






# Monthly Report (September) Tibet



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HUMAN  
RIGHTS  
DEFENCE

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## AIM OF THE REPORT

This report aims to raise awareness and bring attention to the human rights violations in Tibet. It provides a brief introduction to the region itself and subsequently discusses the human rights violations occurring against minorities. After the general overview, the report presents five cases of human rights violations that occurred in September 2022.

## TIBET

Tibet is a highly disputed region located between the mountainous borders of China, India, Nepal and Bhutan. In 1950, the People's Liberation Army (PLA) invaded the Tibetan region and seized control by force (Shakabpa, 2020). In 1959, Tibetans formed an uprising against the Chinese establishment over their land, which was crushed with brutal violence (Shakabpa, 2020). A deal was made with Tibetan representatives, stipulating the acceptance of the Chinese presence and the annexation of the region to the People's Republic of China (Shakabpa, 2020).

With the arrival of the Chinese came the exile of the 14th Dalai Lama, who is the religious leader of Tibet. In 1959, the spiritual leader left for Dharamshala, India, which became the location of the Tibetan government-in-exile (Shakabpa, 2020). The Tibetan population in exile is estimated to be around 100,000 in India and more than 50,000 elsewhere (Barshee, 2019).

# MAP OF TIBET



Map of Tibet. Source: © Wikimedia commons, 2016.

## INFORMATION ON TIBET

Land mass	1,221,600 km <sup>2</sup>
Population (2010)	3 million (est. 2010)
Capital	Lhasa (3650 metres altitude)
Ethnic groups	Tibetan, Han, Hui, Monba, Lhoba, Naxi, Nu, Drung, and others
Most widely spoken language	Tibetan
Most popular religion	Tibetan Buddhism

Table 5.1 Information on Tibet. Source: Shakabpa, Falkenheim Richardson, and Wylie, 2020.



# HUMAN RIGHTS VIOLATIONS AGAINST MINORITIES IN TIBET

The month of September 2022 has been characterised by severe human rights violations by Chinese authorities in Tibet. Tibetans have been forced into isolation centres in order to combat the Covid-19 emergency, where they have been denied access to basic needs. The Tibetan cultural heritage and history has also been threatened in the month of September 2022 as revised versions of Tibetan history have been introduced in schoolbooks. Lastly, the development of a grassroots policing system across the Tibetan plateau by the Chinese authorities places the Tibetan population's right to bodily integrity, dignity, privacy and family life at risk.

## 6.1 China's "Zero-Covid" policy and its complete disregard of human rights law

The handling of the Covid-19 emergency has led to substantial human rights violations throughout September 2022. Tibetans were forced to live in isolation centres. Both those who had tested positive, and those who had not, were forced to live in overcrowded centres without adequate food, water, or medication (Dolma, 2022). Within these centres, Tibetans were also subjected to beatings, torture, and maltreatment (Lhamo, 2022). In addition, the authoritarian lockdown put in place in the Tibetan Autonomous Region (TAR) has led five Tibetans to die by suicide (Tibetan Center for Human Rights, 2022).

## 6.2 China's revision of Tibetan history in schoolbooks

A new version of the history of Tibet, written by Chinese President Xi Jinping himself, was distributed in schools and colleges across the Tibetan plateau (Central Tibetan Administration, 2022). These books propagate China's revision of Tibetan history, claiming Tibet's "liberation" by the Chinese authorities (The Print, 2022). Within this revision, China claims that Tibet had always been part of China, erasing historical documentation of Tibetan identity and the Tibetan people's right to self-determination (Central Tibetan Administration, 2022). This revision violates the right to access education in conformity with the principle of the Universal Declaration of Human Rights.

## 6.3 China's DNA sampling and the violation of the right to privacy and bodily integrity

China has been collecting DNA samples throughout occupied Tibet in order to install its grassroots policing system. Samples have been taken from entire villages, as well as from children despite the lack of parental consent (Tibetan Review, 2022a). The amassing of DNA samples endangers the rights to privacy, human dignity, and family life.

## HUMAN RIGHTS EVENTS OF SEPTEMBER 2022



Tibet-Morning. Source: © Sheng-Fa Lin/Flickr, 2006.

### 7.1 Five Tibetan Men Arrested, One of Whom Dies as a Result of Torture by Chinese Authorities

Five Tibetans named Chugdhar, Ghelo, Tsedo, Bhamo, and Kori have been arrested by Chinese police in Eastern Tibet for having publicly carried out a ceremony of burning incense and offering prayers for the Dalai Lama. The individuals were all residents of Serthar County in Kardze (Ganzi) Prefecture and were taken to a detention centre in the same county on the 24th of August (Tibet News, 2022).

Two days after their arrest, Chugdhar, aged 52, was reported to have died in the detention centre from beatings and torture. Chugdhar's family reported that he did not suffer from any pre-existing illnesses prior to his arrest (Tibet News, 2022).

The authorities did not allow Chugdhar's body to be returned to his family for burial if the family did not sign a letter stating that his death did not occur as a result of police brutality (Tibet News, 2022).

The remaining four detainees were transferred to a detention centre in Kardze County on the 31st of August. Their families have been denied access to meet with them and all attempts to provide food for the detained have also been refused (Tibet News, 2022).

The treatment of Chugdhar, Ghelo, Tsedo, Bhamo and Kori by the Chinese authorities directly violates China's international legal obligations.

Article 1 of the Convention Against Torture (CAT) explains the meaning of the term torture. The term encompasses all acts that intentionally inflict severe pain or suffering, whether physical or mental, for obtaining information, punishing or intimidating and coercing an individual, or based on discrimination of any kind when such act is undertaken by or with the acquiescence of a public official (CAT, 1984). The right to be free from inhumane treatment is reinforced by Article 7 of the International Covenant on Civil and Political Rights which states that no one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment (ICCPR, 1966). China's beatings and torture of the detainees directly violates these two articles, as well as breaching the jus cogens principle.

Article 9 of the ICCPR also states that all individuals have the right to liberty and security of person, underlining that no one shall be subjected to arbitrary detention and arrest (ICCPR, 1966). In addition to this article, Article 10 of the ICCPR writes that all people deprived of their liberty will be treated with humanity and with respect for the dignity of all human beings (ICCPR, 1966). Article 3 of the Universal Declaration of Human Rights (UDHR) also states that all individuals have the right to life, liberty and security of person (UDHR, 1948). The arbitrary detention of the five Tibetans by Chinese police violates Article 9 and 10 of the ICCPR and Article 3 of the UDHR as the arrest has no legal foundation in an international legal sphere.

In this regard, China is seen to violate the ICCPR, the UDHR and the CAT.

NB: As a signatory of the ICCPR in 1998, China is not bound by it. None of the Covenant rights are enforceable against China. However, it is obliged to act in good faith and not defeat the purpose of the ICCPR, as stipulated in Article 18 of the Vienna Convention on the Law of Treaties (VCLT, 1980).



Lungta, Manasarovar lake, Tibet. Source:© Raimond Klavins/Flickr, 2014.

## 7.2 China is Collecting DNA Samples from the Entire Tibetan Population for its Policing System

China is collecting DNA samples throughout occupied Tibet for its grassroots policing system. Chinese officials claim that the systematic DNA collection is for “crime detection” purposes across the Tibetan plateau (Tibetan Review, 2022a). Human Rights Watch identified DNA collection drives in 14 localities across the Tibetan Autonomous Region (TAR) with one entire prefecture, two counties, two towns, two townships and seven villages (Tibetan Review, 2022a).

Samples have been taken from entire populations of some villages. In April, police in Nyê mo County in the Lhasa municipality collected DNA from entire classes of children at three kindergartens and no suggestion of parental involvement in the process was present in the public report.

Forced DNA collection can amount to serious intrusion of the rights to privacy, bodily integrity, and human dignity (Tibetan Review, 2022a). Article 23(3) of the Universal Declaration of Human Rights states that everyone has the right to human dignity (UDHR, 1948). Human dignity recognises the equal, inherent and inalienable value of every person, touching upon aspects of human experiences, privacy, education, citizenship and more. In addition, Article 12 of the UDHR stipulates that all individuals have the right to privacy and family life. This right also ensures that no State entity or person interferes in this right (UDHR, 1948). Similarly, Article 16 of the Convention of the Rights of the Child (CRC) states that the State shall never arbitrarily interfere with the privacy of a child (CRC, 1989). In addition, Article 16 writes that children shall be protected from these interferences (CRC, 1989). China is seen to violate these articles as it is sampling DNA information without the consent of the Tibetan population, thus affecting their right to privacy and human dignity.

Moreover, Article 29 writes that individuals may be subjected to limitations of the rights enshrined in the declaration only when such limitations meet the requirements of morality, public order, and the general welfare in a democratic society (UDHR, 1948). Similarly, the CRC delimitates three rights that can be derogated from for the protection of public order. Those rights are: the right to leave any country, including one’s own (Article 10), the right to freedom of expression (Article 13), and the right to freedom of assembly (Article 15) (CRC, 1989). In this regard, the limitations of the rights enshrined in the declaration must be legitimate and proportionate, and must be any of the three derogable rights of the CRC. However, the sampling of DNA does not amount to the legitimate and proportional threshold of Article 29 of the UDHR nor does it fall under the three rights stipulated here-above, in turn violating that article.



### 7.3 Five Dead by Suicide Under Chinese Authoritarian Covid Lockdown



Tibet. Source: © Shinox Chen/Flickr, 2011

On August 20, 2022, Chinese authorities imposed an authoritarian lockdown in the TAR in order to prevent and control the spread of Covid-19 in Lhasa and other major cities (Tibetan Center for Human Rights, 2022).

The strict enforcement of its “zero-Covid” policy have led five Tibetans to die by suicide between the 23rd and the 25th of September in Lhasa city. Some videos of their suicide deaths were posted online (Tibetan Center for Human Rights, 2022).

The five people who committed suicide were from the Lhasa Comprehensive Protective Tariff Zone no.2, the Bayi Community, Lanting apartment and Gakyiling neighbourhood 3 (Tibetan Center for Human Rights, 2022).

Posts on social media where people share their hardships are deleted by Chinese authorities and many accounts from which such posts originate are forcibly closed. One of such posts read that “the extreme repression has cost the lives of four people” (Tibetan Center for Human Rights, 2022).

The oppressive living conditions caused by China’s extreme “zero-Covid” policy can be said to be a form of torture. Thus, it violates international human rights law, specifically the right to be free from torture, cruel or inhuman and degrading treatment protected by Article 1 of the CAT (Tibetan Center for Human Rights, 2022).

Article 9 of the International Covenant on Civil and Political Rights (ICCPR) states that all individuals have the right to liberty and security of person (ICCPR, 1966). The harsh conditions and authoritarian lockdown violate this right, as the State has not taken the necessary measures to protect a person's physical and mental security, pushing people to suicide

Article 5 of the Universal Declaration of Human Rights states that no one shall be subjected to cruel, inhuman or degrading treatment. In this regard, individuals should not be subjected to serious physical assault or psychological abuse under any circumstances (UDHR, 1948). In this regard, China's treatment of Tibetans under the "zero-Covid" policy is seen to violate the right to be free from cruel, inhuman or degrading treatment as the imposition of such an authoritarian lockdown has led to extremely humiliating and undignified living conditions for the people living in the TAR.

NB: As a signatory of the International Covenant on Civil and Political Rights (ICCPR) in October 1998, China is not bound by the covenant however it has the obligation to act in good faith and not defeat the purpose of the ICCPR.

#### 7.4 China's Revisioning of Tibetan History in Schoolbooks



Scripture flags - Tibet. Source: © cattan2011/Flickr, 2017.

China has been publishing and distributing multilingual versions of history books written by Chinese President Xi Jinping narrating a new version of the history of Tibet (Central Tibetan Administration, 2022). These books have been introduced in schools and colleges across the Tibetan plateau, discussing China's alleged respect for international human rights law in Tibet and its rightful claim over the TAR (Central Tibetan Administration, 2022). The books have been translated to Russian, French, Spanish and Japanese



by the Institute of Party History and Literature of the Central Committee of the Chinese Communist Party (The Print, 2022).

The books propagate China's understanding of Tibetan history, stating that the Chinese authorities "liberated" Tibet during the reform period (The Print, 2022). China also claims that Tibet has always been part of China, erasing thus the historical proof and documentation of Tibet being an independent country with its own flag, army, peoples, passport and with its bilateral treaties with other kingdoms underlining its capacity to enter into relations with other countries throughout history (Central Tibetan Administration, 2022).

Article 29 of the Convention of the Rights of the Child (CRC), ratified by China in 1992, states that all children have the right to access education that is in conformity with the principle of the Universal Declaration of Human Rights, notably people's right to freedom of thought and the right to a "free and full development" of their personality (CRC, 1989). In addition, it states that access to education will prepare the child to bear the responsibility of living in a "free society" where tolerance, equality among peoples, ethnicity, nationality, and religion are respected.

In this regard, China's revisioning of Tibetan history through schoolbooks is seen to go against Article 29 of the CRC as it prevents children from accessing and understanding the history of Tibet to mirror the reality of the events that occurred. The introduction of such books goes against tolerance and equality among peoples because the history of Tibetan people is being erased for the sake of the Sinicisation of the TAR.

## 7.5 Chinese Operated Isolation Centres in Tibet: A Human Rights Catastrophe



Tibet. Source: © Hotel Kaesong/Flickr, 2015.

Chinese authorities in the Tibetan capital city Lhasa apologised for their handling of the city's Covid induced lockdown (Dolma, 2022). The Chinese government imposed a 31-day lockdown in Lhasa as Covid numbers continued to climb in the region and across China (Lhamo, 2022). Han Chinese residents of the city, as well as a few Tibetans, aired their grievances on social media regarding the food shortages in the isolation centres, the lack of proper care for hospital and quarantine patients, and the mass-testing system in place (Lhamo, 2022). An apology was made on September 17th by Zhandui, one of the city's vice mayors, who underlined the city's weaknesses and shortcomings in the handling of the Covid crisis (Tibetan Review, 2022). The Deputy Chief of the city's Chengguan district, Sui Xingguo, also apologised for the lack of food and other essential items for the people in quarantine (Dolma, 2022).

Another report showed that Chinese authorities have been forcibly removing Tibetans from their homes as the Covid outbreak persisted, placing many of them in isolation centres despite testing negative for the disease (Tibetan Review, 2022b). Since China's "zero Covid" policy, many Tibetans have suffered from these harsh policies, beatings, family separation and a lack of access to food and other essential items in the isolation centres (Dolma, 2022). The food given in these centres appeared to be rotten and ill patients have not been given access to appropriate medication (Lhamo, 2022). Testimonies of beating by Chinese officials were also posted online, showing injured knees, ears and eyes as a result of the beatings (Lhamo, 2022). Two Tibetans were reportedly severely beaten by Chinese officials while delivering food to their family in Shigatse (Tibetan Review, 2022b).

In addition, some Tibetans voiced their frustration and concern on social media, but were met with severe backlash from the Chinese authorities (Dolma, 2022). Indeed, Tibetan nomad Rinchen Dhondup, as well as six other Tibetans were detained for sharing Covid related photos and videos online amid the Chinese government's "zero Covid" policy (Lhamo, 2022). The individuals allegedly shared visuals of the mismanaged quarantine centres, where those that tested positive for covid were housed together with those that tested negative, risking further infections and creating a serious health hazard (Tibetan Review, 2022). Videos on social media showed the poor conditions in isolation facilities, where people were sleeping on cement floors (Tibetan Review, 2022b). The recordings showed the negligence of the authorities in the management of the isolation facility (Dolma, 2022).

The six detainees were deprived of their liberty for five days at a security office in Nagchu, where they were interrogated over the details of where and how they had sent the footage (Tibetan Review, 2022b).

The handling of the Covid crisis by the Chinese authorities, the treatment of those in isolation centres, and the forced removal of Tibetans from their homes by the Chinese authorities is seen to go directly against international human rights law.

Article 7 of the ICCPR states that no one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment (ICCPR, 1966). This right is further secured by Article 9 of the ICCPR which states that all individuals have the right to liberty and security of person, underlining that no one shall be



subjected to arbitrary detention and arrest (ICCPR, 1966). In addition to this article, Article 10 of the ICCPR writes that all people deprived of their liberty will be treated with humanity and with respect for the dignity of all human beings (ICCPR, 1966). In this regard, the beating and maltreatment of those in the isolation centres violate Articles 7, 9 and 10 of the ICCPR as people have been deprived of food, sanitary products and other basic needs while simultaneously being subject to inhuman treatment by the Chinese authorities.

Article 12 of the International Covenant on Economic, Social and Cultural Rights states that all individuals have the right to health and that the State must ensure the creation of conditions which would assure access to all medical services and medical attention in the event of sickness (ICESCR, 1966). The lack of access to food, medicine, water and other essential supplies goes directly against this article.

Article 1 of the Convention Against Torture explains the meaning of the term torture, explaining that the term encompasses all acts that intentionally inflict severe pain or suffering whether physical or mental for obtaining information, punishing or intimidating and coercing an individual for any reason based on discrimination of any kind (CAT, 1984). Chinese officials have violated this right through their treatment of Tibetans in isolation camps, causing severe physical and mental damage to the individuals and their relatives.

The subjugation of Tibetans to the inhumane treatment explained here-above amounts to the violation of the International Convention on the Elimination of All Forms of Racial Discrimination. Indeed, the Convention states that that the term “racial discrimination” includes all acts of exclusion, distinction, restriction or preference based on ethnic origin, colour, race, descent, with the intention of impairing the enjoyment or exercise of the human rights of that individual on equal footing in comparison to others peoples under that States’ jurisdiction (ICEAFRC, 1965).

In regard to the treatment of Tibetans for the handling of the “Zero-covid” policy, China is seen to violate all articles listed here-above as it has subjected Tibetans to inhuman treatment through the use of torture, beatings and other degrading methods inflicting suffering on Tibetans. The arbitrary detention and the forced displacement of Tibetans to the isolation centres also violates international human rights law.

## CONCLUDING REMARKS

The month of September 2022 was characterised by the complete disregard of international human rights law by the Chinese authorities in Tibet. The Chinese authorities have directed excessive violence towards the Tibetan population, subjugating them to torture and inhumane treatment, pushing five Tibetans to death by suicide. The Covid-19 emergency has been instrumentalised to further humiliate and crush the Tibetan population, forcing them to live in overcrowded isolation centres where none of their basic human rights were respected. Education across the TAR region is also threatened, as school books are being distributed where a revision of Tibetan history is presented, erasing Tibetan culture, history and denying Tibetan identity.

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