

THEMATIC REPORT

2022



SUCKED OUR MARROW :

TIBETAN LANGUAGE AND EDUCATION RIGHTS
UNDER **XI JINPING**



Asian Dignity Initiative



Tibetan Centre for Human Rights
and Democracy

Tibetan Centre for Human Rights and Democracy conducts regular, systematic investigations of human rights abuses in Tibet and publishes an annual report, thematic reports, the translated testimony of victims of human rights violations, electronic newsletters, and briefings on human rights issues that confront Tibetans inside Tibet. The centre generates awareness of a wide range of issues relating to human rights and democracy through grassroots and diplomatic means, using regional and international human rights mechanisms as well as community-based awareness campaigns against human rights abuses. The centre empowers human rights advocates by providing resources, training, and other capacity building programs in the Tibetan community in exile.

TCHRD's staff members are Ms Tsering Tsomo, executive director; Ms Tenzin Dawa, senior programme officer; Ms Phurpu Dolma, accountant and manager; Mr Sangjie Kyab and Mr Nyiwoe, researchers; Ila Schoop-Rutten, advocacy and campaigns consultant; Ms Tenzin Sangmo, media and research officer; Mr Tenzin Wangdrak, field officer; Ms Tenzin Nordin, legal officer; Mr Kalsang Damdul, digital communications officer; and Mr Lobsang Gyaltzen, office assistant.

Staff members at TCHRD-North America are Ms Tenzin Sonam, director; and Ms Dolma Sinon, intern.



Envisioning a future where every Tibetan can exercise human rights and democratic freedoms.



TCHRD is an NGO committed to advancing human rights and democracy in Tibet and the exiled Tibetan community by empowering Tibetan human rights advocates and monitoring, documenting, and campaigning against human rights abuses.



Equality, Non-violence, Justice, Dignity, Empowerment, and Courage.

Asian Dignity Initiative, founded in 2016 is the first non-governmental organization from the Republic of Korea that aims at restoring human rights in conflict-affected areas in Asia. ADI engages with the international community to amplify unheard voices of the victim-survivors, build resilience of individuals and the community, bridge resources and experience. ADI serves as a facilitator to bring about sustainable hope in the post-conflict setting.

ADI is guided by the values of human rights-based approaches, local-driven partnership, sustainability, and transparency.

FOREWORD

Education is both a basic human right and an indispensable means to realize other human rights. No further emphasis is required for recognizing its importance as many international human rights instruments including ICCPR, ICESCR, CRC, ICERD, and CEDAW have stipulated. Education serves as the primary foundation that enables everyone to escape from poverty, any kind of hardship or exploitative environment and protect loved ones from any harm, and that guarantees full development of human beings.

Language is also known to be central to human nature and culture, and essential for expressing one's identity as the then UN Independent Expert (now Special Rapporteur) on minority issues put in 2013. However, linguistic minorities including Tibetans are increasingly finding it a challenge to maintain and preserve their distinct communities and cultural identities.

This report offers insights into how the Chinese government has violated Tibetans' rights to education and language for decades. It discusses the law and policy changes on education and language focussing mainly on the so-called 'Second Generation Ethnic Policy' and their impacts on the Tibetan communities in PRC including the closure of Sengdruk Taktse Middle School.

Not only the report describes the systematic closure and demolition of schools but also the violations of the rights of teachers and students merely for speaking out against the official policy. It is obvious that unless we speak out, such gross human rights violations will continue with impunity.

This publication assumes special significance because it is the first product of the joint effort between TCHRD and Asian Dignity Initiative (ADI). In 2021, TCHRD and ADI began a partnered program for better and improved human rights documentation and advocacy practices.

TCHRD has been working for more than 25 years in documenting and advocating for the human rights of Tibetan people in PRC, for which it has been recognized by the international community including various UN human rights bodies.

We hope that this report will help create a sense of solidarity and support for countless Tibetans who strive to restore dignity.

Thank you!

Mr Kinam Kim
Director
Asian Dignity Initiative

CONTENTS

I. SUMMARY	1
II. METHODOLOGY	2
III. RECOMMENDATIONS	3
IV. EDUCATION AND LANGUAGE RIGHTS IN TIBET	6
1. Central Ethnic Work Conference	7
2. Seventh Tibet Work Forum	7
3. Xi Jinping Thought	7
4. Chinese Medium Education	10
5. Compulsory Education	10
6. Popularising Putonghua	11
7. Chinese Medium Preschools	12
8. Mandarin Training For Monastics	12
9. Private Education Targeted	15
V. CHINESE LAW ON EDUCATION AND LANGUAGE	15
1. The Putonghua Provision	16
2. Education Law	18
3. Compulsory Education Law	18
4. Private Education Law	19
5. Double Reduction Policy	19
VI. LANGUAGE AND EDUCATION AS HUMAN RIGHTS	20
VII. CLOSURE OF SENGDRUK TAKTSE SCHOOL	22
1. Appeals Rejected	24
2. Forced Enrolment in State Schools	24
3. Detention and Surveillance	25
4. Distinguished Academic Record	26
5. Excellent Foundation for Learning	26
6. Targeting Tibetan Culture	28
VIII. APPENDICES	32

I. SUMMARY

In August 2021, Xi Jinping, the president of the People's Republic of China (PRC) proclaimed at the Central Ethnic Work Conference held in Beijing that all ethnic affairs should be managed in the larger interests of the Chinese party-state's overriding goals to create a modern socialist state built on a single Chinese national identity. Xi formally acknowledged the party-state's active turn toward the assimilationist 'Second Generation Ethnic Policy' (*Róng hé* / 融合 / *intermingling*), promoted vigorously by Chinese establishment intellectuals and party leaders, particularly after the 2008 Tibetan uprising.

The 'Second Generation Ethnic Policy' is designed to reverse seven decades of granting autonomous powers to minority nationalities (少数民族 *shaoshu minzu*) in self-governance, at least in theory as is evident in the Regional National Autonomy Law and related provisions in the Chinese Constitution. The Chinese party-state is now aggressively pursuing the concept of 'Chinese national' (中华民族 *zhonghua minzu*), introduced in the Chinese Constitution in 2018 as a tool to forcibly assimilate minority nationalities into the larger Han Chinese population of 1.2 billion.

Chinese policies and campaigns implemented since 2012 have systematically undermined and marginalised native languages and cultures of minority nationalities. The so-called bilingual education policy, ostensibly promoted to unite non-Chinese nationalities throughout the PRC, drastically limits the use of Tibetan language in the education system, both secular and monastic, and directly impacts the survival of Tibetan linguistic and cultural identity.

A forced cultural assimilation policy is being carried out in the garb of 'ethnic policy in the new era' with devastating consequences on education and language rights in Tibet. Children and young people have become primary targets under Xi Jinping's campaign to build a 'modern' education system in which *Putonghua* (Mandarin Chinese based on Beijing dialect) enjoys a higher status and power than minority languages, thus violating constitutional guarantees for regional autonomy and the principle of equality and non-discrimination.

Non-governmental initiatives to promote Tibetan language and culture have been suppressed, and individuals advocating for Tibetan language and cultural education have been detained and tortured. Private educational institutions, including those previously approved by the party-state, are being closed down while monastic institutions are forced to prioritise *Putonghua* teaching and propagation.

Chinese laws and policies are incapable of protecting the right to use minority languages because they are part of a wider nation-building strategy geared towards creating a *zhonghua minzu* identity with a single language and identification with the Chinese nation-state. A critical analysis of relevant Chinese legal provisions on education and language demonstrates that the Chinese Constitution and associated legislation lack clarity and contradict Tibetan education and language rights. Chinese constitutional and other legal safeguards are incapable of protecting the rights of the Tibetans and other minority nationalities. This situation is aggravated by the criminalisation of peaceful dissent and an absolute lack of domestic judicial recourse against state excesses.

Decades of an accommodative strategy defined by the autonomous power granted to minority regions in the country's constitution and other regulations are being rendered irrelevant as *Putonghua* medium education is vigorously promoted and vaguely written laws on education and language are misinterpreted and misused.

Chinese authorities must conduct a thorough and transparent review of current laws and policies on education and language rights and promptly revise or abrogate vaguely defined provisions commonly used to perpetuate the dominance of *Putonghua* medium education and silence critical voices. The Chinese legal system must adopt a human rights-based approach with its stringent implementation in its legal and policy-making process to ensure the fulfilment of all human rights, including education, language, religion and culture, in Tibet and elsewhere in the PRC.

II. METHODOLOGY

The research work for this report began in July 2021 and continued up to the end of April 2022. TCHRD's trilingual research team, working in Tibetan, Chinese and English, conducted semi-structured interviews with more than a dozen Tibetans who have experienced at varying proximities the deteriorating situation in education and language rights in recent years.

Secondary research methods used for this report involve monitoring official Chinese media reports, analysing social media discourse, reviewing Chinese government legal and policy documents including decrees, resolutions, and speeches by the Chinese leadership. Other secondary research data include relevant academic studies, international media reports, and international human rights laws.

The findings of the report were further corroborated by related information from TCHRD archives, the Tibetan Political Prisoners Database (TPPD), individual sources, and our network of contacts.

Given the prevailing circumstances, it is impossible to be entirely comprehensive. The PRC's 'state secrets' laws make it especially difficult and dangerous to collect information, in addition causing a chilling effect on free speech and expression in Tibet. TCHRD recognizes those with the courage to share their stories, and those who risk their lives transmitting information in pursuit of human rights in Tibet.

All research work was guided by the research ethics principle of "do no harm" prioritising the privacy and security of sources and informants as well as their loved ones.

III. RECOMMENDATIONS

To the Chinese Government

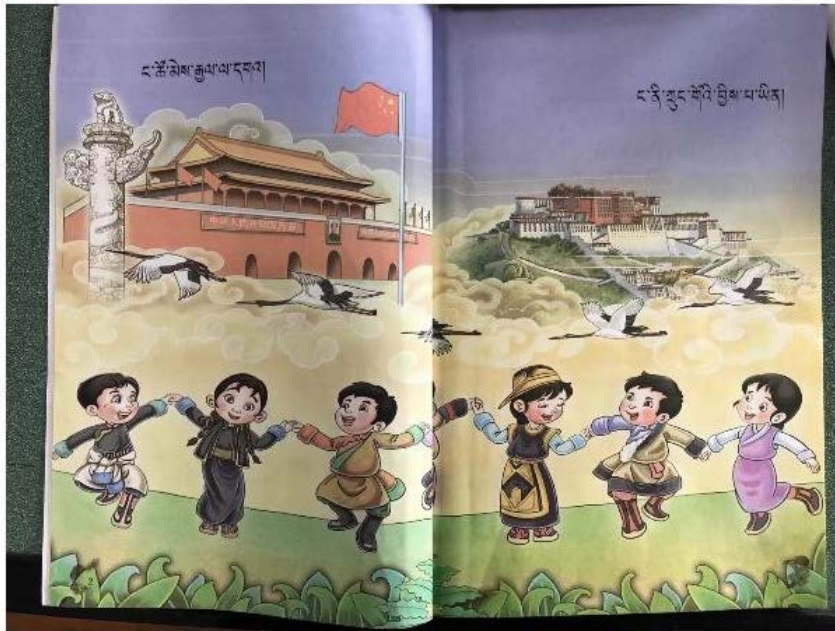
- Guarantee the right to self-determination and enforce policies that enable Tibetans to exercise genuine autonomy as provided for in the PRC's Constitution and Law on Regional National Autonomy
- End the forced cultural assimilation or sinicization policy to protect the individual and collective rights of the Tibetan people
- Review, amend and repeal all laws and regulations that violate the human rights of Tibetans to use, promote and develop their language, culture and religion
- Create concrete conditions to enable Tibetans to exercise the rights and freedoms on education and language rights enshrined in international treaties and conventions ratified by PRC
- Host an independent visit by the UN or other relevant international agencies to assess the quality and availability of mother tongue-based education for schools in Tibet
- Implement with immediate effect and without reservations all recommendations made by the UN treaty bodies, particularly those made by the Committee on the Rights of the Child on minority language and education rights in its concluding observations on PRC in 2013
- Ratify International Covenant on Civil and Political Rights and International Convention on Enforced and Involuntary Disappearances
- Issue a standing invitation to UN independent experts to conduct official visits in Tibet and other parts of the PRC
- Uphold international human rights treaty obligations to respect, protect and fulfil fundamental human rights

To the International Community

- Request visit by the UN human rights experts on education and language rights to assess the quality and availability of Tibetan language teaching and use within Tibet.
- Pressure PRC to submit its Sixth Periodic Report to the UN Committee Against Torture (CAT). The report was due 9 December 2019 and has not been submitted in April 2022.
- Pressure PRC to submit its Fifth and Sixth Periodic Reports to the UN Committee on the Rights of the Child (CRC). The state party report was due 31 March 2019 and has not been submitted in April 2022
- At the PRC's Third Periodic Review in 2022, the Committee on Economic, Social and Cultural Rights (CESCR) must conduct a rigorous assessment of PRC's human rights record and follow up on previous recommendations, particularly relevant to language and education rights in Tibet

- Engage with the Committee on Elimination of Racial Discrimination (CERD) and raise issues and concerns during the PRC's combined Eighth to Twentieth periodic review. The state report is due 28 January 2023
- Prioritise human rights in all foreign policy dealings with the PRC by taking concrete measures to raise human rights abuses during bilateral and multilateral engagements
- Demand accountability from the PRC for its human rights violations by not supporting PRC-sponsored resolutions at the UN and other multilateral platforms
- Support the June 2020 call by 50 UN human rights experts to act collectively and decisively to ensure China respects human rights and abides by its international obligations

"སྤྱི་ན་གཤམ་གྱིས་སྤུ་ཁུང་བརྒྱད་ནས་ང་ཚོའི་མཐོང་ལམ་བསྐྱེད་པས།
བྱ་ཚོད་ཀྱིས་དྲར་ཁོད་སྤུང་ནས་ང་ཚོའི་བརྒྱ་ཁྲི་ལ་འཛིན།" ཟེར་བ་ཅི་མ་བདེ་ན།



17 September 2021 2:26 PM

Photo of the pages from the new textbook reads: "We love the Motherland!" "We are the children of zhonghua [Chinese]!"

"The saying,
'Darkness dimmed our sight through the window,
Vultures guarding the funeral ground sucked our bone marrow',
sounds so true!"

[WeChat post by a Tibetan private school teacher in September 2021]

This online post by a Tibetan teacher in eastern Tibet expresses concern over the inclusion of Chinese Communist Party propaganda in a Tibetan language textbook issued in 2021.

IV. EDUCATION AND LANGUAGE RIGHTS IN TIBET

Education and language have become primary targets under Xi Jinping's sinicization project, the goal of which is to homogenise all non-Chinese minority nationalities into the dominant Chinese fold. Anything that sparks and strengthens ethnic cultural consciousness is treated as a security threat to the party-state. There is no place for minority cultures and languages in a system promoting *Putonghua* as the ticket to modernity and socio-economic prosperity.

The Chinese party-state has always used the education system to advance its political and economic ideology that views Tibetan culture as inferior, backward, and in need of modernization and scientific progress. The party-state's concept of 'nation' or *minzu*, the core of China's current 'second-generation ethnic policy', or *ronghe*, regards all nationalities as subordinate to the state.¹ However, the Han Chinese majority holds the dominant position because the party-state ideology regards Han Chinese history and civilization as the benchmark of modernity.² The so-called ethnic minority communities and their worldviews are, meanwhile, invariably associated with rural, poverty, tradition, blind faith, unscientific, and illiteracy.³

Ostensibly meant to achieve 'national unity/ethnic unity' (民族团结 *minzu tuanjie*) through a policy of rapid economic development, the intensification of *ronghe* policy has failed to reduce ethnic inequality, marginalisation and deprivation among minority nationalities. Indeed, the intensification of *ronghe* is aimed at depoliticising the question of 'nationalities' and quell dissent among minority nationalities.⁴

Despite a ground-breaking report in 2008 by a Chinese law firm highlighting the lack of qualified Tibetan language teachers in Tibet compared to an abundance of Chinese and English teachers, the PRC authorities initiated in 2011 a series of policies and campaigns of extreme hostility towards Tibetan culture and language and the persecution of human rights defenders advocating for Tibetan language and culture.⁵

The crackdown on the 2008 Tibetan uprising was followed by accelerated forced cultural assimilation to counter Tibetan dissent, particularly in Tibetan nomadic and farming communities. The penetration of party power into the lowest level of governance is apparent from the growing number of party grassroots organisations, regional farming and nomadic welfare associations, and Monastery Management Committees to tighten control over local Tibetans and pre-empt political dissent. The Chinese government justifies its popularisation of *Putonghua* with

a host of economic, cultural, and educational reasons, including the much-harped poverty alleviation policy it claims will bring economic and educational development. Rather than recognising the poverty cycle induced by the reduction of native language and native livelihood practices, the party-state has accelerated its promotion of Mandarin in an alleged effort to alleviate poverty.

Tibetan language learning is already disincentivised in Tibetan areas due to a host of factors, including the fact that Tibetan language proficiency is not required in the job market or for public service examinations. Professions requiring Tibetan language proficiency, like teaching, translation, research, and television studio work, are few and far between. The lack of employability quotient of the Tibetan language has discouraged its learning and compelled parents to send their children to Chinese medium schools to secure their future. Chinese authorities use this compulsion to justify the closure of Tibetan medium schools and the decreasing number of Tibetans proficient in the Tibetan language.⁶

Enforcement of the 'national common language' law in 2000 has spawned policies and laws that pushed Tibetan language and culture to the margins. Tibetan children now learn Mandarin from preschool without the free consent of their parents or legal guardians. Under the pretext of school mergers, Tibetan primary schools located in rural areas are shut down or subsumed into bigger Han Chinese medium schools.

Voluntary initiatives by monks, community leaders and teachers to teach Tibetan language and culture outside the state education system have come under attack and their supporters have been detained. Monastic education also came under fire as the state education system forced all children, including monks between the ages of six and 16, to be enrolled in government schools. Both the state school curriculum and now the private educational institutions exclude lessons on Tibetan history and culture. In 2018, many child monks from Sershul (Ch: Shiqu) Monastery in Kardze (Chinese: Ganzi) Tibetan Autonomous Prefecture were forcibly taken out of their monastery and enrolled into government boarding schools, away from their monastery and parents.⁷ Since then, more Tibetan medium schools have been closed and the amended law on private education has further restricted any private initiatives to promote Tibetan language and cultural education.

Tibetan language rights and freedoms granted in the Chinese legal

¹ Gladney, Dru C. "China and Its National Minorities: Autonomy or Assimilation?" By Thomas Heberer, Translated by Michael Vale. [Armonk, NY: M. E. Sharpe, 1989. 165 Pp. ISBN 0 87332 549 4]. "The China Quarterly, vol. 133, 1993, pp. 174–175, doi:10.1017/S0305741000018324.

² Ma, Rong. "Reconstructing "Nation" (Minzu) Discourses in China." International Journal of Anthropology and Ethnology, vol. 1, no. 1, 2017, p. 8, Doi:10.1186/s41257-017-0003-x. jia.e.springeropen.com/articles/10.1186/s41257-017-0003-x.

³ Yang, Ye. "Education for Development: Choices of Yi Rural Youth under the Influence of Modernisation-inspired Development in China" edited by Prof. Dr. Hermann Kreutzmann, Centre for Development Studies Freie Universität Berlin, 2022, refugium.fu-berlin.de/bitstream/handle/fub188/33589/BGP_52_Yang.pdf?sequence=1&isAllowed=y.

⁴ Kehoe, Tricia. "Review: Ethnicity in China: A Critical Introduction." Asian Highlands Perspectives, 2016, 40:459-464.

⁵ "Bold report by Beijing scholars reveals breakdown of China's Tibet policy" International Campaign for Tibet, 1 June, 2009. savetibet.org/bold-report-by-beijing-scholars-reveals-breakdown-of-chinas-tibet-policy/.

⁶ Baden Nima. Exploration on the way of Tibetan education, tibet3.com 10 June 2020, tibet3.com/Culture/zmyz/2020-06-10/174762.html.

⁷ "China forces young Tibetan monks out of monastery into government-run schools as part of drive to replace monastic education with political propaganda", International Campaign for Tibet, 12 July 2018, savetibet.org/china-forces-young-tibetan-monks-out-of-monastery-into-government-run-schools-as-part-of-drive-to-replace-monastic-education-with-political-propaganda/.

system are meaningless when Tibetan children are forced to complete a 'compulsory education' curriculum in *Putonghua* in government schools where they have no access to traditional or culturally relevant learning. The national curriculum is heavily influenced by party propaganda and 'thought remoulding',⁸ including the 'Xi Jinping Thought', mandated for all children at all school levels.

1. Central Ethnic Work Conference

In August 2021, at the two-day central ethnic work conference in Beijing, Xi Jinping called on minority nationalities to "prioritise the interests of the Chinese nation, and the sense of each ethnic group [to] be subordinated to and serve the sense of community for the Chinese nation."⁹ Xi presented a 12-point guide on 'Strengthening and Improving Ethnic Work' calling on "all nationalities to identify with the Chinese nation by adhering to a "correct view of the history of the Chinese nation".¹⁰

The guide prioritises building a "modern socialist country" while emphasising the importance of a more hardline approach towards minority groups. The various ethno-linguistic differences protected in the country's law are considered as national security threats with Xi affirming that the party-state will "resolutely safeguard national sovereignty, security and development interests" and "govern ethnic affairs in accordance with the law".¹¹

Xi also called for the elimination of vaguely-delineated crimes of "ethnic separatism and religious extremism" and stressed "the need to strengthen international anti-terrorism cooperation", reinforcing fears that the party-state is actively seeking to harass and persecute political dissenters and human rights defenders living in exile.

On the one hand, the guide claimed the importance of the system of regional national autonomy but on the other, encouraged "extensive exchanges and integration of all ethnic groups" and the "unification of all ethnic groups in ideals, beliefs, emotions, and cultures". However, the acceleration of "socialist modernization" requires all minority groups to "modernise their ideas, spiritual tastes, and lifestyles"; "promote the popularisation of *Putonghua*"; and "strengthen the party's grassroots political power in minority areas." With no practical legal safeguards to protect the cultures and languages of minority groups and systemic discrimination in place for non-Chinese minorities, ethnic-mingling in the current situation can only result in the absorption of minorities into the Chinese majority.

2. Seventh Tibet Work Forum

In August 2020, the Seventh Tibet Work Forum mapped out policy directions for building a new modern socialist Tibet emphasising that Tibet is an inseparable part of China and a priority for Beijing.¹² The creation of a new "modern socialist Tibet" actively seeks to destroy the linguistic, cultural, and social practices and identities of minority nationalities to better facilitate assimilation and ethnic dilution for the creation of the *zhonghua* race, dominated by societal and identity norms of the Han Chinese.

The forum agreed to "greatly strengthen the ideological and political education in schools, and put the spirit of patriotism throughout the entire process of school education at all levels and bury the seed of loving China in the depths of the hearts of every young person."¹³ This includes an "in-depth education on the history of the party, the history of New China, the history of reform and opening up, and the history of socialist development, and the history of the relationship between Tibet and the motherland[.]"¹⁴

Further, Xi Jinping exhorted party members to "actively guide Tibetan Buddhism to adapt to the socialist society and promote the sinicization of Tibetan Buddhism", which requires the interpretation of core Buddhist teachings to promote socialist values and founding principles of the party.

Xi discouraged any deviation from the "correct national views, historical views, ethnic views, cultural views, and religious views" and called for "further exploration of and promotion of the historical exchanges and integration among all ethnic groups and visualisation of the collective future of prosperity."

3. Xi Jinping Thought

In place of culturally and socially relevant education, the Ministry of Education in August 2021 issued guidelines on incorporating the "Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era" into the curriculum covering basic, vocational, and higher education.¹⁵ The curriculum shares similar contents with the coercive 'patriotic education'¹⁶ as both require students to "focus on cultivating love for the country, the party, and Socialism".

⁸ Ping, Hu. The Thought Remolding Campaign of the Chinese Communist Party-State. edited by Paul van der Velde, Amsterdam University Press, Amsterdam, 2012, library.oapen.org/bitstream/id/1e28e687-142c-4ccb-a5ec-5765b470f90d/425212.pdf.

⁹ "How will China, a unified multi-ethnic country, address ethnic affairs in the new era?" CGTN, 30 Aug, 2021, news.cgtn.com/news/2021-08-28/Xi-stresses-high-quality-development-of-party-s-work-on-ethnic-affairs-1364xXfhBK0/index.html.

¹⁰ "At the Central National Work Conference, Xi Jinping emphasised that the Chinese nation's community consciousness should be the main line to promote the high-quality development of the party's national work in the new era. Li Keqiang hosted Li Zhanshu, Wang Huning, Zhao Leji, and Han Zheng attended Wang Yang's speech" Archyde, 28 August 2021, archyde.com/at-the-central-national-work-conference-xi-jinping-emphasized-that-the-chinese-nations-community-consciousness-should-be-the-main-line-to-promote-the-high-quality-development-of-the-party/.

¹¹ "Xi stresses high-quality development of party's work on ethnic affairs", Xinhua, 29 August 2021, english.scio.gov.cn/topnews/2021-08/29/content_77720623.htm.

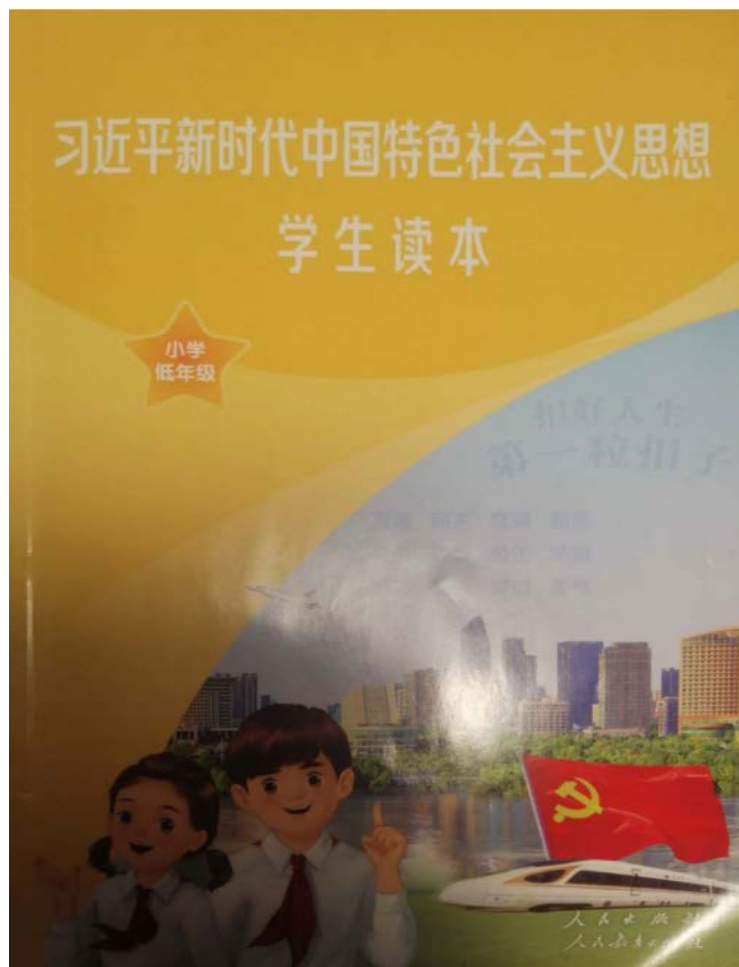
¹² "China sets policy directions for building a modern socialist Tibet" CGTN, 30 August 2020, news.cgtn.com/news/2020-08-29/Xi-addresses-seventh-Tibet-work-forum-in-Beijing--TIGiGmKcM/index.html.

¹³ Ibid.

¹⁴ Ibid.

The 'Xi Jinping Thought', first mentioned at the 19th party Congress in 2017, was incorporated into the PRC's constitution as one of the state's guiding ideologies. The 2018 constitutional amendments also repealed the presidential term limits making Xi PRC's supreme leader for life and bolstering his personality cult and autocratic style.¹⁷ Since its inclusion into the constitution, the 'Xi Jinping Thought' has become a mandatory subject in educational and research institutions, dictating the cultivation of correct thought and behaviour, especially among the younger generation.¹⁸

Earlier in December 2020, Tian Huisheng, director of the Ministry of Education's National Textbook Committee (NTC), had announced that all school textbooks of different levels were being "modernised" and "modified" to integrate the "Xi Jinping Thought on Socialism with Chinese Characteristics in the New Era."¹⁹ Tian added that the textbooks compiled by the NTC on "morality and rule of law, Chinese language and history" had been distributed in schools of all levels and grades and the plan is to ensure that all educational institutions across the country use NTC textbooks by 2025.²⁰



Elementary school booklet on "Xi Jinping Thought on socialism with Chinese characteristics in the new era" Photo: The Great Translation Movement

¹⁵ "Xi Jinping Thought added into curriculum: Ministry of Education Xi Jinping Thought added into curriculum", Global Times, 24 August 2021, [globaltimes.cn/page/202108/1232364.shtml](https://www.globaltimes.cn/page/202108/1232364.shtml).

¹⁶ Anand Upendran. "The Patriotic Education of Tibet", The Diplomat, 21 August 2013, thediplomat.com/2013/08/the-patriotic-education-of-tibet/.

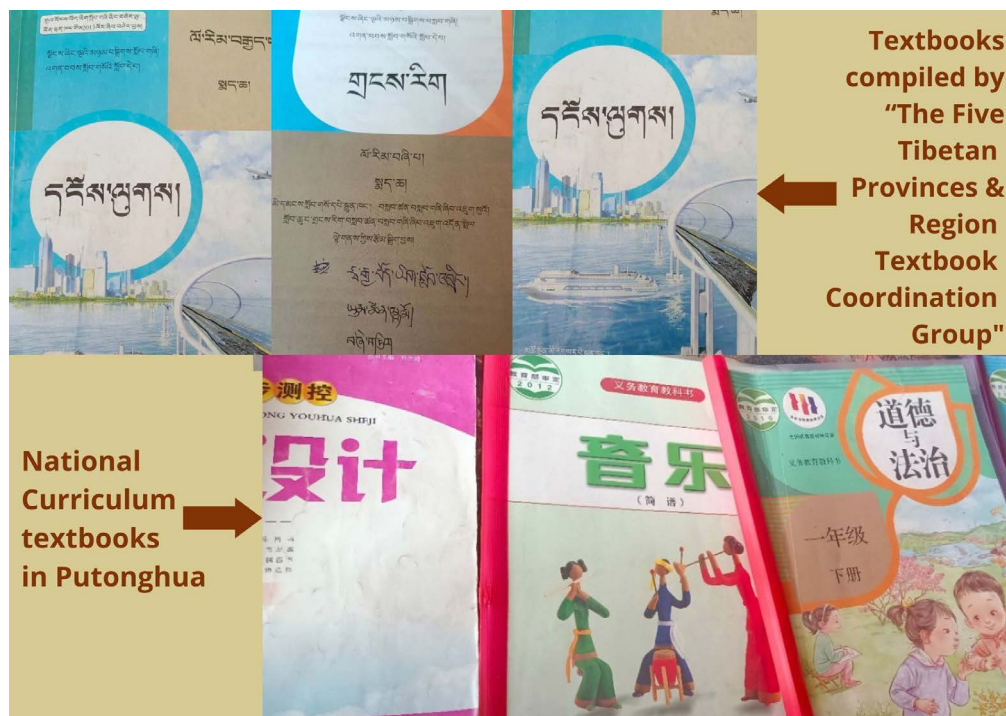
¹⁷ Suzuki Ken. China's New "Xi Jinping Constitution": The Road to Totalitarianism, 27 November 2018, Nippon, nippon.com/en/in-depth/a05803/.

¹⁸ Eerishika Pankaj. "Xi Jinping and Constitutional Revisions in China", FOCUS ASIA August 2020, pp. 7. Institute for Security & Development Policy, isdpi.eu/publication/xi-jin-ping-and-constitutional-revisions-in-china.

¹⁹ "Explained: The 'Xi Jinping Thought' that China will now teach from school to university" MSN, 25 August 2021, [msn.com/en-in/news/in-depth/explained-the-xi-jinping-thought-that-china-will-now-teach-from-school-to-university/ar-AANJQNT](https://www.msn.com/en-in/news/in-depth/explained-the-xi-jinping-thought-that-china-will-now-teach-from-school-to-university/ar-AANJQNT).

Established in July 2017, the NTC has the sole authority to “give guidance on and coordinate textbook development around the country” and its “quality control mechanism” requires the “development, assessment, and selection of textbooks” based on an evaluation mechanism “focused primarily on the assessment of political direction.”²¹ By 2020, the NTC had distributed 190,000 textbooks nationally, including about 10,000 for basic education, 80,000 for vocational and continuing education, and 100,000 for higher education.²² The NTC’s vague references to how the new textbook management system will “improve the adaptiveness of textbooks to the new era and their capability of enlightenment and dissemination of moral values” supports evidence that the party-state is abusing the national education system to serve its political objectives, with damaging consequences on the human rights situation in Tibet and elsewhere in the PRC.²³

Since 2020, Chinese authorities in Tibetan and Inner Mongolian areas²⁴ have implemented the unified *Putonghua* textbook system making *Putonghua* medium education mandatory in schools at all levels and grades. Both state and private schools are required to adopt the new sinicized textbooks, the contents of which are mostly party propaganda in *Putonghua*.



Unified Putonghua Textbook System has replaced textbooks compiled by “The Five Tibetan Provinces and Region Textbook Coordination Group”

This has led to the end of almost four decades of the unified Tibetan textbook system known as “The Five Tibetan Provinces and Region Textbook Coordination Group”, established in 1982 by the State Education Commission and the State Ethnic Affairs Commission to develop unified Tibetan educational materials for use in primary and secondary schools throughout all Tibetan areas.²⁵

²⁰ “MOE press conference to present progress in textbook system during 13th Five-Year Plan period”, Ministry of Education of People’s Republic of China, 25 December 2020, en.moe.gov.cn/news/press_releases/202101/t20210114_509785.html.

²¹ Ibid.

²² Ibid.

²³ Ibid.

²⁴ “Students in Inner Mongolia Protest Chinese Language Policy”, Huizhong Wu, The Diplomat, 2 September 2020, thediplomat.com/2020/09/students-in-inner-mongolia-protest-chinese-language-policy/.

²⁵ Bass, Catriona. “Education in Tibet : policy and practice since 1950” Internet Archive, 1998, archive.org/details/educationintibet0000bass.

4. Chinese Medium Education

Tibetan areas outside Tibet Autonomous Region (TAR) particularly, those in Qinghai, Gansu, and Sichuan, had relatively enjoyed more freedom in local matters such as designing school curricula or adopting mediums of instruction. Skilfully navigating the fraught political and bureaucratic labyrinth, local Tibetans living outside TAR had been able to preserve and develop Tibetan culture and language.²⁶ Qinghai especially was until recently known for its abundant supply of Tibetan scholars, experts, and intellectuals, many of whom are frequently requested to take up teaching positions in Tibetan schools in both TAR and other Tibetan areas.

In TAR, *Putonghua* was made the medium of instruction from the primary level in the late 1990s. In 2007, 95 percent of all primary schools and most middle schools had adopted Chinese medium education.²⁷ By 2018, *Putonghua* was the medium of instruction in all rural primary schools.²⁸

In recent years, other Tibetan areas, especially Qinghai Province, have had more Tibetan medium schools converted to *Putonghua*. In 2017, local authorities had already introduced plans for *Putonghua* medium education in Tsoilo (Ch: Hainan) Tibetan Autonomous Prefecture. Schools in Golok (Ch: Guoluo) Tibetan Autonomous Prefecture were ordered to adopt Chinese medium instruction in the 2019-2020 school year.²⁹ *Putonghua* has meanwhile long replaced Tibetan as the medium of instruction in all schools in Yushu Tibetan Autonomous Prefecture.³⁰

The practice of merging Tibetan schools into larger Chinese medium schools as well as establishing boarding schools³¹ are part of a

calculated policy to promote cultural assimilation.³² Other measures, such as the 'Double Reduction' policy introduced in July 2021, have contributed to the closure of alternative means for Tibetan medium education.

Privately-run and funded schools offering classes on Tibetan language and culture for Tibetan children during winter breaks are being closed at a blistering pace. For instance, the Wonpo Language Protection Association, an initiative of the local Tibetan community in Wonpo County in Kardze Tibetan Autonomous Prefecture, was disbanded. Its members were barred from conducting winter classes and literacy drives. A mass detention of Tibetans in Dzachuka in August 2021 included the key members of the Wonpo Language Preservation Association.³³



Wonpo Tibetan Language Protection Association

5. Compulsory Education

All children in PRC above the age of six (seven, in special circumstances) must enrol in government schools to learn the nine-year 'compulsory education' curriculum. The nine-year period covers primary and junior secondary education, from ages six to 15. However, in TAR and Xinjiang Uyghur Autonomous Region, the 'compulsory education' curriculum was extended to 15 years and also covers preschool and senior higher secondary education, giving the state authorities absolute control over the education of minors at the expense of parental choice or preference.

The PRC's 'compulsory education' curriculum aims at "fortifying students' faith and confidence in the party's leadership and the socialist system"³⁴ and, in the case of Tibet, to ensure that "graduating



A primary school conducting exam in Sershul County

²⁶ Zenz, Adrian. "Beyond Assimilation: The Tibetanisation of Tibetan Education in Qinghai", Inner Asia 12.2 (2010) 293-315, doi.org/10.1163/000000010794983478.

²⁷ Leibold J, Yangbin Chen. "Minority Education in China - Balancing Unity and Diversity in an Era of Critical Pluralism", Hong Kong University Press, 2014.

²⁸ Ibid.

²⁹ Ibid.

³⁰ "China's 'Bilingual Education' Policy in Tibet, Human Rights Watch, 4 March 2020, hrw.org/report/2020/03/04/chinas-bilingual-education-policy-tibet/tibetan-medium-schooling-under-threat.

³¹ "Separated From Their Families, Hidden From The World" Tibet Action Institute, 2021, s7712.pcdn.co/wp-content/uploads/2021/12/ColonialBoardingSchoolReport2021.pdf.

³² "Tibetan School Year Begins Under New Restrictions, Mandarin-only Instruction" Radio Free Asia, 12 September 2020, rfa.org/english/news/tibet/school-09122020104223.html.

³³ "Deteriorating Situation In Dza Wonpo", Tibetan Centre for Human Rights and Democracy, 16 September 2021, tchrd.org/deteriorating-situation-in-dza-wonpo/.

³⁴ Outline of China's National plan for medium and long-term education reform and development 2010-2020, planipolis.iiep.unesco.org/en/2010/outline-chinas-national-plan-medium-and-long-term-education-reform-and-development-2010-2020.

students are opposed to or turn their hearts to the Dalai Clique and in whether they are loyal to or do not care about our great motherland and the great socialist cause[.]”³⁵ This latter quote is extracted from a speech given by the then TAR party secretary Chen Kuiyuan at the 1994 Fifth Annual TAR Education meeting. Much of Chen’s views were later incorporated into the PRC’s 1994 “Action Plan on Patriotic Education,” which asserted that “patriotic education must adhere to the policy of focusing on nation-building” and that “in contemporary China, patriotism is identical to socialism.”³⁶ Again in 1997, Chen declared that “the notion of a separate Tibetan culture is ‘obscuring the dividing line between classes’ and intended to ‘oppose Han culture’.”³⁷

Chen’s views, much of which were incorporated into the decisions taken at the 1994 Third Tibet Work Forum, assume special significance in the current situation where the PRC has accelerated its forced cultural assimilation policy in all areas of Tibet.

The PRC’s ‘compulsory education’ curriculum is embedded in the Chinese education system as a tool to promote the party’s ideology as well as to manipulate Tibetan history and undermine Tibetan culture.³⁸ It is strictly aligned with the political and economic goals of the Chinese party-state and, in its current form, is designed to assimilate minority languages and cultures. Acting more as the party’s propaganda and thought-work laboratory than an education system, the PRC’s curriculum in Tibet employs discriminatory textbook contents,³⁹ mandatory political and ideological education, and Chinese medium instruction.

curricula, but also by providing financial and administrative support needed to establish *Putonghua* as the only official language in PRC. By 8 October 2021, *Putonghua* promotional activities such as “language conferences, special lectures, cadre training, seminars and exchanges” were held in various provinces such as Qinghai, Yunnan, and Gansu, covering provincial and local language committees, colleges and universities, and other relevant units. Local authorities in these provinces populated by many Tibetans had issued “comprehensive opinions on the implementation of language work in the new era”. Local administrations have taken steps to improve the capacity of the provincial language committees with increased funding and improved administration. Funding for *Putonghua* language work was increased in Sichuan, Yunnan, and Qinghai, including 9.55 million yuan for Qinghai and 5 million yuan for Yunnan.

Authorities in Qinghai followed this support by issuing the “Action Plan for Preschool Children’s *Putonghua* Ability Improvement (2021-2025)”. The plan involves spending 9.3 billion yuan introducing *Putonghua* learning to preschool children, particularly in kindergartens, to “promote the all-round development of preschool *Putonghua* education”.⁴¹

The centrality of the party’s language and thought-work in its ‘new era ethnic policy’ is also evident in the Tibet Autonomous Region Education Supervision Office’s evaluations of prefectural and municipal governments. It now judges their performance based on strengthening the *Putonghua* language work in their areas of jurisdiction.

Chinese authorities at the highest level of governance have clearly indicated that the autonomous powers granted to minority nationalities to use and develop their languages in the country’s constitution are subordinate to the policy of promoting *Putonghua*.⁴²

Since 2019, the Ministry of Education and the Communist Youth League (the party’s youth wing) have conducted mandatory Mandarin training in minority regions. In 2019, a total of 463,000 teachers, 1.96 million farmers and herders, and 213,000 primary-level officials in 12 provincial regions received *Putonghua* training. In mid-2020, the ministry deployed 2,291 university students in 239 teams to 345 villages in the central and western regions to offer Mandarin training.⁴³ Some 5,200 teachers from minority communities and rural areas also attended a three-month online Mandarin training campaign from May to August 2020. The China Vocational Education Society (CVES)⁴⁴ has also been tasked with running *Putonghua* classes in both secular and monastic communities in minority regions.

6. Popularising Putonghua

The ‘first national language conference of the new era’ held in Beijing in October 2020 solidified the superior status accorded to *Putonghua* as “the national standard spoken and written language” in Chinese policies and practices.⁴⁰ The conference applauded a series of measures leading to the forced assimilation of minority nationals in the PRC, including forced enrolment of Tibetan children in state schools, restriction on Tibetan language instruction in both secular and monastic institutions, and extreme state involvement in preschool education.

Since the first language conference, the party-state has intensified forced language assimilation not only through the inclusion of party propaganda and ‘thought remoulding’ in the national educational

³⁵ “ICT report on Cultural Genocide presented at UN Human Rights Council”, International Campaign for Tibet, 21 June 2012, savetibet.org/ict-report-on-cultural-genocide-presented-at-un-human-rights-council/.

³⁶ Action Plan for Patriotic Education, 2006. Chinese Education and Society 39 (2), pp. 7-18, doi.org/10.2753/CED1061-1932390201.

³⁷ Bass, Catriona. Learning to love the motherland: educating Tibetans in China, Journal of Moral Education, 34:4, 433-449, 2005, DOI: 10.1080/03057240500410194, [tandfonline.com/doi/abs/10.1080/03057240500410194?journalCode=cjme20](https://doi.org/10.1080/03057240500410194?journalCode=cjme20).

³⁸ Ibid.

³⁹ “The Right To Education In Tibet”, Tibetan Centre for Human Rights and Democracy, 1 January 2015, tchrd.org/wp-content/uploads/2022/04/The-Right-to-Education-in-Tibet.pdf.

⁴⁰ “Local language committees uphold integrity and innovation, deepen reform and earnestly implement the spirit of the National Language Conference”, Ministry of Education, 22 October 2021 moe.gov.cn/jyb_sjzl/s3165/202110/t20211022_574399.html.

⁴¹ Ibid.

⁴² “Local regulations stipulating ethnic languages in teaching go against Constitution”, Global Times 20 January 2021, globaltimes.cn/page/202101/1213446.shtml?id=11.

⁴³ “China promotes Mandarin training to help poverty reduction”, Xinhua, 2 June 2020, english.www.gov.cn/statecouncil/ministries/202006/02/content_WS5ed615bdc6d0b-3f0e94995d1.html.

⁴⁴ “Xi Jinping sent a letter to congratulate the holding of the first major country craftsman innovation exchange conference”, China Vocational Education Association, 27 April 2022, zhzjs.org.cn.

7. Chinese Medium Preschools

Since 2011, Chinese authorities have increased spending on preschool education facilities, particularly in remote nomadic and farming communities in TAR and other Tibetan areas. *Putonghua* is the medium of instruction in all preschools, but Chinese authorities claim that schools carry out educational instruction in bilingual settings.⁴⁵ Children and youth have become prime targets under the state's cultural assimilation policy, evident in the enormous budget devoted to education in Tibetan nomadic and herding communities during the 12th Five-Year Plan (2011-2015).⁴⁶

In TAR, Chinese medium preschool education was introduced in 2011 when the authorities committed to spending 80 million yuan to build the so-called bilingual kindergartens in remote communities. Teaching materials for rural preschool children were compiled in the latter half of 2010 and put to use by autumn of 2011.⁴⁷ By 2020, the gross enrollment rate for preschool education in TAR was 87.03 percent, an increase of more than 52 percent from 2011 and higher than the national rate of 85.2 percent.⁴⁸ By mid-2021, there were some 2,200 kindergartens with more than 150,000 students enrolled, over ten times the figure for 2011.

In July 2021, the General Office of the Ministry of Education issued the "Implementation of the 'Children's Homophony' Plan for *Putonghua* Education for Preschool Children". The plan mandates that by the fall semester of 2021, all kindergartens in minority and rural areas must use *Putonghua* as the medium of instruction, and teachers must undergo *Putonghua* training.

Further, the 14th Five-Year Plan (2012-2025) prioritises Mandarin training in preschool by requiring kindergarten teachers in minority and rural areas to attend Mandarin training and to conduct *Putonghua* promotional and publicity activities such as the 'National *Putonghua* Promotion Week', 'June 1 Children's Day', and 'Teacher's Day'.

In September 2021, local authorities in Qinghai Province enforced the "Action Plan for Improving Preschool Children's *Putonghua* Ability (2021-2025)" ensuring that *Putonghua* becomes a pervasive feature of early childhood. The action plan also outlined instructions on adopting the 'One Village One Kindergarten' model that had been successfully implemented in Sichuan Province. This model of recruiting children from ages three to six for Chinese medium education has been introduced nationwide in May 2018, leading to increased state interference in preschool education in rural areas. Each administrative village (*cun*) in rural areas has established such kindergartens to teach

Putonghua to preschool children before they join primary school.⁴⁹ One of the major goals of the village kindergartens, apart from teaching Mandarin, is to cultivate "civilised habits".⁵⁰

The Family Education Promotion Law enacted on 1 January this year gives the authorities more control over the education of minors by obligating the parents to "become responsible guardians" with clear understandings of "the boundary between school education and family education".⁵¹ This means that the party-state now controls the education of minors in schools as well as in their homes by "rais[ing] the issue of family education from a family matter to a state affair."⁵² Punishment for parents and guardians violating this law previously ranged from detention to financial penalties. However, authorities claim that these have been replaced by "criticism, education, exhortations and sermons."⁵³

8. Mandarin Training For Monastics

Because the Tibetan monastic system is at the forefront of promoting Tibetan language and culture, it has come under severe assault under the party-state's systematic campaign to sinicise the Tibetan education system. Tibetan monasteries have played a notable role in introducing and expanding the Tibetan medium education system, particularly in Qinghai.⁵⁴ In the aftermath of the Cultural Revolution, many local initiatives to revive Tibetan language education benefited greatly from the contribution of Tibetan language teachers, mostly former monks. It was common for Tibetan secondary school teachers to receive teachings on Buddhism and Tibetan language at monastic institutions because Tibetan culture views monastic institutions as its guardian.

Tibetan language in religious institutions is also undermined by the mandate of an entirely Chinese medium curriculum for monks and nuns. In September 2021, a seminar held at the Tibetan Language Department of Qinghai Buddhist University to review the Chinese textbooks for Tibetan Buddhist institutions reinforced the government's campaign to promote the *Putonghua* curriculum among Tibetan Buddhists.⁵⁵ All Buddhist colleges and relevant government agencies such as the United Front Work Department and Religious Affairs Bureau are required to promote *Putonghua* curriculum.

⁴⁵ "Tibet extends its free education to preschool", Xinhua, 6 September 2012, chinadaily.com.cn/china/2012-09/06/content_15740573.htm.

⁴⁶ Ibid.

⁴⁷ "Rural Tibetan children offered free bilingual preschool education", Xinhua, 10 January 2011, en.people.cn/90001/90776/90882/7255825.html.

⁴⁸ "Tibet moving toward full coverage of preschool education", Xinhua, 8 May 2021, global.chinadaily.com.cn/a/202105/08/WS609649dfa31024ad0babcb76.html.

⁴⁹ Yang, Ye. "Education for Development: Choices of Yi Rural Youth under the Influence of Modernisation-inspired Development in China" edited by Prof. Dr. Hermann Kreutzmann, Centre for Development Studies Freie Universität Berlin, 2022, refubium.fu-berlin.de/bitstream/handle/fub188/33589/BGP_52_Yang.pdf?sequence=1&isAllowed=y.

⁵⁰ Ibid.

⁵¹ "China's first law on family education instructs parents to become responsible guardians", Global Times, 3 January 2022, globaltimes.cn/page/202201/1243992.shtml.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ Zenz, Adrian. "Beyond Assimilation: The Tibetanisation of Tibetan Education in Qinghai", Inner Asia 12.2 (2010) 293-315, doi.org/10.1163/000000010794983478.

⁵⁵ "Seminar On The Construction Of National Common Language Courses For Buddhist Studies Was Held In The Buddhist College Of The Tibetan Language Department Of Qinghai Province", 15 October 2021, Buddhist College of Tibetan Language Department of Qinghai Province, China Tibet Network, m.tibet.cn/cn/news/zcdt/202110/t20211015_7078232.html.



The seminar on the construction of national common language courses for Buddhist studies held at the Buddhist College in Qinghai Province. Photo: tibet.cn

In the last decade, Chinese authorities have established Buddhist colleges in TAR and other Tibetan areas to supplant the traditional Tibetan monastic education system and produce “highly educated and politically reliable” religious leaders.⁵⁶ The Chinese-Tibetan language department of the Beijing-based Advanced Buddhist College has increased the proportion of *Putonghua* classes by working with the Qinghai Normal University to compile Chinese textbooks for the Tibetan Buddhist community.⁵⁷

Coinciding with the seminar, the China Vocational Education Society (CVES) unveiled the ‘Warm Project’ *Putonghua* training base at a ceremony held at the Qinghai Tibetan Buddhist College to mark the enforcement of the *Putonghua* training program for farmers and herders in Qinghai.⁵⁸ The program will run in nine colleges and universities across the province and the provincial level CVES will be responsible for coordinating and operationalising the program.⁵⁹ The CVES had already implemented pilot projects on *Putonghua* promotion in Gansu and Sichuan provinces.

Both lay and monastic communities in Golok Tibetan Autonomous Prefecture in Qinghai have played a critical role in maintaining space for Tibetan medium education, which had shrunk dramatically in other Tibetan areas. In the TAR, conditions have always been more restrictive: Tibetan medium education was already discarded in 1997 despite a successful trial run of Tibetan medium education in middle schools in 1987. Alongside the party-state’s relentless promotion of *Putonghua* as part of its cultural assimilation policy, it is now dismantling the last bastion of Tibetan medium education that Qinghai represented for decades.

⁵⁶ “China Invests In Tibetan Buddhist Schools To Produce Next Generation Of Religious Leaders”, 25 May 2015, Ecns.cn, en.tibet3.com/religion/2016-10-27/1671.html.

⁵⁷ Hu Guilong, Pan Yujie, Zhou Ruichenzi. “Experts in Tibetan Buddhism: Promoting the National Common Language and Writing to Promote Cultural Communication and Exchange”, China News Network, 29 September 2021, tibet.cn/cn/index/news/202109/t20210929_7071144.html.

⁵⁸ “Warm Project National Common Language Training Base Unveiled in Qinghai”, China News Network, 27 September 2021, chinanews.com.cn/sh/2021/09-27/9575353.shtml.

⁵⁹ Ibid

Monastic School Offering Modern and Traditonal Education Dismantled



Drango Namgyal Ling Monastic School being dismantled

The Drango Monastic school was dismantled from 1 to 4 November 2021 under the supervision of the Drango (Ch: Luhuo) County police and members of the Monastery Management Committee. Two weeks before the demolition, the abbot and treasurer of the monastery were arbitrarily detained. The monks and local Tibetans were forced to participate in the demolition.

The County government cited lack of proper documentation as the reason for the demolition but local Tibetans believe it was a blatant campaign to destroy the only school in the county that preserved the Tibetan language, culture, and religion. The school's demolition has left the former teachers unemployed and the former students have been prevented from enrolling in other educational institutions.

The monastic school faced several restrictions following the 2012 protests in Drango. It was closed for nearly a year due to heightened restrictions. On 25 April 2013 when the monastic school resumed classes, it had about 100 students, down from 140 a year earlier. In 2016, more than 30 'minor' students and a cultural-studies teacher were expelled from the school for unspecified reasons.

The Gaden Rabten Namgyal Monastery established the Drango Monastic school to impart traditional and modern education to young monks. Founded more than 20 years ago, the monastic school had 50 classrooms with over 100 students and 20 teachers at the time of its demolition. Though the school was for monks, every year, during summer and winter breaks, the school held classes on Tibetan culture for lay students studying in government schools.

9. Private Education Targeted

Since 2012, private Tibetan schools and ‘winter schools’ offering Tibetan language and culture classes to children during winter vacations have come under increased attack. As the Chinese authorities intensified the implementation of the state education policies, they began to target educational institutions founded by monasteries and individuals concerned about the limited space for Tibetan language education.⁶⁰

In 2022, Chinese authorities in Sershul (Ch: Shiqu) County in Kardze Tibetan Autonomous Prefecture ordered all privately-run schools to close, and parents are required to send their students to government boarding schools by 20 April.⁶¹ There are about a dozen known private Tibetan primary schools scattered across the county. Some local Tibetans have submitted petitions against the order, citing that those schools are the only available means of Tibetan medium education in the remote nomadic region. Local sources fear that the petitions will have little effect and that the authorities have made a definite decision not only to close all private schools but also to demolish the school buildings.

Since then, six known Tibetan primary schools have been closed in the villages of Gemang, Bumser, Troshul, Asey, Warong, and Tharshul. One of the schools was the Phendey Chekyong primary school in Tharshul village, about 50 km from Sershul County town. Before its closure earlier this year, it had experienced varying degrees of interference from the local Chinese authorities since its establishment in 2007 by a reincarnated lama. In 2021, the school had around 130 students and about 20 staff. More than 500 students have graduated from this school. Many went on to earn top scores, especially in Tibetan language and history, in middle and high school exams. Local Chinese authorities initially approved Phendey Chekyong’s founding as a private school. The school lost considerable autonomy, however, in 2013 when the county government appointed a principal and some teachers to work at the school. In 2017, local authorities downgraded the school, allowing classes to be held only until grade 4. Consequently, teachers teaching grades 5 and 6 lost their jobs, and students in these classes were enrolled in a government boarding school in Chaksa, 15 km from Tharshul.

A teacher from the school told TCHRD that the school initially controlled its own curriculum, which prioritised traditional Tibetan education

subjects like Tibetan history and grammar, along with Chinese and English languages. In 2020, the school was ordered to adopt the national curriculum and a new Tibetan language textbook was issued, the contents of which “glorified the party and the Chinese nation”.⁶²

“It is much easier teaching in a private school because one can also teach Tibetan subjects such as Tibetan language and history alongside the mandatory state-compiled textbooks. It is impossible to do so in government schools,” said the teacher. In addition to teaching at Phendey Chekyong, the teacher also taught informal classes on Tibetan language, history and culture every winter when children studying in government schools were on vacation. The winter school established in 2012 was a collective effort by the teacher and other youths from the village who were disillusioned by the deteriorating language skills of Tibetan students in the state education system. Most of the 200 students in the village studying in middle schools in the county have attended the winter classes. In January 2020, the winter school—for which a Tibetan language teacher from Qinghai had been especially invited – could be held for only ten days due to the COVID-19 pandemic. The winter school has held no classes since. Parents and teachers share a significant concern that the last avenues for teaching Tibetan language and history to young Tibetans are now being closed.

The Bumser primary school in Bumser village faced a similar fate. The school was founded in 2005 by the previous abbot of Bumser Monastery with permission from the Chinese government. It was autonomous with its own curriculum that emphasised a traditional Tibetan education, although other subjects such as mathematics, Chinese, and English were also taught. After the abbot died in 2009, a successor was installed. In 2012, the county authorities put pressure on the school administration, citing lack of qualified teachers with secular backgrounds. Most of the teachers were former monks or lay Tibetans educated in the traditional Tibetan education system. The authorities claimed that these teachers were unqualified because they lacked modern educational qualifications. The county authorities forced the school administration to adopt the same curriculum as government schools. In 2013, the county government appointed a principal for the school and sent new teachers, forcing the school administration to discharge some of its longest-serving teachers.

V. CHINESE LAW ON EDUCATION AND LANGUAGE

The PRC has recognised minority language rights for non-*Putonghua* speakers since its founding in 1949. The party-state’s preliminary

constitution, the Common Program,⁶³ granted all nationalities equality, the right to autonomy, and freedom to develop their dialects and

⁶⁰ “China’s “Bilingual Education” Policy in Tibet, Human Rights Watch, 4 March 2020, [hrw.org/report/2020/03/04/chinas-bilingual-education-policy-tibet/tibetan-medium-schooling-under-threat](https://www.hrw.org/report/2020/03/04/chinas-bilingual-education-policy-tibet/tibetan-medium-schooling-under-threat).

⁶¹ Tenzin Sangmo, Researcher, Interview with anonymous source, Tibetan Centre for Human Rights and Democracy, March 2022.

⁶² Tenzin Sangmo, Researcher, “Anonymous source interviewed by TCHRD”, August 2021.

⁶³ The Common Program of the Chinese People’s Consultative Conference, Adopted by the First Plenary Session of the Chinese People’s PCC in Peking, 29 September 1949, [commonprogram.science/documents/THE%20COMMON%20PROGRAM.pdf](https://www.commonprogram.science/documents/THE%20COMMON%20PROGRAM.pdf).

languages and preserve or reform their traditions, customs, and religious beliefs (Articles 50-53). To implement these provisions, the Chinese central government passed “The Guidelines for Regional Autonomy for Minority Nationalities in the PRC” and “The Decision on the Organisation and Structure of Local Minority United Governments,” that included provisions on language rights for minority nationalities in administrative, judicial, and educational processes.

The PRC’s first official constitution of 1954 reintroduced Articles 50 through 53 of the Common Program in Article 2 of its General Principles.⁶⁴ Article 71 of the 1954 Constitution also required that autonomous regions (provinces), prefectures, and counties adopt one or more languages commonly used in the local minority communities and, Article 77 provided all minority nationalities the right to use their native languages in courts, “which had an obligation to provide interpreters, and that courts of law should conduct their business in languages commonly used in local minority communities.”⁶⁵ Equally significant is the provision guaranteeing the right to use and develop minority languages in minority communities (Article 4) in addition to the right to use of minority languages in both the administrative process and the judicial process in autonomous areas (Articles 121 and 134).

The revision of PRC’s constitution in 1975, towards the end of the Cultural Revolution, witnessed the repeal of Articles 71 and 77 of the 1954 constitution, in addition to the dilution of minority language rights enshrined in Article 2 of the 1954 version. Minority nationalities were granted the freedom to use minority languages (Article 4) but stripped of their freedom to develop their languages, even though all nationalities were still constitutionally equal.⁶⁶ But further amendments in 1978 restored the right of minority nationalities to use and develop their languages. They required autonomous governments to use one or more languages commonly used in local minority communities.

1. The Putonghua Provision

The 1982 constitution, however, mandated for the first time in PRC’s history the national promotion of *Putonghua* (Article 19). This was followed in 1984 by the passage of “Regional Autonomy Law for Minority Nationalities of the PRC,” which guaranteed minority nationalities the right to administer their internal affairs.⁶⁷ Before the

1984 law, government regulations and directives, as well as specific laws and statutes on education and minority autonomy, were used to implement minority rights.⁶⁸ The regional autonomy law contains six provisions regarding minority language rights.

In 2000, the promulgation of the “Law on the Standard Spoken and Written Chinese Language” (*Putonghua* promotion law) cemented the dominance of *Putonghua* over minority languages and encouraged the continued state patronage of *Putonghua* as the ‘national common language’. Experts have pointed out the “asymmetrical power dynamics” between the *Putonghua* promotion law and the constitutional provisions on minority language rights, with the former “express[ing] another language rights, a positive right to learn and use *Putonghua*”. This allows Chinese authorities to introduce a slew of nationwide *Putonghua* promotional programs and campaigns in the name of national unity.⁶⁹

The ‘regional national autonomy’ was revised in 2001 to accommodate the *Putonghua* promotion law and the party-state’s policy of accelerated assimilation. Officials introduced provisions that require the adoption of *Putonghua* either in the early or late years in the primary schools of minority communities⁷⁰ rather than the later years of primary schools or in middle schools (Article 37). The revised law requires minority officials to learn *Putonghua*.

Given the “highly unequal status”⁷¹ of minority languages compared to *Putonghua* and the many contradictions that plague Chinese legal provisions on language rights, there are strong indications that Chinese authorities are attempting to downgrade minority language rights as subordinate to the constitutional provisions on the “sovereignty of *Putonghua*”. In December 2021, a proposal submitted by the Chinese central government to the Legislative Affairs Commission of the National People’s Congress (NPC) Standing Committee called for a review of educational regulations in minority areas that stipulate using minority language as medium of instruction. The review was proposed because the regulations allegedly “failed to conform to the Constitution” and are not “conducive to promoting exchanges among ethnic groups.”⁷²

The outcome of the review is a foregone conclusion because the proposal’s goal is to “reinforce the sovereignty of *Putonghua*”. The “Recording and Review” (R&R) oversight tool of the Legislative Affairs Commission (LAC) of the NPCSC will perform the review.⁷³

⁶⁴ Zhou, M. “The Use and Development Of Tibetan In China.” Minglang Zhou & Hongkai Sun, eds. *Language policy in the People’s Republic of China: Theory and practice since 1949*: 221-236. 2004, Boston: Kluwer Academic Publishers.

⁶⁵ China. Constitution of the People’s Republic of China, Adopted on September 20, 1954 by the First National People’s Congress of the People’s Republic of China at Its First Session. [Rev. Translation]. Peking :Foreign Languages Press, 1961. npc.gov.cn/englishnpc/constitution2019/201911/1f65146fb6104dd3a2793875d19b5b29.shtml.

⁶⁶ Ibid.

⁶⁷ China. Law of the People’s Republic of China on Regional National Autonomy, 1 October 1984, lawinfochina.com/display.aspx?id=d4c49093aae0fa0bbdfb&lib=law.

⁶⁸ Sun, W.Z. and Gao, Z.X. (eds) (1996) *A Handbook of Education Laws of the People’s Republic of China*. Beijing: Chinese Statistical Publishing House.

⁶⁹ Language Rights in a Changing China: A National Overview and Zhuang Case Study Alexandra Grey Boston and Berlin: De Gruyter Mouton, 2021 342 pp. doi.org/10.1515/9781501512551.

⁷⁰ Ibid.

⁷¹ Cong Lin & Liz Jackson. Assimilation over protection: rethinking mandarin language assimilation in China, *Multicultural Education Review*, 13:4, 338-361, 2021, doi.org/10.1080/2005615X.2021.2006117.

⁷² “Proposal For a Constitutional Review On Ethnic Education Regulations Submitted, No Harm To Freedom In Using Ethnic Languages”, Cao Siqi, 23 December 2021, globaltimes.cn/page/202112/1243163.shtml.

⁷³ “Recording & Review”, NPC Observer, npcobserver.com/recording-review/.

REGIONAL AUTONOMY LAW FOR MINORITY NATIONALITIES

Article 10: Autonomous governments should guarantee the freedom for local national minorities to use and develop their native languages and scripts...

Article 21: According to their own regional autonomous laws, autonomous governments should use one or more locally common languages and scripts in their official business; they may choose the major minority nationality's language and script as the main ones when more than one is used.

Article 36: Schools mainly enrolling minority students should adopt textbooks in minority languages and scripts when available and use minority languages as the medium of instruction; in upper grades in primary schools or in secondary schools, Chinese courses should be offered and *Putonghua* should be used.

Article 47: Courts of law and offices of public prosecutors in autonomous areas should use the locally common language in their official business, guarantee citizens of all minority nationalities the right to use their native languages in lawsuits and trials, provide interpreters when the parties involved do not understand the locally common language, and adopt one or more locally common languages in legal documents according to actual needs.

Article 49: Autonomous governments should educate and encourage their officials of all ethnic origins to learn each other's languages and scripts. Officials of Han origin should learn the community's minority language(s) and script(s); officials of minority origin should learn their native language(s) and script(s) as well as Mandarin and Chinese script. Officials of autonomous governments who can proficiently use two or more locally common languages and scripts should be rewarded.

Article 53: Autonomous governments should . . . encourage officials and masses of all ethnic groups to respect each other's languages and scripts.

Through R&R, the LAC has the authority to "reject a sub-statutory legal document if it deems the document unconstitutional, unlawful, contrary to the Communist Party's major policies, or otherwise 'clearly inappropriate'".⁷⁴ One of the four primary goals of R&R is "to carry out the Communist Party central leadership's orders".⁷⁵

The PRC's constitution contains five extensive provisions on minority language rights, including equality of all nationalities and the freedom to use and develop their language and culture.⁷⁶ Authorities in autonomous areas are obligated to "autonomously manage the educational, scientific, cultural, health and sports undertakings of their

areas" and protect the right to use non-*Putonghua* languages in court proceedings.

Considering the constitutional provisions on minority language rights, the recent proposal to review educational regulations of autonomous areas on the grounds of alleged unconstitutionality raises serious questions about the legitimacy of the proposal itself, not only because it was submitted by the State Council.

In Tibet, the flurry of policies and laws introduced by Xi Jinping to promote *Putonghua* recalls memories of Mao Zedong's monopolistic language policy of forced assimilation of 1958. The policy was criticised and finally abandoned in 1979 because it violated the PRC's constitution.⁷⁷

CHINESE CONSTITUTION ON MINORITY EDUCATION AND LANGUAGE RIGHTS

Article 4 (a): All ethnic groups of the People's Republic of China are equal. The state shall protect the lawful rights and interests of all ethnic minorities and uphold and promote relations of equality, unity, mutual assistance and harmony among all ethnic groups. Discrimination against and oppression of any ethnic group are prohibited; any act that undermines the unity of ethnic groups or creates divisions among them is prohibited.

Article 4 (d): All ethnic groups shall have the freedom to use and develop their own spoken and written languages and to preserve or reform their own traditions and customs.

Article 119 Autonomous organs of ethnic autonomous areas shall autonomously manage the educational, scientific, cultural, health and sports undertakings of their areas, protect and restore the cultural heritage of their ethnic groups, and promote the development and a thriving of ethnic cultures.

Article 121 In performing their duties, autonomous organs of ethnic autonomous areas shall, in accordance with the autonomous regulations of that ethnic autonomous area, use the spoken and written language or languages commonly used in that area.

⁷⁴ Ibid

⁷⁵ Ibid

⁷⁶ China. Constitution of the People's Republic of China, Adopted on September 20, 1954 by the First National People's Congress of the People's Republic of China at Its First Session. [Rev. Translation]. Peking :Foreign Languages Press, 1961, npc.gov.cn/englishnpc/constitution2019/201911/1f65146fb6104dd3a2793875d19b5b29.shtml.

⁷⁷ Ibid.

Article 122 The state shall provide financial, material and technical assistance to ethnic minorities to accelerate their economic and cultural development.

The state shall assist ethnic autonomous areas in training on a large scale, officials at all levels, different types of specialised personnel and technical workers from among that area's ethnic groups.

Article 139 Citizens of all ethnic groups shall have the right to use their own ethnic group's spoken and written languages in court proceedings. The people's courts and the people's procuratorates should provide translation services for any party to court proceedings who does not have a good command of the spoken or written languages commonly used in the locality.

In areas inhabited by people of an ethnic minority or by a number of ethnic groups living together, court hearings should be conducted in the language or languages commonly used in the locality; indictments, judgments, notices and other documents should be written in the language or languages commonly used in the locality according to actual needs.

2. Education Law

The PRC's 'Education Law', passed in 1995, instructed schools nationwide to implement *Putonghua* as the basic language of instruction. Schools and other educational institutions "which mainly consist of students from minority nationalities [could] use in education the language of the respective nationality or the native language commonly adopted in that region (Article 12)."⁷⁸ The Education Law further provides that the state authorities impart education in "patriotism, collectivism and socialism as well as ideals, ethics, discipline, legality, national defense and ethnic unity" (Article 6) while "uphold[ing] Marxism-Leninism, Mao Zedong Thought and the theories of Constructing socialism with Chinese characteristics" (Article 3). The vague sounding ideological concepts in these provisions offer much discretion to the authorities in enforcing policies that directly conflict with the minority language rights provisions in the constitution and other laws.

The Education Law further requires the separation of education from religion and forbids "employ[ing] religion to obstruct activities of the state education system (Article 8)."⁷⁹ This provision is frequently used by Chinese authorities to justify the closure of schools and other educational institutions established by Tibetan Buddhist institutions or practitioners.

Despite the weakening of minority language rights in later legislative measures, efforts made by senior Tibetan leaders in the Chinese establishment, such as the 10th (previous) Panchen Lama and Ngabo Ngawang Jigme, led to the TAR People's Congress adopting the 'TAR Regulations on the Study, Use and Development of the Tibetan language' as a provisional law in 1987. This was quickly followed by the TAR authorities establishing four pilot projects providing Tibetan-medium teaching in middle schools for the first time.⁸⁰ However, this legislation was short-lived and abandoned due to precedence given to political and economic considerations and has now become an anomaly in the current policy of forced assimilation.

3. Compulsory Education Law

By and large, the Education Law echoes closely with the "Compulsory Education Law" of 1986. For instance, Article 6 of the 'compulsory education law' mandates that children above the age of six "enrol in school and receive compulsory education for the prescribed number of years" and that the "state policy on education must be implemented ... to lay the foundation for bringing up well-educated and self-disciplined builders and successors of socialism imbued with lofty ideals and moral integrity".⁸¹

Since the 'compulsory education law' requires the mandatory enrolment of all children above 6 in government schools where Chinese medium education is dominant, the legal obligation to promote *Putonghua* is also applied to parents and legal guardians who otherwise would have preferred an alternative form of education for their children. For example, government officials cited provisions from the law to justify prohibiting Tibetan children from participating in religious activities during their summer vacation.⁸²

According to the Chinese authorities, the 'compulsory education law' was implemented in TAR in 1985 with the "Three Guarantees" policy that provides free tuition, and room, and board for students from the farming and pastoral families during the nine-year compulsory education period. In 2012, the TAR became the first province in the PRC to increase the 'compulsory education' period to 15 years, incorporating preschool and senior high school.⁸³

The implementation of the compulsory education law in Tibet has led to the institutionalisation of 'thought remoulding' (*xi'nao* / "brainwashing") in the form of 'patriotic education' and the "Xi Jinping Thought", which are made mandatory subjects in the school curriculum. The 'thought remoulding', a common feature of totalitarian systems, "necessarily restricts people's freedom of choice" and "forcibly instils its doctrines amongst the general public" in order to establish "ideological dictatorship".⁸⁴

⁷⁸ China. Education Law of the People's Republic of China, Adopted at the Third Session of the Eighth National People's Congress on March 18, 1995, china.org.cn/english/education/184669.htm.

⁷⁹ Ibid

⁸⁰ "China's "Bilingual Education" Policy in Tibet, Human Rights Watch, 4 March 2020, [hrw.org/report/2020/03/04/chinas-bilingual-education-policy-tibet/tibetan-medium-schooling-under-threat](https://www.hrw.org/report/2020/03/04/chinas-bilingual-education-policy-tibet/tibetan-medium-schooling-under-threat).

⁸¹ China Compulsory Education Law of the People's Republic of China, amended and adopted at the 22nd Meeting of the Standing Committee of the Tenth National People's Congress of the People's Republic of China on June 29, 2006, english.www.gov.cn/archive/laws_regulations/2014/08/23/content_281474983042154.htm.

⁸² "Tibet underage students banned from religious activities in accordance with law", Global Times, 23 July 2018, globaltimes.cn/content/1112052.shtml.

⁸³ Ibid

⁸⁴ Ping, Hu. The Thought Remolding Campaign of the Chinese Communist Party-State. edited by Paul van der Velde, Amsterdam University Press, Amsterdam, 2012, library.open.org/bitstream/id/1e28e687-142c-4ccb-a5ec-5765b470f90d/425212.pdf.

4. Private Education Law

In May 2021, the PRC introduced amendments to the 'Regulations on the Implementation of the Law of the People's Republic of China on the Promotion of Privately-run Schools', which took effect on 1 September the same year.⁸⁵ The amendments, targeted at private schools using the 'nine-year compulsory education' curriculum (15 years in the case of TAR and Xinjiang Uyghur Autonomous Region), aim at increasing the party's control over the private education sphere. Multiple provisions of the law emphasise the sole authority of the party-state and its various regulatory arms in deciding both the form and substance of private education. Article 4 requires private schools to set up a "supervising agency" consisting of representatives from the party's grassroots organisations that are "tasked with implementing the party's principles and policies, and participat[ing] in major school decisions". Private school teachers need to undergo training "to facilitate ideological and political training for the recruited teachers" (Article 35).

A notice⁸⁶ issued by the Ministry of Education and seven other government departments on 8 July 2021 further requires that schools providing the compulsory education curriculum— which, until then, could be jointly run by private and public schools or social organisations and individuals— be converted into public schools if they did not meet the requirements of 'six independences'. This set of conditions include having independent legal person qualifications, separate campuses from public schools, basic education and teaching facilities, independent full-time teachers, independent accounting and students enrolment, and issuance of academic certificates.

5. Double Reduction Policy

On 24 July 2021, the general offices of the party central committee and the Chinese central government jointly issued the "Opinions on Further Reducing the Burden of Homework and Off-Campus Training for Compulsory Education Students ('Double Reduction')", which took immediate effect.⁸⁷ The 'Double Reduction' policy claims to alleviate students' homework load and the costs borne by parents by providing off-campus tutoring.⁸⁸ The policy bans private tutoring companies or other entities such as private Tibetan medium schools and coaching classes from offering off-campus tutoring during weekends and holidays. Instead of doing homework or spending their off-campus time on private pursuits of their choice, students are encouraged to join government-built facilities on "sports training and extra-curricular activities".⁸⁹

By October 2021, more than 33,000 "sports and art training enterprises" had been built across the PRC, a year-on-year growth of 99 percent.⁹⁰ Chinese authorities stated that the policy signified a "shift towards making physical strength and ability a higher priority", than the quality of education, making the sports industry a lucrative business. This raises questions over the provision in the policy that discourages commercialization of education when businesses and services owned and patronised by the party get the largest share of benefits. Tibetan private schools provide free access to high quality Tibetan cultural education in remote nomadic and farming communities and their founders are motivated by the public good, not by commercial interests.

In Tibet, an early version of the 'double reduction' policy began in 2015 when the so-called 'Children's Palaces' or 'Youth Palaces' were built in Tibetan areas outside TAR. By 2018, Chinese authorities had built 28 children's palaces with more than 7000 children in Lithang (Ch: Litang) County, Kardze Tibetan Autonomous Prefecture. In 2019, Chinese state media reported the establishment of "Tibet Youth Palace" in Lhasa (TAR), citing government authorities that the facility would be "an important place for carrying out extracurricular activities, inheriting traditional culture and strengthening patriotism education, which provides scientific, cultural, artistic space with ethnic characteristics for youth in the whole southwest China's Tibet Autonomous Region."⁹¹

⁸⁵ "Implementing Regulations on the Private Education Promotion Law of China 2021", China Justice Observer, 10 September 2021, chinajusticeobserver.com/a/implementing-regulations-on-the-private-education-promotion-law-of-china.

⁸⁶ "Relevant person in charge of the Ministry of Education answered reporters' questions on the Notice on Regulating Public Schools Holding or Participating in Holding Private Compulsory Education Schools", Ministry of Education People's Republic of China, 25 August 2021, gov.cn/zhengce/2021-08/25/content_5633202.htm.

⁸⁷ "The General Office of the Central Committee of the Communist Party of China and the General Office of the State Council issued the Opinions on Further Reducing the Burden of Students' Homework and Off-campus Training in Compulsory Education", Xinhua, 24 July 2021, gov.cn/zhengce/2021-07/24/content_5627132.htm.

⁸⁸ Ibid

⁸⁹ "Students have more sporting time from 'Double Reduction' policy", Xinhua, 11 October 2021, chinadaily.com.cn/a/202110/11/WS6163a9e7a310cdd39bc6e159.html.

⁹⁰ Ibid

⁹¹ "New training camp for Party cadres in Tibet demonstrates tougher approach and challenges in ensuring loyalty", International Campaign for Tibet, 14 February 2019, savetibet.org/new-training-camp-for-party-cadres-in-tibet-demonstrates-tougher-approach-and-challenges-in-ensuring-loyalty/.

⁹¹ "New training camp for Party cadres in Tibet demonstrates tougher approach and challenges in ensuring loyalty", International Campaign for Tibet, 14 February 2019, savetibet.org/new-training-camp-for-party-cadres-in-tibet-demonstrates-tougher-approach-and-challenges-in-ensuring-loyalty/.

VI. LANGUAGE AND EDUCATION AS HUMAN RIGHTS

The right to education is a basic human right and is indispensable for realising other human rights.⁹² Numerous international treaties and conventions guarantee it, including the International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social, and Cultural Rights (ICESCR), Convention on the Rights of the Child (CRC), International Convention on the Elimination of Racial Discrimination (ICERD) and International Convention on the Elimination of Discrimination Against Women (CEDAW).

The fundamental principles of non-discrimination and equality underpin the right to education. The application of the right to equality without discrimination in education is particularly crucial to the use of minority languages in education.⁹³

Language rights are also enshrined in numerous provisions of international human rights law, such as the right to freedom of expression, prohibition against discrimination, and the right of linguistic minorities to use their language with others in their group.⁹⁴

Recognising the close link between language and identity, a 2013 report on language rights by the UN Special Rapporteur (the then Independent Expert) on minority issues states, “Language is central to human nature and culture, and is one of the most important expressions of identity. Issues surrounding language are therefore particularly emotive and significant to linguistic minority communities seeking to maintain their distinct group and cultural identities, sometimes under conditions of marginalization, exclusion and discrimination.”

As a state party to the ICESCR, CRC, ICERD and CEDAW, the Chinese government has a full obligation to protect and implement the provisions of these treaties in their domestic legislation.

Although the PRC has not ratified the ICCPR, as a signatory to the covenant, the PRC is required “not to defeat its object and purpose”. The ICCPR also protects education and language rights, as do the ICERD and the ICESCR, which states in Article 27: “In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and

practise their own religion, or to use their own language.”⁹⁵

Numerous other provisions recognise the importance of parents and legal guardians in determining the kind of education their children would receive. Article 26 (2) of the UDHR states, “Parents have a prior right to choose the kind of education that shall be given to their children.” Both Article 18 (d) of the ICCPR and Article 13(3) of the ICESCR require “respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.”

The importance of cultural and linguistic identity in education has further been emphasised in Article 29 (1) (c) of the CRC, which states that one of the objectives of education should be the “development of respect for the child’s parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilisations different from his or her own.”⁹⁶

The UNESCO Convention against Discrimination in Education, of which China is a state party, provides the right to receive education in one’s native language and culture in an alternative, non-governmental system.⁹⁷ The convention stipulates the necessity of “recognis[ing] the right of members of national minorities to carry on their own educational activities, including the maintenance of schools and, depending on the educational policy of each State, the use or the teaching of their own language.”⁹⁸

In its most extensive concerns expressed during PRC’s periodic review in 2014, the Committee on Economic, Social and Cultural Rights (CESCR) recommended that the state party “take all necessary measures to ensure the full and unrestricted enjoyment by minorities, including Tibetans, Uighurs and Inner Mongolians, of their right to enjoy fully their own cultural identity and take part in cultural life, and to ensure the use and practice of their language and culture.”⁹⁹

In its authoritative interpretation of Article 13 of the covenant, the CESCR further noted that ‘education shall be directed to the human personality’s “sense of dignity” and “enable all persons to participate

⁹² General Comment No. 13: The right to education, Article 13, Committee on Economic, Social and Cultural Rights, Twenty-first Session, E/C.12/1999/10, 8 December 1999, ohchr.org/EN/Issues/Education/Training/Compilation/Pages/d.

⁹³ Language Rights of Linguistic Minorities: A Practical Guide for Implementation, UN Special Rapporteur on minority issues, March 2017, ohchr.org/sites/default/files/Documents/Issues/Morities/SR/LanguageRightsLinguisticMinorities_EN.pdf.

⁹⁴ Ibid.

⁹⁵ Article 27, International Covenant on Civil and Political Rights, Adopted 16 December 1966 by General Assembly resolution 2200A (XXI), ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights.

⁹⁶ Convention on the Rights of the Child, Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989, Entry into force 2 September 1990, ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child.

⁹⁷ Article 2 (b), 2 (c), UNESCO Convention against Discrimination in Education, 1960, portal.unesco.org/en/ev.php-URL_ID=12949&URL_DO=DO_TOPIC&URL_SECTION=201.html.

⁹⁸ Article 5 (1) (c), UNESCO Convention against Discrimination in Education, 1960, portal.unesco.org/en/ev.php-URL_ID=12949&URL_DO=DO_TOPIC&URL_SECTION=201.html.

⁹⁹ Committee on Economic, Social and Cultural Rights, Concluding observations on the second periodic report of China, including Hong Kong, China, and Macao, China, 2nd Periodic Review, 13 June 2014, [E/C.12/CHN/CO/2](http://www.unhcr.org/refugees/4c12/CHN/CO/2).

effectively in a free society”, and “promote understanding among all ethnic groups, as well as nations and racial and religious groups.”¹⁰⁰

Clarifying the content of rights inherent in Article 13 (2), the CESCR highlighted the obligations of states parties to “respect the availability of education by not closing private schools” and “fulfil (facilitate) the acceptability of education by taking positive measures to ensure that education is culturally appropriate for minorities and indigenous peoples.”¹⁰¹

The CESCR also emphasised that the obligation on states parties in Article 2 to take necessary steps – including legislative measures – to fulfil the progressive realisation of rights contained in the covenant requires that the steps taken are “appropriate” and “justiciable”.¹⁰² It drew attention to attempts by the state to “weake[n] or significantly change[re] constitutional provisions relating to economic, social and cultural rights through law or policy that violate human rights.”¹⁰³

In 2009, during PRC’s periodic review by the Committee on Elimination of Racial Discrimination (CERD), the committee raised concerns over the dominant use of *Putonghua* as the medium of education in minority regions and pointed out remaining disparities for minority children in accessing education in their native languages.¹⁰⁴

In 2018, the same committee highlighted in its concluding observations the unequal status of Tibetan language teaching in schools vis-à-vis *Putonghua* in law, policy and practice, restrictions on Tibetan language, persecution of Tibetan language advocates and denial of access to Tibetan language translations during court proceedings.¹⁰⁵

The UN Human Rights Council’s independent fact-finding and monitoring procedures, known as Special Procedures, consisting of Special Rapporteurs, Independent Experts, and Working Groups, have sent numerous communications to the Chinese government in an attempt to ascertain the situation of the Tibetans specifically their rights to religious freedom as well as socio-cultural and linguistic rights guaranteed under international instruments.

In a May 2020 letter to the PRC government, the UN human rights experts expressed their concerns about its implementation of Article 2 of the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities,¹⁰⁶ which states that persons belonging to minorities have the right to enjoy their own culture, profess and practise their religion, and use their language in private and public, without interference or any form of discrimination. The Declaration also requires States to preserve the existence and identity of minorities on their territory, take appropriate steps to that effect (Article 1), and ensure human rights are enjoyed without discrimination (Article 4).

In May 2019, the Special Rapporteurs on cultural rights, freedom of opinion and expression, human rights defenders, minority issues, and freedom of religion or belief requested information on measures taken by the Chinese government to ensure the free exercise of the Tibetans’ rights to freedom of expression, religion or belief, liberty and security, equal treatment under the law, and their right to participate in cultural life without discrimination.¹⁰⁷

In January 2018, the Working Group on Arbitrary Detention and Special Rapporteurs on cultural rights, freedom of opinion and expression, minority issues; and torture and other cruel, inhuman or degrading treatment or punishment, called for freedom to use mother tongue-based education in Tibetan schools.¹⁰⁸

In February 2017, the same experts expressed concern over the sentencing of Tibetan language rights advocate Mr. Tashi Wangchuk, and emphasised the urgent need for the Chinese government to address issues regarding the protection of Tibetans’ linguistic and cultural rights, including non-discrimination in education and other human rights. The experts also sought information on the PRC’s efforts to promote and protect linguistic rights, particularly the right to be taught in their mother tongue and learn the Tibetan language in Tibet.¹⁰⁹

A 2013 report on the rights of linguistic minorities urged the states to protect the rights of minorities to learn and be instructed in their mother tongue.¹¹⁰ The Special Rapporteur followed that up in 2017 with a practical guide for the implementation of language rights,¹¹¹ calling for

¹⁰⁰ General Comment No. 13: The right to education (article 13) (1999) Adopted by the Committee on Economic, Social and Cultural Rights at the Twenty-first Session, 8 December 1999, [E/C.12/1999/10](#).

¹⁰¹ Ibid

¹⁰² UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 3: The Nature of States Parties’ Obligations (Art. 2, Para. 1, of the Covenant), 14 December 1990, [E/1991/23](#).

¹⁰³ Ibid

¹⁰⁴ UN Committee On The Elimination of Racial Discrimination, Concluding observations of the Committee on the Elimination of Racial Discrimination, 15 September 2009, [CERD/C/CHN/CO/10-13](#).

¹⁰⁵ Committee on the Elimination of Racial Discrimination, Concluding observations on the combined fourteenth to seventeenth periodic reports of China (including Hong Kong, China and Macao, China), 19 September 2018, [CERD/C/CHN/CO/14-17](#).

¹⁰⁶ Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, December 18, 1992, [GA 47/135](#).

¹⁰⁷ Mandates of the Special Rapporteur in the field of cultural rights; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on minority issues; and the Special Rapporteur on freedom of religion or belief, May 10, 2019, [AL CHN 5/2019](#).

¹⁰⁸ Mandates of the Working Group on Arbitrary Detention; the Special Rapporteur in the field of cultural rights; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on minority issues; and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, February 16, 2018, [https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=23653](#).

¹⁰⁹ Mandates of the Working Group on Arbitrary Detention; the Special Rapporteur in the field of cultural rights; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on minority issues; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, February 10, 2017, [UA CHN 2/2017](#).

¹¹⁰ The report of the Special Rapporteur on minority issues on the rights of linguistic minorities, 2012, [A/HRC/22/49](#).

¹¹¹ The Special Rapporteur’s report, “Language Rights of Linguistic Minorities: A Practical Guide for Implementation” 2017, HRC/NONE/2017/12, [ohchr.org/Documents/Issues/Mi-norities/SR/LanguageRightsLinguisticMinorities_EN.pdf](#).

States to acknowledge and encourage linguistic and cultural diversity, as well as a clear implementation framework.

Despite numerous concerns raised by the UN mandates, the PRC has failed to provide any verifiable information on the situation of the Tibetans and other non-Han Chinese nationalities. In recent years, the PRC has not invited any independent fact-finding visits from the UN to monitor the status of civil, political, and socio-cultural rights in Tibet.

The PRC's entrenched hostility and disdain for human rights prompted 50 human rights experts to express alarm over the situation in PRC, and urged the UN member states to take "decisive measures" with a "sense of urgency" to convene a special session to assess human rights situation in PRC and establish an impartial and independent UN mechanism to closely monitor, analyse and report annually on the human rights situation in PRC, in view of the deteriorating situations in Hong Kong, Xinjiang, and Tibet.¹¹²

VII. CLOSURE OF SENGDRUK TAKTSE SCHOOL

On 8 July 2021, the highly reputed Sengdruk Taktse Middle School officially announced its closure at its annual graduation ceremony in Darlag County in Golok (Ch: Guoluo) Tibetan Autonomous Prefecture. The boarding school, founded in 1999, celebrated its 20th anniversary in September 2019.¹¹³ At its closure, the semi-private school had about 300 students and 40 staff members including two Chinese teachers. The semi-private schools are partially-funded by the state and are obligated to send their students to state schools for higher education.

At the graduation ceremony, Kunsang Gyaltsen, director and co-founder of the school, emphasised in his speech that the school had not violated any law because the school was established with state approval and patronage, and was now being closed by state order even though no law was violated. The school received Darlag County and Golok Tibetan Autonomous Prefecture governments' permission and officially opened as a primary school in 1999.



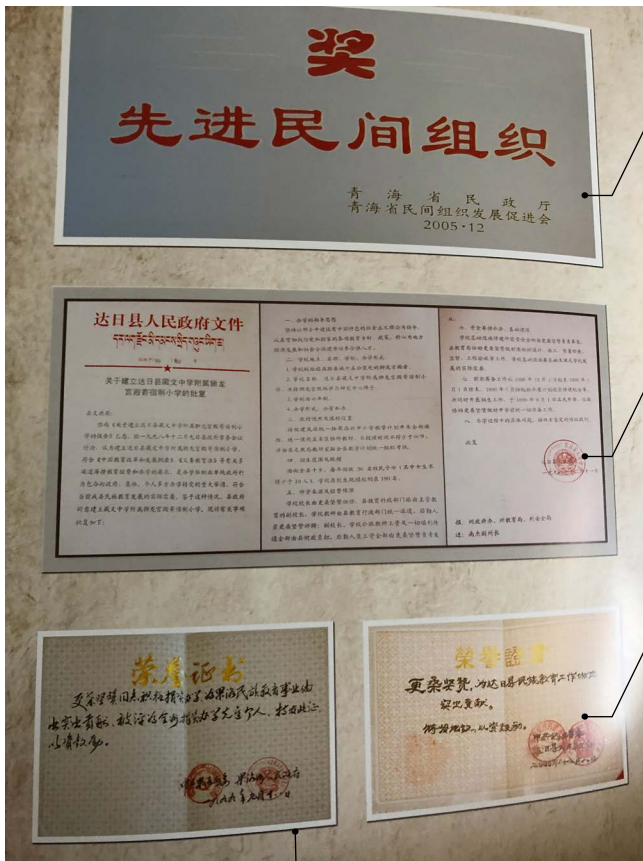
Celebration of the opening of Sengdruk Taktse new middle school, dated 5 August 2005.

112 "UN experts call for decisive measures to protect fundamental freedoms in China", Office of the United Nations High Commissioner for Human Rights, 26 June 2020, ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?LangID=E&NewsID=15342.

113 "Sengdruk Taktse School Celebrates its 20th Anniversary", The Joru Foundation, 16 January 2020, jorufoundation.org/2020/01/16/sengdruk-taktse-school-celebrates-its-20th-anniversary/.

In 2005, it was granted permission to upgrade to junior middle school licence up to the ninth grade.

The PRC's Private Education Promotion Law requires that if a private school has not violated any laws, its permit must be extended.

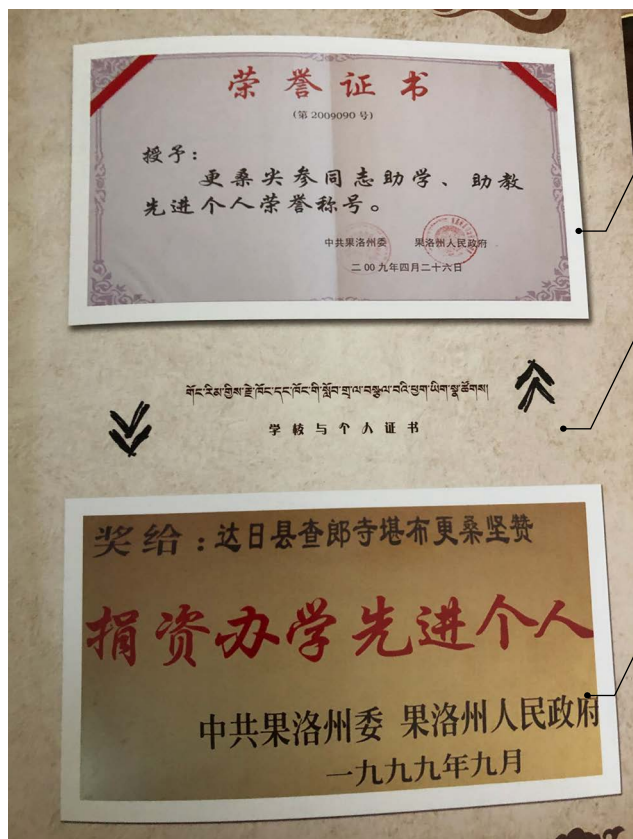


"Advanced civil society" prize for Sengdruk Taktse conferred by the Qinghai Provincial NGO Development Promotion Association of Qinghai Civil Affairs Department, December 2005

Government letter on the Establishment of Sengdruk Taktse Boarding Primary School Affiliated to the Dari County Tibetan Middle School, 11 December 1998

Honorary Certificate given to Kunsang Gyaltsen by the Golok Prefecture Party Committee, 10 September 1999

Honorary Certificate given to Kunsang Gyaltsen by the Darlag County Party Committee, 8 November 2000



Honorary title of "advanced individual" conferred upon Kunsang Gyaltsen for supporting education by the Golok Prefecture Party Committee, 26 April 2009

Commendation bestowed on Kunsang Gyaltsen by the Chinese authorities for his contribution to school education

Certificate of Merit to Kunsang Gyaltsen for his work in education issued by the Golok Prefecture Party Committee, September 1999

The plan to shut down the school was first discussed at a high-level meeting on 3 April 2021 as per the order of the Qinghai party secretary Wang Jianjun, to whom the central government and party authorities directly assigned the task. The meeting delegated the plan's execution to the party secretary and head of the Golok Tibetan Autonomous Prefecture. On 5 and 6 May, the local authorities held further meetings to discuss the plan. Both party and government authorities completed the closure and takeover of the school by 1 September. On 6 May, the Darlag County government issued "Order no. 10" announcing the school's closure.

According to a former staff-member of the school who now lives in exile, the closure of the school was "a huge loss to all as the school with its highly dedicated teachers had produced students who are well-versed in Tibetan cultural education and are well rounded individuals who stand out for their contributions to the society."¹¹⁴ He further expressed concerns that the Tibetan students will face additional challenges because they must now follow the standard *Putonghua* curriculum and clear tests in Mandarin Chinese to survive.

A key supporter of the school living in exile told TCHRD that the school came under the scrutiny of the authorities after 2008. Spies were dispatched to gather information on the foreign groups or individuals funding the school, with some even travelling to Dharamshala, India.¹¹⁵

1. Appeals Rejected

Following the closure order, Kunsang Gyaltsen and the school principal, Kunkhyab, approached the leaders of Darlag county authorities and submitted appeals for the reconsideration of the decision. The appeals, submitted multiple times, requested continued permission to run the school, even if that meant making all necessary corrections ordered by the government or refusing state funding.

Local authorities rejected the appeals stating that the central Chinese leadership, after making various inspections to Qinghai Province, was of the view that the government policies had not been implemented uniformly. They considered the situation in Golok Tibetan Autonomous Prefecture especially concerning due to the prevalence of private Tibetan schools, many of which were founded by Tibetan religious personalities and other influential Tibetan religious leaders. The petitioners were told that "monks should stay in the monastery and not interfere with education, which is the sole responsibility of the state."

Over the years, Sengdruk Taktse had become a sanctuary for the Tibetan community in eastern Tibet, providing both the state-sanctioned nine-year compulsory education curriculum and comprehensive cultural education with lessons in Tibetan language, literature and philosophy. Other subjects taught were Tibetan, Chinese, and English languages, as well as science, history, politics, chemistry, mathematics, arts, and ethics.

2. Forced Enrolment in State Schools

Students from the now-shuttered Sengdruk Taktse school were enrolled in government-built boarding schools under the 'compulsory education curriculum' in *Putonghua*. In September 2021, about 100 former students of the school were enrolled in the Darlag County government school and forced to attend two classes daily on 'Chinese socialism' and 'Xi Jinping Thought'. The students were required to pass the tests on the subjects that are aggregated with their overall grade. They were told "they had been receiving the wrong education and needed to be re-educated".¹¹⁶ Several students have left the school in the following months, according to Tibetan sources in exile.

When schools resumed for the fall semester in September 2021, about 50 percent of the former students of Sengdruk Taktse, many of them belonging to faraway Tibetan areas located in Kardze, Derge, Ngaba, Nyarong, Nagchu and Yushu, were not allowed to join government schools in Darlag. Most of them had come to the school as five- or six-year-old orphans or from impoverished families, and had neither registered their domicile in their birthplace nor as rural residents in Darlag. They were returned to their original home towns and teachers were not allowed to help them.

Six other Tibetan private schools in Golok were apparently on the radar during the closure of Sengdruk Taktse. Some of the notable schools in Golok that could be at risk are Ragya Sherig Norbu School, Machen Gangjong Rigzoe School, and Tsathang Girls School in Machen (Ch: Maqin) County; Minthang Chutruk Rigzoe School and Dorje Den Skills Training School in Chikdril (Ch: Jiuzhi) County; and Golok Tadrak School in Gadhe (Ch: Gande) County.¹¹⁷ At the time of writing this report, there have been no further updates on these schools.

¹¹⁴ Mr Tenzin Wangdrak, Field Officer. Interview with Anonymous Source, Tibetan Centre for Human Rights and Democracy, January 2022.

¹¹⁵ Mr Tenzin Wangdrak, Field Officer. Interview with Anonymous Source, Tibetan Centre for Human Rights and Democracy, February 2022.

¹¹⁶ Mr Tenzin Wangdrak, Field Officer. Interview with Anonymous Source, Tibetan Centre for Human Rights and Democracy, February 2022.

¹¹⁷ "Outcry from Tibetans after school is given orders to close", Free Tibet, 19 July 2021, <https://www.tibetwatch.org/news/2021/7/19/outcry-from-tibetans-after-school-is-given-orders-to-close>.

3. Detention and Surveillance

All 40 teachers, including two Chinese teachers of Sengdruk Taktse, were given written instructions on the school's closure and threatened with imprisonment if they shared the document with anyone.



Rinchen Kyi Photo: Tibet Times

On 1 August 2021, Ms. Rinchen Kyi, one of the longest-serving teachers of the school, was detained after a police officer on his routine round found her refusing food for days after the school's closure. The officer construed her behavior as "inciting separatism".¹¹⁸ Ms. Kyi has taught mathematics and Tibetan to primary students for many years and is a mother of two. She was detained for two days by local police and then taken to Xining for unspecified medical treatment.¹¹⁹ On 24 April 2022, she was suddenly escorted back to her home by police officers in two vehicles. Both she and her family members are under close surveillance and have been forbidden to go out or receive visitors.¹²⁰ There has been no information on her nine-months of incommunicado detention presumably for mental health treatment. Ms Kyi's current medical condition remains unknown even as she lives under house arrest.

On 24 August 2021, two Tibetan students from the state-run Darlag County Middle school were detained for speaking against the imposition of Chinese medium education in all local schools from the fall semester.¹²¹ Guldrak and Yangrik, both 19 years old, took to WeChat, stating that "It was better to live as herders than to attend school with a highly sinicized education system."¹²² They were detained at the Darlag County detention centre, and their current status and condition remain unknown.

Sources in Darlag County fear that Kunsang Gyaltsen and teachers are under close watch. At the time of the report, the staff and teachers are living in the staff housing near the school that had been built some years ago. The school is heavily installed with sophisticated CCTV cameras and other surveillance tools, enabling the authorities to put the entire campus under 24 hours watch.

After five months of the school's closure, former Tibetan teachers had not found employment.



Guldrak and Yangrik handcuffed and flanked by police in Darlag, Golok TAP Photo: RFA

¹¹⁸ "Middle school teacher arrested for inciting separatism", Phayul, 11 August 2021, phayul.com/2021/08/11/45980/.

¹¹⁹ "Teacher Rinchen Kyi has been released", Tibet Times, 25 April 2022, tibettimes.net/2022/04/25/219191/.

¹²⁰ Ibid

¹²¹ "Two Tibetan Students Detained for Opposing Chinese-Only Instruction in School", Radio Free Asia, 27 August 2021, rfa.org/english/news/tibet/students-08272021182339.html.

¹²² Ibid

4. Distinguished Academic Record

In 2008, the first batch of junior middle school students of Sengdruk Taktse graduated from the 'nine-year compulsory education'. Since then, the school has scored the highest rank several times in junior middle school examinations at the prefectural level. A former student Jigme Dawa obtained the highest college placement test scores in Golok. In 2009, another student Yangrik Dolma topped the junior middle school examinations in Darlag County.

As the school became widely known for its academic excellence, many Tibetan parents were eager to send their children there. The school had long waiting lists. During the admissions process, priority was given to applicants from impoverished backgrounds.

In 2011, two former students, Jigme Dawa and Jigme Tubtre, won scholarships to pursue undergraduate studies in the US. In 2015, Dawa received the Community Colleges of Spokane (CCS) Foundation scholarship to pursue a master's degree. In his acceptance speech on winning the scholarship, he recounted his educational journey from Sengdruk Taktse, describing its remarkable educational programs, especially in Tibetan literature, philosophy and language. He added that his "main mission is to create better educational opportunities for orphans and disadvantaged students". Upon completing his graduate studies, he returned to Sengdruk Taktse and worked there as a teacher until it was closed in July 2021.


5. Excellent Foundation for Learning

Known as Mayar Sengdruk Taktse Kubhum Tsekyong, the Sengdruk Taktse school was founded by Khenrül Kunsang Gyaltsen and Trulku Thubten Norbu Rinpoche, both of whom are reincarnated lamas and former students of the late Khenchen Jigme Phuntsok,¹²³ the renowned Tibetan Buddhist meditation master and teacher who founded the Larung Gar Buddhist Institute.¹²⁴


Sengdruk Taktse was founded to provide access to education to orphans and children from impoverished families in and around Darlag County. The school was located at an altitude of about 12,000 ft and reachable by a 15 km drive from the Darlag County town. The school was started with 30 students, most of them from within the county, but some had come from faraway areas such as Sershul (Ch: Shiqu), Derge (Ch: Dege), Nyagrong (Ch: Xinlong), Kardze (Ch: Ganzi), Kyegudo (Ch: Yushu) and Ngaba (Ch: Aba) as well as from Nagchu (Ch: Naqu) in TAR.

Sengdruk Taktse is the name of the Gesar Fort monument rebuilt next door at the spot revealed in Khenchen Jigme Phuntsok's vision as the site of epic Tibetan hero Ling Gesar's¹²⁵ palace during an empowerment ritual at the nearby Traling monastery. Both the school and the fort are part of the monastery.

At the founding of the school, Khenchen Jigme Phuntsok greeted in writing:



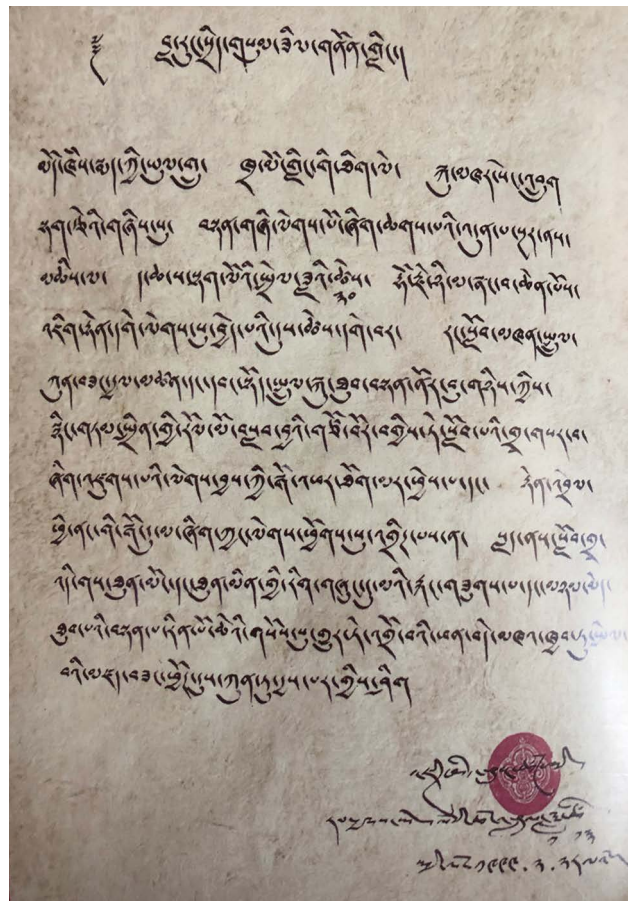
"Aspirations made previously have led to a great and auspicious appearance in this world - an excellent foundation for learning! In the Earth Tiger Year, the Monkey Month (June), on the 30th day, my students Khenrül Kunzang Gyaltsen and Wangtöd Tulku Thubten Norbu have carried out the most important practice from the 'Musical Clouds of Heart Advice' [a work of writing by Khenpo Jigme Phuntsok entitled snying gtam sprin gyi rol mo], and have built a new school, Larung Sidsum Zilnon Ling, in Domey [Eastern Tibet], near the center of Tramo Ling [Traling monastery], at Kumkhar Sengdruk Taktse. It is an excellent and auspicious beginning. In the future, this school will sustain both ordinary and extraordinary cultural traditions and restore the incomparable and precious teachings of the Buddha, creating all-pervasive benefits and happiness for all sentient beings, increasing and expanding positive actions in all directions."



¹²³ "Khenpo Jigme Phuntsok, Abbot of Serthar Buddhist Institute Dies", Tibetan Centre for Human Rights and Democracy, 7 January 2004, tchrd.org/khenpo-jigme-phuntsok-abbot-of-serthar-buddhist-institute-dies/.

¹²⁴ "Undercover in Larung Gar: A year after demolition, world's largest Tibetan Buddhist institute sliced like a melon", Tibetan Centre for Human Rights and Democracy, 11 August 2017, cn.tchrd.org/undercover-in-larung-gar-a-year-after-demolition-worlds-largest-tibetan-buddhist-institute-sliced-like-a-melon/.

¹²⁵ Kapstein, Matthew T., and Charles Ramble. The Many Faces of King Gesar. Leiden, The Netherlands: Brill, 27 Jan. 2022. doi.org/10.1163/9789004503465.

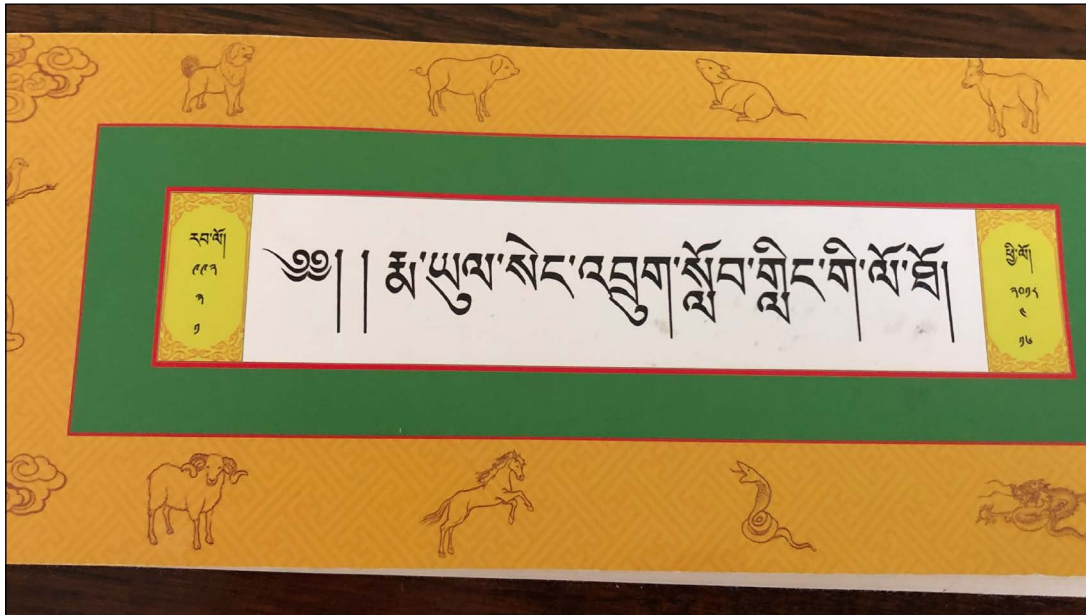


A copy of the letter penned by Khenchen Jigme Phuntsok dated 28 February 1999



Khentrul Kunsang Gyaltsen addressing the Ling Gesar Cultural Conference

Sengdruk Taktse has played a significant role in promoting Tibetan culture and language in Qinghai (Tso-ngon) Province. Kunsang Gyaltsen, the school's co-founder, and other alumni of the school established the Tso-ngon Sengdruk Taktse Tibetan Cultural Promotion Private Ltd., which was instrumental in successfully organising the first Ling Gesar Cultural Conference in Xining in 2017. The organisation is based in Xining and is currently working on compiling one of the most comprehensive dictionaries of Tibetan Buddhist terminology, with emphasis on unique Dzogchen ('Great Perfection') terms, astrology, and calendar. The compilation will have about 60 volumes and is expected to take several years to complete.



Sengdruk Taktse's almanac published on 16 April 2018

6. Targeting Tibetan Culture

The restrictions on monastic and private educational institutions in Darlag County is part of a wider policy to replace Tibetan medium closing and popularise *Putonghua* medium education masquerading as 'compulsory education' curriculum in all parts of Tibet. Accounts about the closure of Sengdruk Taktse school in Darlag provide evidence that Chinese state leadership from the central to local level had specifically targeted private Tibetan schools, mainly those run and founded by Tibetan religious personalities in Golok Tibetan Autonomous Prefecture.

Policies and campaigns implemented since 2011, following the Fifth Tibet Work Forum (2010), resulted in the intensification of China's forced cultural assimilation policy targeting education and language rights, among others, in Tibet. The crackdown on the 2008 uprising was a turning point in Chinese rule in Tibet, as the security state took centre stage, making political stability a precondition for the successful enforcement of all government policies and campaigns.¹²⁶

Although the official reason for Sengdruk Taktse's closure was that the semi-private school no longer needed foreign funding due to the improvement in the Chinese economy, a foreign funder of Sengdruk Taktse told TCHRD: "However, we definitely feel that it is likely because of the heavy emphasis at the school on the preservation of Tibetan culture and traditions, as well as the fact that Buddhist teachings were frequently given at the school - to both students and the general public."¹²⁷

Former students and staff of Sengdruk Taktse school have become Tibetan Buddhist tantric practitioners, and it was common for students to join monasteries and nunneries after graduation.

Sources with long associations with schools in Darlag commonly believe that the Chinese government is making an example out of the targeted schools to intimidate other private and semi-private schools in Golok Tibetan Autonomous Prefecture.

¹²⁶ He, Baogang. "Beyond Socialist Autonomy in Tibet." *Governing Taiwan and Tibet*. Edinburgh: Edinburgh University Press, 2015. pp.145-171.

¹²⁷ Tenzin Sangmo, Researcher, Interview with anonymous source, Tibetan Centre for Human Rights and Democracy, March 2022.

Below are some illustrative cases of the crackdown on private Tibetan educational institutions in TAR and other Tibetan areas:

- **Gyatso Orphanage School:** Bangri Rinpoche, the founder of the school, was the reincarnation of the previous Bangri Rinpoche of Nangchen Bangri Monastery was due for release on 31 July 2021 after serving close to 22 years of life imprisonment in Chushur (Ch: Qushui) County Prison near Lhasa.¹²⁸ There has been no confirmation from Chinese authorities about Bangri Rinpoche's release, raising concerns over his current status and health condition. At least since 2005 when he was found to be suffering from heart disease and gallstones,¹²⁹ Chinese authorities have withheld any information about Rinpoche's condition.



Gyatso Orphanage School. Photo: TCHRD file photo

Bangri Rinpoche was very concerned about the welfare of children, especially orphans who could not receive education.¹³⁰ Rinpoche's concern and generosity led him to establish an orphanage school through his own expenses and donations. The orphanage was founded in Gyatso Township near the Norbulingka Palace. In May 1996, forty orphans from various parts of Tibet were admitted into the orphanage. Rinpoche took the overall responsibility to look after the orphanage. His wife, Nyima Choedon, assisted him in administration work. The orphans were given education in Tibetan language, Chinese language, English language and mathematics.

Bangri Rinpoche was detained on 27 August 1999 along with Nyima Choedon and following a closed-door trial at the Lhasa Municipality Intermediate People's Court were convicted of 'splittism' on 26 September 2000. Rinpoche was sentenced to life in prison and 'deprived of political rights' for life while Choedon was sentenced for ten years and 'deprived of political rights' for five years.

On 31 July 2003, Rinpoche's life sentence was commuted to a fixed-term imprisonment of 19 years. In the summer of 2005, he was moved to Chushur, and the same year in November, his sentence was further reduced by one year making him eligible for release in July 2021.

¹²⁸ "China Must Provide Evidence Of Tibetan Philanthropist Bangri Rinpoche's Release From Life Imprisonment", Tibetan Centre for Human Rights and Democracy, 1 August 2021, tchrd.org/china-must-provide-evidence-of-tibetan-philanthropist-bangri-rinpoche-release-from-life-imprisonment/.

¹²⁹ "UN Torture Rapporteur Report Confirms Sentence Changes for Tibetan Prisoners", Dialogue, Issue 23, The Dui Hua Foundation, duihua.org/wp-content/uploads/2018/11/Dialogue-Issue-23.pdf.

¹³⁰ "Life sentence for Bangri Rinpoche commuted to 19 years prison term", Tibetan Centre for Human Rights and Democracy, 16 December 2004, tchrd.org/death-sentence-for-bangri-rinpoche-commuted-to-life-imprisonment/.

- **Tenzin Delek Rinpoche:** A reincarnated lama, Tenzin Delek Rinpoche built a school in 1997 in Geshe Lungpa Village of Nyagchuka (Ch: Yajiang) County, Kardze Tibetan Autonomous Prefecture. The school provided assistance to more than 160 orphans and children from impoverished nomadic and farming families. He fully financed the school with the supplies as food, clothing, salary etc. However, local authorities termed the school “illegal” and forcefully conducted “patriotic re-education” sessions in the school before shutting it down in 2000. All wards of the school had to return to their respective homes.¹³¹



*Tenzin Delek Rinpoche in a group photo with many young Tibetan children.
Photo: Tibetan Journal*

- **Khadrok Jamtse Rokten School:** The school was closed on 2 April 2012 and the Kardze County Public Security Bureau officers arrested the school’s director, Nyendak and a teacher, Yama Tsering. Both were arrested from the school and taken to an undisclosed location. Nyendak, 51, had worked as the director of the school for over 20 years while Yama Tsering, 36, joined the school as an English teacher in 2005 and since then had worked as an unpaid volunteer teacher.
- **Jinpa Gyatso:** Jinpa Gyatso, 38, a monk from Mayul Samten Choeckorling Monastery in Machu, was arrested on 25 October at around 2 pm. The Tibetan monk and educator who founded a social organisation to preserve and promote Tibetan language was recently arrested by the Chinese authorities in Machu (Ch: Maqu) County in Kanlho (Ch: Gannan) Tibetan Autonomous Prefecture, Gansu Province. It is not clear on what charges he was detained although local Tibetans believe that Gyatso’ arbitrary detention was linked to his social activism work including the founding of Bhoé Amay Rangkey Lasor, an organisation dedicated to preservation and promotion of Tibetan language.¹³²
- **Tenzin Lhundrup** is a senior monk and accomplished Buddhist scholar arbitrarily detained and disappeared in May 2014 while he was giving a lecture on the “status of Tibetan language and nationality” (Tib. mi rigs dang skad yig ki gnas bab skor) to villagers of Shagchu (Ch: Xiaqu) Town in Diru (Ch: Biru) County, Nagchu (Ch: Naqu) City.¹³³

¹³¹ “12 Years Too Many: Release Tenzin Delek Rinpoche on medical parole”, Tibetan Centre for Human Rights and Democracy, 7 April 2014, tchrd.org/12-years-too-many-release-tenzin-delek-rinpoche-on-medical-parole/.

¹³² “Tibetan monk and educator arrested, journal banned”, Tibetan Centre for Human Rights and Democracy, 1 November 2012, tchrd.org/tibetan-monk-and-educator-arrested-journal-banned/.

¹³³ “Senior Buddhist scholar arrested as repression escalates in restive Tibetan county”, Tibetan Centre for Human Rights and Democracy, 14 July 2014, tchrd.org/senior-buddhist-scholar-arrested-as-repression-escalates-in-restive-tibetan-county/.

- **Tashi Wangchuk** is a Tibetan language rights advocate who was detained on 17 January 2022 and interrogated for almost three hours at the Kyegudo (Ch: Yushu) city police station in Yushu Tibetan Autonomous Prefecture in connection with his *Weibo* posts on language rights.¹³⁴ He had been released on 28 January 2021 after serving five years in prison for his attempt to file a lawsuit against local Chinese officials for their failure to protect and promote Tibetan language and culture as guaranteed in the Chinese Constitution and Regional National Autonomy Law. Nine months after his release, Tashi opened a personal *Weibo* account with a profile bio that reads ‘Freedom of expression is the mother of all rights’.



Tashi Wangchuk’s *Weibo* post of images of Tibetan schools that had been forcibly closed or those where Mandarin Chinese had already been imposed as the medium of instruction in Qinghai Province.

From 6 to 9 April 2022, he posted on *Weibo* information and images about Tibetan schools that had been forcibly closed or those where *Putonghua* medium education was imposed in Qinghai Province. Since 10 April, his *Weibo* account remains inaccessible.¹³⁵



Tashi Wangchuk outside the gate of the now shuttered Sengdruk Takse School. Photo: Weibo / Tashi Wangchuk

¹³⁴ “Tibetan language rights advocate Tashi Wangchuk interrogated in connection with Weibo posts questioning China’s language policy”, Tibetan Centre for Human Rights and Democracy, 23 January 2022,

tchrd.org/tibetan-language-rights-advocate-tashi-wangchuk-interrogated-in-connection-with-weibo-posts-questioning-chinas-language-policy/.

¹³⁵ “TCHRD Is Concerned About The Personal Liberty And Security of Tibetan Language Advocate Tashi Wangchuk”, Tibetan Centre for Human Rights and Democracy, 13 April 2022, tchrd.org/tchrd-is-concerned-about-the-personal-liberty-and-security-of-tibetan-language-advocate-tashi-wangchuk-who-continues-to-face-harassment-more-than-a-year-after-release-from-prison/.

- **Tsering Dorjee**, 45, was detained in a 're-education' facility for over a month after he was caught conversing on phone with his younger brother about the importance of teaching Tibetan to their children in Dingri (Ch: Tingri) County, Shigatse (Ch: Xigaze) City, TAR.¹³⁶
- **Sonam Palden**, 22, is a monk who remains in incommunicado detention since September 2019 in Ngaba County for posting critical views on China's language policy on his WeChat account.¹³⁷
- In December 2008, a private Tibetan middle school founded by Khangsar Rinpoche in Kardze (Ch: Ganzi) County was closed. It was among the five known private schools in Dartsedo that were closed by the Chinese government under a rectification campaign.
- In February 2009, a private Tibetan school founded by Lobsang Nyandak in Pegashang in Diru (Ch: Biru) County in Nagchu (Ch: Naqu) Prefecture was forcibly closed. It had 2200 students. A vocational school founded by Khenpo Tenzin Thabkey in Nagchu with 300 students on its roll was also closed.¹³⁸
- Around June 2018, three monastery-run schools were closed in Tibetan areas of Sichuan Province.¹³⁹

VIII. APPENDICES

A. Relevant Chinese Provisions On Education And Language

Article 4 of the PRC Constitution - All nationalities have the freedom to use and develop their own spoken and written languages and to preserve or reform their own folkways and customs.

Article 46 guarantees its citizens "the right as well as the duty to receive education" .

Article 10 of the Regional Autonomy Law for Minority nationalities - Autonomous agencies in ethnic autonomous areas guarantee the freedom of the nationalities in these areas to use and develop their own spoken and written languages and their freedom to preserve or reform their own folkways and customs.

Article 21 While performing its functions, the autonomous agencies of an ethnic autonomous area, in accordance with the regulations on the exercise of autonomy of the area, use the language or languages commonly used in the locality; where several commonly used languages are used for the performance of such functions, the language of the nationality exercising regional autonomy may be used as the main language.

Article 36 In accordance with state guidelines on education and in accordance with the law, autonomous agencies in ethnic autonomous areas decide on educational plans in these areas, on the establishment of various kinds of schools at different levels, and on their educational system, forms, curricula, the language used in instruction and enrollment procedures.

Article 37 Autonomous agencies in ethnic autonomous areas independently develop education for the nationalities, and train specialised personnel from among the minority nationalities. Schools (classes) and other educational organisations recruiting mostly ethnic minority students should, whenever possible, use textbooks in their own languages and use these languages as the medium of instruction. Every local government should provide financial support for the production of teaching materials in the minority scripts and for publication and translation work.

¹³⁶ "Tibetan man criminally detained for phone conversation about Tibetan language education", Tibetan Centre for Human Rights and Democracy, 20 December 2019, tchrd.org/tibetan-man-criminally-detained-for-phone-conversation-about-tibetan-language-education/.

¹³⁷ "Monk detained for criticising China's policy on Tibetan language at high risk of torture", Tibetan Centre for Human Rights and Democracy, 11 November 2019, tchrd.org/monk-detained-for-criticising-chinas-policy-on-tibetan-language-at-high-risk-of-torture/.

¹³⁸ Archive of CTA's Chinese website)

¹³⁹ "China's "Bilingual Education" Policy in Tibet, Human Rights Watch, 4 March 2020, [hrw.org/report/2020/03/04/chinas-bilingual-education-policy-tibet/tibetan-medium-school-ing-under-threat](https://www.hrw.org/report/2020/03/04/chinas-bilingual-education-policy-tibet/tibetan-medium-school-ing-under-threat).

Set against the above are other legislation that states:

Article 37 Beginning in the lower or senior grades of primary school, Han language and literature courses should be taught to popularise the common language used throughout the country and the use of Han Chinese characters.

Article 53 Autonomous agencies of an ethnic autonomous area shall promote the civic virtues of love of the motherland, of the people, and of socialism and conduct education among the citizens of the various nationalities in the area in patriotism, communism and state policies concerning the nationalities. The cadres and masses of the various nationalities must be educated to trust, learn from and help one another and to respect the spoken and written languages, folkways and customs and religious beliefs of one another in a joint effort to safeguard the unity of the country and the unity of all the nationalities.

Article 19 The State promotes the nationwide use of *Putonghua*.

B. Implementation Of The International Covenant On Economic, Social And Cultural Rights

General Comment No. 13 (Twenty-first session, 1999)

The right to education (article 13 of the Covenant)

1. Education is both a human right in itself and an indispensable means of realizing other human rights. As an empowerment right, education is the primary vehicle by which economically and socially marginalized adults and children can lift themselves out of poverty and obtain the means to participate fully in their communities. Education has a vital role in empowering women, safeguarding children from exploitative and hazardous labour and sexual exploitation, promoting human rights and democracy, protecting the environment, and controlling population growth. Increasingly, education is recognized as one of the best financial investments States can make. But the importance of education is not just practical: a well-educated, enlightened and active mind, able to wander freely and widely, is one of the joys and rewards of human existence.

4. States parties agree that all education, whether public or private, formal or non-formal, shall be directed towards the aims and objectives identified in article 13 (1). The Committee notes that these educational objectives reflect the fundamental purposes and principles of the United Nations as enshrined in Articles 1 and 2 of the Charter. For the most part, they are also found in article 26 (2) of the Universal Declaration of Human Rights, although article 13 (1) adds to the Declaration in three respects: education shall be directed to the human personality's "sense of dignity", it shall "enable all persons to participate effectively in a free society", and it shall promote understanding among all "ethnic" groups, as well as nations and racial and religious groups. Of those educational objectives which are common to article 26 (2) of the Universal Declaration of Human Rights and article 13 (1) of the Covenant, perhaps the most fundamental is that "education shall be directed to the full development of the human personality".

6. While the precise and appropriate application of the terms will depend upon the conditions prevailing in a particular State party, education in all its forms and at all levels shall exhibit the following interrelated and essential features:

(c) Acceptability - the form and substance of education, including curricula and teaching methods, have to be acceptable (e.g. relevant, culturally appropriate and of good quality) to students and, in appropriate cases, parents; this is subject to the educational objectives required by article 13 (1) and such minimum educational standards as may be approved by the State (see art. 13 (3) and (4));

(d) Adaptability - education has to be flexible so it can adapt to the needs of changing societies and communities and respond to the needs of students within their diverse social and cultural settings.

7. When considering the appropriate application of these “interrelated and essential features” the best interests of the student shall be a primary consideration.

28. Article 13 (3) has two elements, one of which is that States parties undertake to respect the liberty of parents and guardians to ensure the religious and moral education of their children in conformity with their own convictions.¹⁴ The Committee is of the view that this element of article 13 (3) permits public school instruction in subjects such as the general history of religions and ethics if it is given in an unbiased and objective way, respectful of the freedoms of opinion, conscience and expression. It notes that public education that includes instruction in a particular religion or belief is inconsistent with article 13 (3) unless provision is made for non-discriminatory exemptions or alternatives that would accommodate the wishes of parents and guardians.

29. The second element of article 13 (3) is the liberty of parents and guardians to choose other than public schools for their children, provided the schools conform to “such minimum educational standards as may be laid down or approved by the State”. This has to be read with the complementary provision, article 13 (4), which affirms “the liberty of individuals and bodies to establish and direct educational institutions”, provided the institutions conform to the educational objectives set out in article 13 (1) and certain minimum standards. These minimum standards may relate to issues such as admission, curricula and the recognition of certificates. In their turn, these standards must be consistent with the educational objectives set out in article 13 (1).

C. Committee On Economic, Social And Cultural Rights: Concluding Observations On The Second Periodic Report Of China, Including Hong Kong, China, And Macao. 13 June 2014

36. The Committee is concerned that ethnic minorities continue to face severe restrictions in the realization of their right to take part in cultural life, including the right to use and teach minority languages, history and culture, as well as to practise their religion freely. Despite the measures adopted by the State party, the Committee is concerned about the restrictions faced by Tibetans and Uighurs, in particular regarding the restriction of education in the Tibetan and Uighur languages (art. 15).

The Committee recommends that the State party take all necessary measures to ensure the full and unrestricted enjoyment by minorities, including Tibetans, Uighurs and Inner Mongolians, of their right to enjoy fully their own cultural identity and take part in cultural life, and to ensure the use and practice of their language and culture. The Committee also recommends that the State party take adequate measures to protect cultural diversity and promote awareness of the cultural heritage of ethnic, religious and linguistic minorities.

37. The Committee is concerned about the lack of information on measures taken by the State party to prevent limitations on freedom of information and expression in the State party which may hinder the realization of the right to take part in cultural life and to benefit from technological and scientific progress (art. 15).

The Committee reiterates its previous recommendation (E/C.12/1/Add.107, para. 68) and urges the State party to take effective measures to remove restrictions on freedom of expression and information in the State party, and to enable all persons under its jurisdiction to take part in cultural life, enjoy the benefits of scientific progress and its applications, and benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which they are the authors.

D. Committee On The Elimination Of Racial Discrimination: Concluding Observations On The Combined Fourteenth To Seventeenth Periodic Reports Of China (Including Hong Kong, China And Macao, China)

43. The Committee is concerned by reports that Tibetans are subjected to significant restrictions on movement within and beyond Tibet Autonomous Region, and that the issuance of passports for foreign travel is almost entirely banned in the region. It is also concerned by reports that Tibetan language teaching in schools in the Tibet Autonomous Region has not been placed on an equal footing in law, policy and practice with Chinese, and that it has been significantly restricted; that Tibetan language advocacy has been punished; and that Tibetans do not have access to Tibetan language translations during court proceedings, which are held in Mandarin (arts. 2 and 5).

44. The Committee recommends that the State party:

- (a) Revise its regulations and practices to ensure non-discriminatory determinations on passport applications and freedom of movement for Tibetans who would like to travel within and beyond the Tibet Autonomous Region and abroad;
- (b) Preserve the Tibetan language in the Tibet Autonomous Region by, inter alia, encouraging and promoting its use in the fields of education, the judicial system and the media;
- (c) Provide the Committee with information regarding the promotion of, and any restrictions on the use of, ethnic minority languages.

E. China: UN Human Rights Experts Condemn 5-Year Jail Term For Tibetan Activist

GENEVA (6 June 2018) – UN human rights experts have condemned a five-year jail sentence handed to Mr. Tashi Wangchuk by a Chinese court for his work promoting cultural and linguistic rights of the Tibetan minority of China.

“We are gravely concerned about the sentencing of Mr. Tashi Wangchuk, and the sanctioning of his right to freely express his opinion about the human rights of the Tibetan minority of China,” the experts said.

“Governments should under no circumstances undermine or repress legitimate human rights advocacy and action, such as in this case, using national security, public order or anti-terrorism discourses”, they added.

“It is deeply concerning that this sentencing came after we issued two joint communications calling for his immediate release and for all of the charges to be dropped,” the experts said.

“We asked the Government to provide information about specific measures undertaken to promote and protect the linguistic and cultural rights of the Tibetan minority. We regret that, to date, the Government of China has not yet provided us with a satisfactory response.”

In December 2017, the UN Working Group on Arbitrary Detention issued an Opinion which found that Mr Wangchuk’s detention was arbitrary and in contravention of the Universal Declaration of Human Rights.

“Once again, we strongly urge the Chinese authorities to comply with their international human rights commitments, to grant Mr. Wangchuk immediate release and accord him an enforceable right to compensation and other reparations.”

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+91 1892-223363



office@tchrd.org

