjee got eight year in jail on the same charge. Similarly, Sonam Dakpa and Sonam Tseten got 10 years and Yeshe Choedon got 15 years.²⁰

According to the Tibetan Centre for Human Rights and Democracy, an intermediate court in Kardze, a town in Dartsedo county (in Sichuan province), sentenced Ludrub Phuntsok, a 23-year-old monk and editor from Ngaba (Sichuan), to 13 years in prison on 23 October on a charge of "endangering state security." A brilliant student at Amchok monastery and editor of the magazine *Maseng Shedra* (Flowers of Expression), he was arrested for taking part in a peaceful demonstration in Tibet on 16 March 2008.

Logyam, a Tibetan writer from Ngaba who wrote articles for *Maseng Shedra*, is serving a six-year prison sentence in Maowar prison in Sichuan for compiling and disseminating articles and speeches by the Dalai Lama. Aged 36, he has been held since 2005 and has reportedly been beaten repeatedly by prison guards for refusing to criticise the Tibetan spiritual leader.

The reinforced security forces in Tibet have arrested dozens of Tibetans in the run-up to the 10 March anniversary. Most of them are held in a former military base at Denggongtang, east of Lhasa, or have been forcibly sent back to their region of origin.

The majority of arrests of Tibetan political prisoners continue to be arbitrary as Chinese Security forces routinely resort to arbitrary arrest and detention of Tibetans who hold peaceful demonstrations, display the Tibetan flag, distribute political leaflets, and possess photographs of the Dalai Lama.

¹⁹Freedom of expression 'systematically violated' in Tibet, 9 March 2009; available online at <http://www.rsf.org/article.php?id_article=30510>

²⁰ *Ibid*

II ENVIRONMENT AND LAND RESOURCE EXPLOITATION

In recent decades, Tibet has experienced receding ice lines, melting glaciers and ice caps, extreme weather, changing landscapes and a decrease in bio-diversity. The global warming process, which started from the industrial revolution and has sped up in recent decades, is to blame for Tibet's anguish. Natural disasters attributed to global warming such as mudslides, landslides, and the bursting of lake banks have been recorded in Tibet from 1993 to 2005.

Over the last couple of years, China has announced on numerous occasions that it seeks to reduce its carbon footprint on the environment, but that it wishes to do so in a very sustainable manner, which means that it first has to ensure that no harm comes to its outstanding economic growth.

Also, Beijing's March 2003 white paper on Tibet's ecology and environmental protection boasts that 386 million yuan (US \$48.2 million) was spent between 1996 and 2003 on the ecological 'improvement' of the 'Tibet Autonomous Region' - a sum that even accounts for every cash crop tree plantation and commercial popular plantation surrounding irrigation projects.

What is omitted, however, is that between 1996 and 2000 according to the official 2001 TAR Statistical Yearbook Beijing's domestic budget allocated 9.5 billion yuan (US \$1.19 billion) to the 'TAR' for construction of environmentally destructive mines, highways, pipelines, factories and power grids.²¹ Between 1996 and 2000, China at best has spent 41 yuan per year per km of the 'TAR' on environmental remediation and 9.51 billion yuan (US \$ 1.19 billion) on financing the PRC's ongoing war against nature.

The environmentally catastrophic development and socio-economic policies being pursued by the Chinese government are clearly not in lieu with the policy of sustainable development,

²¹ Therefore, for every yuan China expends on ecological 'improvement,' 30 yuan arrives from Beijing to construct mega infrastructure projects which directly contribute to the destruction of Tibet's environment.

which balances industrial growth with environment protection, taking into account the needs of the people.

From all this, it emerges as obvious that China's development model for Tibet, entailing environmentally destructive industrial, mining and infrastructure development at a dizzying pace and massive influx of Chinese immigration can only worsen the situation considerably.

To better illustrate the point that the current industrialization pattern adopted by China is pursuing economic objectives alone without care or regard to the long term harm on the environment on Tibet and the Tibetan people, three prominent 'development' projects that have been implemented in Tibet may be examined:

2.1 The Qinghai- Tibet railroad project: designed to destroy

Highways and railways are fundamental to China's ambitions to extract Tibetan resources to fuel distant Chinese cities and factories and to consolidate military control over the Tibetan region.²²

One such mammoth project is the Qinghai Tibet railway, linking Beijing with Lhasa traversing unstable permafrost and reaching more than 16,000 feet above sea level.²³ Tibetan and foreign critics believe that this railway project benefits Han Chinese, China's dominant ethnic group, at the expense of Tibetan natives. They argue that enhanced transportation links will accelerate a trend of Han-led economic development and smother Tibet's ancient spiritual culture, while undermining the pristine natural environment of its highlands.

China's railway ministry also admitted that the railroad will have a devastating impact on the surrounding ecological environment, and it was seeking effective measures to minimize the

²² See generally International Campaign for Tibet, 'Tracking the Steel Dragon: How China's economic policies and the railway are transforming Tibet,' available online at <http://www.savetibet.org/trackingthesteeldragon>

²³ 'China's Train, Tibet's Tragedy', Environment and Development Desk, Dept. of Information and Int'l Relations, Central Tibetan Administration, Dharamshala, India.

negative effects.²⁴ Despite the many favourable policies, the railroad construction did cause some damage to the surrounding environment, including the wildlife and the critical grassland habitat that it runs through.²⁵ Also, it has been concluded that the railway disturbed sections of the grass crest as roads and rock quarries were dug to source materials for the rail bed, and that the possibility of restoring the biodiversity to the region, once lost, (as a direct result of the railway), is minimal, and that it could take 100 years or more to rebuild damaged topsoil or grass crest.²⁶

The policies designed by the PRC are focused solely on economic benefits with serious disregard for environmental effects, and clearly the railway induced projects would not only be used to extract Tibet's abundant natural resources but also degrade the carrying capacity of the land.²⁷

Tibetans who have voiced reservations say they do not oppose the railway in principle but argue that it was conceived mainly to enhance China's economic and military control over the Tibetan region. They say it will also aid Chinese exploitation of mineral resources in the Tibetan highlands.²⁸

2.2 Mining projects over the Tibetan plateau

China openly acknowledges the negative impact of mining on its environment. Mining activities have caused land collapses at more than 180 sites across China affecting more than

²⁴ Allison Tony, 'High Hopes for the Railway on the Roof of the World', *Asia Times Online*, March 23rd 2001; available online at <<http://www.atimes.com/reports/CC23ai01.html>>

²⁵ Buckley, Lila, 'Qinghai-Tibet Railway highlights discrepancy in protection at Central and Provincial levels', *World Watch Institute: Vision for a Sustainable World*, October 10, 2006. available online at <<http://www.worldwatch.org/node/4653>>

²⁶ *Ibid*; see also Feng, Jianhua, 'A Green railroad,' *Beijing Review*, Vol. 49, no. 26, June 29, 2006.

²⁷ <<http://www.gdrc.org/uem/footprints/carrying-capacity.html>>; see also China CSR, 'Environmental groups call for Qinghai-Lhasa Railway Conservation, July 3 2006; available online at <<http://www.chinacsr.com/2006/07/03/78-environmental-groups-call-for-qinghai-lhasa-railway-conservation>>

²⁸ <<http://www.nytimes.com/2006/07/02/world/asia/02tibet.html?scp=9&sq=%22tibet%22+%22environment%22&st=nyt>>

1,150 square km of land.²⁹ Chinese mining ventures produce 13.38 billion tones of solid waste each year, with less than seven percent of the same being treated.³⁰ About 20,000 square km of land have been destroyed or occupied by opencast mining and the stock piling of waste residue. The area affected is increasing by 200 square km every year.³¹ Waste water released from mines makes up ten percent of the national total of industrial waste water and the treatment rate is only four percent.³²

For both surface mining and underground mining large quantities of soil and rock are excavated, altering the chemical balance of earth and rock and destroying the fragile topsoil. The erosion of the grasslands on the Tibetan plateau, and consequent situation of water courses, is already a serious problem.

Gold mining, for example, appears to have had a wider impact on the Tibetan environment than other mineral resource exploitation³³ due to the fact that gold is relatively cheap and easy to extract and process, potentially providing a quick profit. The environmental risks associated with mining have been exacerbated by poor protection in small scale gold mining, where the short term interests of stakeholders overrule the long term environmental concerns.³⁴

The areas of northern TAR and Qinghai, where tens of thousands of prospectors have mined for gold, are also areas of significant importance for Tibet's biodiversity. Some of them fall under official conservation areas.³⁵ These areas require approval from relevant

²⁹'China marks Earth Day with focus on mining', People's Daily, 22 April 2002.

³⁰ *Ibid*

³¹ *Ibid*

³² *Ibid*

³³ This does not include the large scale deforestation that has occurred in Tibetan areas since the PRC was founded, particularly in Kham, now largely incorporated into eastern TAR and western Sichuan; for further information see 'Mining Tibet: Mineral exploitation in Tibetan areas of the PRC', *Chapter 5: Environmental Issues*, Tibet Information Network, London 2002.

³⁴'Mining Tibet: Mineral exploitation in Tibetan areas of the PRC', *Chapter 5: Environmental Issues*, Tibet Information Network, London 2002

³⁵ For example, the Hoh Xil [Ch: kekexili] in Qinghai and the Jangthang nature reserve in Nagchu and Ngari [Ch: Ali] prefectures, TAR.

departments to mine in natural reserves, according to the Mineral Resources Law³⁶, which is in fact little protection against state exploitation of these areas.

Miners have also been partly responsible through their illegal hunting activities for the serious decline in wildlife in these areas, such as the wild yak, chiru (Tibetan antelope), gazelle, kiang (Tibetan wild ass), blue sheep, argali (sheep), wolf, fox, bear and snow leopard.³⁷

In sum, the main issues that have been identified to further substantiate racial discrimination in infrastructure projects are as follows³⁸:

- Minerals obtained from mining in Tibet are shipped to the east coast of China to feed the growing Chinese economy, offering few, if any, financial benefits to local Tibetans
- Virtually all jobs in Tibetan mines go to Chinese migrants, even unskilled manual labour positions, excluding the high number of unemployed local Tibetans
- There are serious concerns about the environmental impacts of mining in Tibet, such as the contamination of soil and water by arsenic or cyanide, which could seriously affect local farmers and communities further downstream in Asia
- Under the Chinese occupation, Tibetans are denied the right to decide how their resources are used and may be forcibly removed from their land, without compensation, to make way for mines

2.3 The hydropower projects

China has an extraordinary number of dam projects on Tibetan rivers that are being planned, under construction or recently completed. Some are on the descent from the plateau, others

³⁶ Mineral Resources Law (1996 amended version; came into force 1 January 1997)

³⁷ George B. Schaller, 'Wildlife of the Tibetan Steppe', Chicago and London: University of Chicago Press, 1998; cited in 'Mining Tibet: Mineral exploitation in Tibetan areas of the PRC', Tibet Information Network, London 2002.

³⁸ See 'Stop mining in Tibet Campaign', available online at <http://www.sfuk.org/cms/documents/Fresher%27s%20Pack%20PDFs/Mining%20Campaign%20Toolkit.pdf> >

just beyond the plateau. While the primary purpose of the Great Western Route is to extract water for North China, the other dam projects are almost entirely intended to generate hydroelectricity and seldom to meet nearby demand.

China is now constructing many large dams at great speed, resulting in serious creeping environmental problems, dam safety concerns and costly remediation. Chinese experts, such as economist Hu Angang and others, are critical of the State's grandiose infrastructure projects.³⁹ They advocate smaller and more effective local infrastructure projects, which have greater potential to benefit the average citizen..

2.4 The case of the Tongren Aluminium smelter

To cite another example we may look at the case of the Tongren aluminium smelter, located in Rongwo Chu agricultural valley just north of Rebkong (Ch: Tongren) in Amdo. Due to the complete lack of pollution control equipment, toxic fluoride-laden smoke pours from this smelter, causing fluorosis-loss of teeth and stunted growth-in livestock, especially sheep due to contaminated grass and the poor grain harvest. All appeals to the authorities have gone unanswered. Tongren County owns the smelter and the revenues from the aluminium processing pay the salaries of the local administration.⁴⁰ Furthermore, research carried out by Gabriel Lafitte revealed that aluminium smelters can readily install end of the pipe technology to treat the smoke and remove toxic fluoride. Major smelters such as Portland, partly owned by the Chinese Government, take care to abide by the rules and filter out the fluoride. But why hadn't anyone done so in Tibet? In the meanwhile, the Tongren smelter continues to belch toxic smoke laced with fluoride.⁴¹

³⁹ Tibet-A Human Development and Environment Report, Environment and Development Desk, DIIR Publication, Central Tibetan Administration, 2007.

⁴⁰ Tibet 2003, 'State of the Environment', White Paper, Central Tibetan Administration; *see also* Gabriel Lafitte, 'Fluoride pollution from aluminum plant in Tibet', *The Age* (Australia) February 27, 2001, available online at < <http://www2.fluoridealert.org/Pollution/Aluminum-Industry/Fluoride-pollution-from-aluminum-plant-in-Tibet>>

⁴¹ Gabriel Lafitte, 'Fluoride pollution from aluminum plant in Tibet', *The Age* (Australia) February 27, 2001, available online at < <http://www2.fluoridealert.org/Pollution/Aluminum-Industry/Fluoride-pollution-from-aluminum-plant-in-Tibet>>

2.5 OTHER ENVIRONMENTAL CATASTROPHES:

Global warming

The impact of global warming has accelerated glacial shrinkage and the melting glaciers have swollen Tibet's lakes. If the warming continues, millions of people in western China would face floods in the short term and drought in the long run. From 1961 to 2008, the average temperature in the TAR had increased by approximately 0.32 degree Centigrade per 10 years, which is clearly higher than both China's temperature increase rate of 0.05–0.08 and the average global increase rate.

Dumping of radioactive wastes

The matter of dumping radioactive nuclear wastes in Tibet is one with grave consequences. It is not known as to how much of radioactive waste comes out of the top secret Ninth Academy of the Chinese defence establishment in Tibet. It is known that Tibet has the world's biggest uranium reserves, and there are reports of many local Tibetans having perished after drinking contaminated water in the proximity of a uranium mine in Amdo. It has happened in the past when in 1991, Greenpeace exposed plans to ship toxic sludge from the USA to China for use as 'fertiliser' in Tibet. And there are other reports of certain European firms negotiating with the Chinese authorities for dumping nuclear toxic wastes in Tibet.

The fall-out is a matter of urgent concern for all those neighbouring countries as well, as the great rivers of Asia originating from Tibet flow down to them: Oxus, Indus, Brahmaputra, Irrawady, Mekong, apart from the two great rivers of China, Yangtze and Huang Ho. If these rivers are polluted, it will be a frightening hazard for millions of people on the Asian mainland, particularly for the peoples in South Asia, of which the two most populated are India and Bangladesh.

Protection of the flora and fauna

In three decades and more there has been serious environmental destruction of Tibet. There has been massive deforestation of the rich forest belts of Tibet. In Amdo province alone, it

is estimated that about 50 million trees have been felled in the last forty years. Southern Tibet has been equally denuded of forests.⁴²

The Tibetans do not use much timber, most of the wood product has gone to the other parts of China. This massive deforestation has led to serious soil erosion and flood. Today, Brahmaputra and Indus, Yangtze and Huang Ho are among the five most heavily-silted rivers in the world. Deforestation endangers the monsoon balance, which is of direct concern for us. With the denuding of the great pastures of Tibet, desertification has begun.

Before China's occupation, hunting of wildlife was decried in Tibet and only indulged in by the poor for survival. Few Tibetans hunted animals for use of their body parts in traditional medicine. Even then, culling was sustainable and carried out on very small scale since there were laws against hunting. In the tenth month of every year, a Decree (Tsatsig) for the Protection of Animals and the Environment was issued in the name of His Holiness the Dalai Lama.

It is evident that, in spite of designating large areas of the Tibetan Plateau as nature reserves, there exists a troubling gap between official policy and implementation capabilities.⁴³

The nature reserves designated by China, and mostly located in the coldest and most arid portions of the Tibetan Plateau, certainly exist on paper. Thus they form part of what China's 2003 white paper calls 'a relatively systematic local legal regime concerning environmental protection'. What China remains silent on is whether the laws and regulations are being implemented. In reality, as

Making the nature reserves a real safe heaven for wildlife should be complemented by appropriate legal and regulatory systems, clearly lacking at present.⁴⁴ There is an acute need for employment and training of rangers,⁴⁵ with the power to enforce legislation against poaching endangered Tibetan antelope and other rare wildlife and further efforts towards

⁴² <http://www.tibet.ca/en/newsroom/wtn/6312>

⁴³ 2000 SEPA report gives its total staff for 'TAR' as 163 - the lowest among all China's provinces.

⁴⁴ Exotic, Non-native Species: A Threat to Tibet's Endemic Wealth UNDP's China Human Development, Report 2002

implementing official policy through enhancement of regulatory and enforcement mechanisms over biodiversity conservation.⁴⁶

The employment and training of local Tibetans to manage existing nature reserves is to be encouraged since Tibetans are compatible with the difficult terrain and also because their religion and culture preaches respect and care for wildlife and all nature.⁴⁷

III FORCED EVICTIONS AND SURVIVAL OF THE TIBETAN NOMADIC LIFESTYLES

The Tibetan plateau is the highest and largest alpine grassland region in the world. Tibetan pastoralists have inhabited the region for many centuries and their survival in this exceptionally harsh environment is testimony to the sustainability of traditional resource management practices. Nomadic pastoralism has been described as one of the great advances in the evolution of human civilisation. It is an adaptation by man to grassland areas of the world where extensive livestock production is more supportive of human culture than is cultivated agriculture.⁴⁸ When people specialise in animal husbandry that requires periodic movement of their livestock they are known as nomadic pastoralists, or more commonly, just nomads.⁴⁹

⁴⁵ Many international conservationists such as Dr. Schaller have pointed out, these reserves lack rangers, trained staff, vehicles and enforcement powers to bring poachers to book. For further information visit <<http://www.atc.org.au/campaigns/environment-mainmenu-174/548-development-report>>

⁴⁶ Biodiversity Conservation: Policies versus Implementation, Tibet 2003: State of the Environment [Environment and Development Desk; Department of Information and International Relations; Central Tibetan Administration; Dharamshala, India. White Paper, July, 2003; available online at <<http://www.tew.org/tibet2003/t2003.biodiversity.html>>

⁴⁷ *Supra note 13*

⁴⁸ Daniel J. Miller, Nomads of the Tibetan Plateau Rangelands, available online at <http://www.tew.org/rangelands/rangelands.nomads.intro.htm>.

⁴⁹ *Ibid.*

Tibetan nomads, who have been herding livestock on the Tibetan Plateau for millennia, have acquired considerable knowledge about the rangelands and the animals they herd. Unfortunately, nomads' vast indigenous ecological knowledge and animal husbandry skills are often not well recognized or appreciated by scientists and development planners working in Tibetan pastoral areas. As a result, nomads have often been left out of the development process, with neither their knowledge nor their needs and desires considered by many government and development agencies in introducing more 'modern' and 'scientific' methods of livestock production. The indigenous knowledge and skills that nomads already possess must be incorporated and built upon when designing new pastoral interventions if sustainable development is to be achieved on the Tibetan Plateau.⁵⁰

In recent decades, however, as the Tibetan plateau region has become increasingly integrated with the rest of China, many new socio-economic and political realities have begun to emerge. When a government implements resettlement programmes in the name of environmental protection the people involved have been required to slaughter most of their livestock and move into newly built housing colonies in or near towns, abandoning their traditional way of life while agricultural communities have had their land confiscated, with minimal compensation, or have been evicted to make way for mining, infrastructure projects or urban development.

The forced evictions of thousands of Tibetan nomads since 2003 is a dangerous strategy because this is resulting in the elimination of their traditional livelihood system, based on production of dried cheese, butter, yak meat and procurement of medicinal plants.

On 12 May 2003, the Chinese government issued a decree whereby eight thousand Tibetan inhabitants were forcefully displaced in order to implement a major project in constructing seven Dams in Barkham County, Ngaba Tibetan Autonomous Prefecture ("TAP"), Sichuan

⁵⁰ *Ibid*

Province.⁵¹ As a consequence of constructing the dams, many holy Buddhist shrines and other age-old landmarks were left at the verge of submersion.

In December 2001, Chinese authorities had displaced sixty families in Gonjo County, Chamdo Prefecture to Nyingtri (Kongpo) Prefecture in Tibetan Autonomous Region. The families, mostly farmers, who subsisted from their traditional fields were warned with a fine of 70,000 Yuan for their incompilance with the orders. The displaced families faced enormous hardships in their new surroundings. The families tried to grow crops as per their occupation in the native land but failed to do so. Many had to go to Lhasa city to find employment to feed their family. The government promised to compensate the families but was never given a single dime.

Julia Klein, a scientist who specializes in climate change impact on the Tibetan Plateau, says that the ecology of the region “is a system that has evolved with grazing; the removal of grazing from the system could have profound ecological consequences.

Many pro-independence Tibetans see the policy, which uses technology and improved infrastructure to encourage a shift from subsistence herding to industrial livestock production, not only as bad for the environment but also as a larger assault on the foundation of Tibetan identity and culture.⁵²

Many argue that China has been determined for many years to destroy their way of life as a people. Environmentalists suggest that if China is really keen on protecting its environment it should focus its efforts on cleaning up its polluted rivers and reducing its carbon emissions, our correspondent says.⁵³

⁵¹ WTN-L World Tibet Network News, Published by The Canada Tibet Committee, Issue ID: 2003/08/22; August 22, 2003; available online at <http://www.tew.org/archived/golog.yushul.relocation.html>

⁵² Supra note 1

⁵³ China To Relocate Tibetan Nomads (BBC News), October 2, 2007, (BBC); available online at <http://www.tew.org/development/relocate.nomads.html>

Up to now, there has been a large body of evidence to show that in most nomadic cultures and societies, nomads have successfully managed their rangelands with a high degree of diversity.⁵⁴ This is possible in part because they are practitioners of environmental processes designed to transform, manage, and use nature, in order to conserve it. They knew that in many cases their survival, especially in the ecologically fragile areas, depended on the diversity of ecosystems. Therefore, biodiversity provides indeed a fundamental base to pastoralism and to the overall economic systems. It is the source of resiliency and regeneration, necessary for sustainability of pastoral systems.⁵⁵

The Tibetan Centre for Human Rights and Democracy is highly concerned at the plight of the local Tibetan inhabitants whose traditional livelihood will be affected by the limitation on the livestock. Such policies show no respect for the skill and local knowledge of the Tibetan nomads in preservation of the grassland. The Centre considers it as a measure to destroy another viable and vital part of Tibetan culture. Specific projects for the regions of Chinese occupied Tibet are cited as examples below:

3.1. Chinese Government's programme for the Gansu Province

The Chinese government at Beijing is to spend 321 million yuan during 2008-2009 to 'help' settle 12,628 nomadic households in Gannan (Tibetan Kanlho) Prefecture of Gansu Province in permanent brick houses.⁵⁶

It said the project's first phase will cost 80 million yuan will help settle 3,140 households while 241 million yuan will be spent in the second phase to settle down another 9,488 households.⁵⁷

2. Chinese Government's programme for the Sichuan province

⁵⁴ SCHOLZ, 1995; WU, 1997a; <http://www.cwrn.edu/affil/tibet/books/AndPapers/Impact%20on%20Biodiversity.htm>

⁵⁵ DAHLBERG, 1987; WU, 1997a

⁵⁶ As reported by the Tibetan Review, dated 8 May 2009; available online at <http://www.tibet.ca/en/newsroom/wtn/6476>

⁵⁷ *Ibid.*

Authorities in the Chinese province of Sichuan plan to spend 5 billion yuan (\$732 million) to settle 470,000 Tibetan herders in permanent houses, which ethnic Tibetans feel is another move by China to destroy their way of life as a people.⁵⁸ In all there are 530,000 nomads in Western Sichuan Province, out of which 470,000 herders will be resettled in the name of environmental protection. If these numbers are true, that's the last of the nomads in Sichuan. This has been dubbed by many as a kind of 'nomad genocide.'

3.3 The Environment drive in the Tibet Autonomous Prefecture region.

The Tibetan nomads from Golog and Yushul 'Tibet Autonomous Prefecture' ('TAP') face risk of relocation and threat to their traditional nomadic culture. The government ruling of 16 April 2003 has called for a drive to protect and plant grasses on the banks of the three major rivers - Machu, Drichu and Zachu - to combat desertification and soil erosion. The same ruling has ordered limiting the livestock to protect grassland and this has raised anxiety amongst the local nomads.

As per Xinhua news article of 17 April 2003, the Chinese Government had in April this year decided to convert large tracts of nomadic land into protected and controlled grassland.

The drive, which has already been initiated, is expected to conclude within five years.

The official justification for the drive is that 70 percent of the grasslands in Matoe County in Golog 'TAP' has now turned barren. The government has reportedly planned to fence 1540 mu (one mu is equivalent to 67 square metres) to protect and grow grassland. Towards this end, the government plans to resettle 27,679 nomadic populace that have traditionally used the land for subsistence, into some other areas.

The Tibetan nomads look upon this policy as a threat to their traditional livelihood and nomadic lifestyle. They have subsisted for many generations on these grasslands and livestock.

⁵⁸ As reported by Reuters India, dated 11 October 2008, available online at <http://in.reuters.com/article/worldNews/idINIndia-35906320081011>

The relocation and plantation programme that are being implemented is another 'environmental' initiative introduced in the wake of the 1998 floods in China. This could also be viewed as a part of the much-vaunted Western Development Programme (WDP), originally launched in 1999. Such projects have enormously hindered Tibetan livelihood.

IV DISCRIMINATION IN EDUCATION

4.1 The Environment drive in the Tibet Autonomous Perfecture region.

The state parties to the International Covenant on Economic, Social and Cultural Rights (ICESR) and the United Nations Convention on the Rights of the Child (CRC) entitle everyone with the "right to education without any discrimination".

In Tibet, the Household Registration Certificate (*Hukuo*), Connection (*Guanxi*) and bribe play significant roles in the education sector and determine whether children are at all admitted to schools and whether they are actually taught once they are admitted. The school fees generally depend on whether the children possess *Hukuo*. The fees are greatly reduced for those having registration cards. The students from nomadic areas and/or those from remote areas in the Tibetan areas in Qinghai and Sichuan province and those children born in violation of the "family planning" norm do not have registration cards. Hence, they face problems in attending school, and if enrolled, have to pay much higher fees than others.

Through bribes and connections, Chinese families in mainland China acquire *Hukuo* in order to enroll their children in the schools and universities in the "Tibet Autonomous Region" ("TAR"). The marks requirement for a university in "TAR" is lower than the universities in mainland China. Chinese students having registration cards sit in the exams and take away the seats from the Tibetan students. This unfair practice by Chinese students deprives many Tibetan students' opportunities in education and employment sector and has negatively led to high drop out rate from the schools.

In another instance, Tenzin Choedhar from Lhasa told TCHRD in 2007,

One of my friends from Meldrogungkar County, was qualified for the higher section which means he was entitled to receive admission in Tibet University. But the authority denied him a seat in Tibet University as he did not have guanxi and was demoted to lower section. Finding no alternative, he joined Vocational College in the city.

After passing elementary schools, students having a household registration card are entitled to study in higher school in mainland China. However, to reap that benefit one needs to have good connections with officials [*guanxi*] or one has to offer bribes.

Numerous cases were reported to TCHRD about the school authorities tampering with the grades and giving the seat to those having some connection or to the children of government officials. 19 year-old Phuntsok Dorjee from Paetso Village, Dingri County, told TCHRD,

The children in my village are entitled to study in mainland China after primary school. But rarely do children from my village receive that opportunity. The teachers do not show the obtained marks of a student in the sixth grade exam to the parents and students. They just tell the student, "you did not pass the exam, and now go to work in the farm". The teachers have become like traders in our region. They tampered with the names of the students in answer sheets and gave the seats to rich and affluent families who offered them money or presents or to the children of the government officials having guanxi.

Moreover, the Chinese students in "TAR" having household registration cards sit in the entrance exams and take away the seats which are meant for Tibetans as they are more proficient in Chinese language than Tibetan students because Chinese is their native language.

Several demonstrations by Tibetan students have taken place against the authorities malpractice. For instance, a group of Tibetan school students staged a demonstration around

8 a.m. on 24 April 2009 in Labrang (Ch: Xiahe) County, Gannan “Tibet Autonomous Prefecture”, Gansu Province. The students started off the demonstration from their school, Xiahe Tibetan Middle School, and headed towards the county market area raising slogans. Reportedly the local Public Security Bureau (PSB) stopped the students in the outskirts of the main market area. According to sources on the ground, the students were driven back to the school and a strong contingent of Public Security Bureau Personnels and People's Armed Police surrounded the school barring anyone to go in or come out. The parents of the students have been summoned at the school. The students reportedly demonstrated against the authorities false practice of granting reserved seats for higher education meant for the Tibetan students to the Chinese students.⁵⁹

4.2 CONTENT OF EDUCATION

Those who do have access to education in Tibet often face a number of obstacles to learning: the syllabus is designed to inculcate a ‘love of the motherland’, so learning about traditional Tibetan culture and religion is disallowed, whilst the teaching of Communist ideology is a major priority. Students report that mention of Tibetan history is non-existent or superficial at best in their history classes. Instead they are taught about Chinese military, political, and historical figures. The teaching of Tibetan culture and religion is disallowed due to the politicisation by the Chinese of a distinct Tibetan identity: separate Tibetan consciousness is deemed to be dangerous, anti-Chinese and potentially extremist. Though Tibetan language schools do exist in the “TAR” and in other Tibetan provinces, the content of the syllabus continues to be heavily focused on Chinese history and Communist ideology to the exclusion of any mention of Tibet. This absence of the teaching of Tibetan culture and history in schools has led many Tibetans to seek education in exile, where they are free to learn about subjects relating to Tibet. One Tibetan refugee called Norzin from Golog

⁵⁹

School students demonstration in Labrang County, 24 April 2009,
<http://tchrd.org/press/2009/pr20090424a.html>

“Tibetan Autonomous Prefecture”, Qinghai, recalled her experience of education under Chinese occupation told TCHRD in 2007.

I joined a Tibetan language school as I was not able to learn Tibetan language in Chinese schools. However, I was disillusioned to find that, we were taught only Chinese history, culture and politic, as well as the ideology of Karl Marx, Lenin and Mao Tse-tung, even in the Tibetan language school. The actual script of the books was in Tibetan, but there was no single mention of Tibet's history, culture and religion. As Buddhists, we Tibetan believe in life before and after death and the law of karma, but we were indoctrinated in school that, no such things exist. It was impossible to acquire knowledge of our own culture, history and custom in Tibet. We had no freedom or medium to study our own history and culture, so I opted to come into exile for a better education, where I could learn these things.

The aim of education in Tibet was to indoctrinate socialist ideology into the mind of Tibetan children. The Education Law of People's Republic of China has greatly emphasized on the construction of socialist ideologies in the educational curriculum. Article 3 of Education Law state that, “In developing the socialist educational undertakings, the state shall uphold Marxism-Leninism, Mao Zedong thought and the theories of constructing socialism with Chinese characteristics as directives and comply with the basic principles of the Constitution”. A 19- year old Tenzin Tsezin, a native of Lhasa, who arrived in exile for better education testified that, *When we were in school, all the subjects were taught in Chinese except for Tibetan language. They really focus on imparting communist ideologies to produce loyal communist Tibetans. The history taught in school is devoid of Tibetan perspectives and thrust upon the students to learn only the Chinese version of Tibetan history. Since there is not much of an opportunity for speaking and writing in fluent Tibetan, most of the students including me preferred to give more emphasis on Chinese and naturally so because all the subjects are taught in Chinese only.*

4.3 Discrimination against Tibetan language

The use of Chinese as a medium of instruction posed a further problem for many Tibetan students. In 2002 the Chinese language was equalised with Tibetan as the medium of

instructions, with the result that many lessons in the TAR are now fully conducted in Chinese language. This is despite the UN Convention on the Rights of the Child, which China has signed and ratified, stating that “the education of the child shall be directed to... his or her own... language” and China’s own Education Law providing for minority languages in education: “in schools and other institutions of education in which students of a minority ethnic group constitute the majority, the spoken and written language used by the specific ethnic group or commonly used by the local ethnic groups may be used for instruction”. Students in the “TAR” are taught in Tibetan only at the beginning of primary school, and after class four instructions are switched to Chinese for all subjects.

This abrupt change is problematic for many Tibetan pupils who subsequently have difficulties in following and understanding the lessons. The class four shifts to Chinese language are increasingly being accompanied by the replacement of Tibetan teachers with Chinese, further disrupting the education of Tibetan students. A nine-year old, Jamyang Sherab from Tsawa Pangda, Pashod County, Chamdo Prefecture, “TAR”, told that, *“recently in my school, Chinese has replaced our Tibetan teachers. At present, there is only one Tibetan teacher left at the school”*. In urban areas, including Lhasa, the emerging teacher replacement policy is a direct result of the population transfer taking place in the “TAR”. Financial incentives have persuaded increasing number of Chinese citizens to move to the “TAR”, meaning Tibetan students are often outnumbered in urban schools. This in turn encourages the assimilation of the nationality of teachers within the dominant Chinese composition of classrooms. However, elementary school in villages and remote areas inhabited mostly by Tibetans, teaching is conducted mainly in Tibetan language. But in the middle and higher schools, medium of instruction is suddenly switched to Chinese, and Tibetan is taught only as a language. Tashi Dhondup, from Nyalam County, Shigatse Prefecture, “TAR” told about the usage of Tibetan in his school. He says, *“During my study at elementary school, everything was taught in Tibetan, but in middle school, medium was suddenly switched to Chinese except for Tibetan language. We Tibetan students faced lot of difficulties due to sudden change in the medium of study”*. Moreover, there are also some schools in Tibet, where everything is taught in Chinese from the beginning of school and Tibetan is taught only as a language, that also up-to elementary level. A 23- year

old Tsewang Gyatso, a recent escapee from Dartsedo County (Tib: Mi-nyak), Kandze "TAP", Sichuan Provinces, testified that, *I went to Government elementary school for 6 years, middle school for 3 years and high school for 3 years. In elementary school we were taught Tibetan as a separate language, whilst all other subjects were taught in Chinese. In middle and higher school, we were taught English instead of Tibetan as a second language, and all other subjects were taught in Chinese.* It was reportedly told by recent escapees that, *'the Chinese teachers promote the study of Chinese language and discourage them from taking Tibetan and English language'*. Though many Tibetans lament the absence of opportunities in school to learn Tibetan language, history and culture, they also feel obliged to learn Chinese and participate in the Chinese-dominated schools system in order to enhance their employability, as only those students who excel in Chinese have a chance of higher education. Opportunities in higher education are almost exclusively for those that speak Chinese, primarily because entrance examinations are conducted in Chinese. A 25 year old, Namdrol Lhamo from Lhasa, who was unable to pursue higher studies, as she was unable to score the required marks by .5 percent told TCHRD that, *"in all government runs schools it is mandatory for the students to give their first priority to Chinese language starting from elementary school. If one is not fluent in Chinese language, it is very difficult to find job even though one has passed the exam with good result. Those who fail to score good marks in Chinese are not eligible to apply for higher studies"*. Above all, educational trainings and courses on higher education are rarely available in Tibetan language. The 1997 Chinese government promise to provide a majority of higher education opportunities in Tibetan as well as Chinese languages has not yet yield any concrete results. Lucrative employments are often difficult to find without sufficient command in Chinese language. Yongdrung Lodoe testified that, *"in his region only those who are fluent in Chinese language were given job"* and Tsewang Gyatso stated that *"the Tibetan language is not necessary to find oneself a job in Tibet"*. Chinese language today has achieved a prominent status as a mainstream language replacing the native Tibetan language not only in schools and government offices, but also in all the day to day activities.

CONCLUSION:

Tibet under the People's Republic of China faces a slow death. The Tibetan identity embodied in its culture, religion and language faces extermination due to various state sponsored campaigns designed to ensure a steady elimination over the next few decades. The state has been carrying out cultural genocide acts over the Tibetan plateau and Tibet currently is under a virtual death sentence. In the light of the Chinese rule in Tibet over the last five decades, the Tibetan people and the land today faces enormous danger simply because of their distinction of being Tibetan as a race inhabiting the land for generations over the centuries. The dangers are real and the issues confronting the Tibetan people are to be addressed urgently if Tibetan people as a race and Tibet as a land is to be saved from this cultural genocide onslaught by the People's Republic of China.

*****END TEXT*****
