

HUMAN
RIGHTS
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“Illegal Organizations”

China’s Crackdown on Social Groups in Tibet



“Illegal Organizations”

China’s Crackdown on Tibetan Social Groups

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Map



Summary

In February 2018, China’s Public Security Bureau in the Tibet Autonomous Region (TAR) issued a notice that urged the public to inform on “underworld forces” and declared a range of traditional or informal social activities among Tibetans to be illegal. These included local initiatives for environmental protection, language preservation, and dispute mediation, some of which the notice claimed secretly encourage support for the exiled Dalai Lama or for Tibetan independence.

The police notice also described any expression of support for the Dalai Lama’s proposal for increased autonomy in Tibet as a form of organized crime. To our knowledge, this is the first time such activities and opinions have been officially listed as crimes by a provincial-level body in Tibet.

Environmental groups and other community initiatives are still allowed in some eastern Tibetan areas, but the publication of the police notice indicates high-level endorsement for officials in the TAR, the western half of the Tibetan plateau, to restrict informal initiatives to protect the environment, defend Tibetan culture, or provide social welfare. These restrictions undermine traditional social practices in Tibetan society, disrupt normal forms of community life, and curtail the rights of Tibetans in China to assemble and form informal social associations—rights guaranteed under China’s constitution and international law.

As a United Nations member state, China has affirmed acceptance of the Universal Declaration of Human Rights, whose provisions are broadly considered reflective of customary international law. These include the rights to freedom of association, peaceful assembly, expression, and to participate in the cultural life of the community. The police notice is the latest evidence that China is systematically violating these rights in Tibet.

TAR authorities issued the police notice in an apparent response to a nationwide call by Chinese Communist Party (CCP) General Secretary Xi Jinping in January to attack major forms of “organized crime” and “mafia-like gangs.”¹ Previous crackdowns on such crimes

¹ The requirement to prioritize the crackdown on “gangs and organized crime” was the subject of a CCP Central Committee document, “Notice on Carrying out a Special Crackdown on Clearing Away Organized Crime and Eliminating Vice” [《关于开展扫黑除恶专项斗争的通知》], issued on January 11, 2018 (see “China Focus: Fight against organized crime reflects Xi’s governance thought,” Xinhua News, January 1, 2018, http://www.xinhuanet.com/english/2018-01/27/c_136929819.htm (accessed July 19, 2018)) and was a major feature of the 2018 workplans of the Ministry of Public Security, the Ministry of

in China have focused on protecting social stability and security, but the objective of the current drive is openly political: Xi specifically listed “safeguarding political security” as a major purpose of the campaign, and the official news agency Xinhua described it as “primarily aimed at consolidating the Chinese Communist Party ruling foundation” and at “strengthening political power at the grassroots level.”²

While other provinces in China have focused their versions of the anti-mafia drive on crimes such as gun-running and gambling, authorities in the TAR have used the campaign, which is expected to last for three years, to target suspected political dissidents and to suppress civil society initiatives.³ These include not just organized initiatives on environmental and cultural issues, but even traditional forms of social action, notably the local mediation of community or family disputes by lamas or other traditional authority figures. This common Tibetan social practice has now been categorized as illegal, and only government or Party officials are now allowed to mediate disputes in the TAR. In addition, informal welfare associations, known as *kyidu*, which are a traditional feature of Tibetan communities, are now treated as illegal, apparently because they are considered a threat to the dominance of the Party.

Human Rights Watch’s research indicates that rather than unsubstantiated government claims that it is combatting foreign manipulation and infiltration, the new restrictions in the TAR are intended to increase the authority of the CCP at the grassroots level, by destroying any remaining influence of lamas and traditional leaders within Tibetan communities.

This report examines the February 2018 police notice and its consequences, including the outlawing of community-based mediation and welfare organizations. It also examines the

Justice, and the Supreme Courts (see “Notice on the Strict Crackdown on Violations and Crimes by Underworld Forces,” China Law Translate, February 2, 2018, <https://www.chinalawtranslate.com/关于依法严厉打击黑恶势力违法犯罪的通告> (accessed July 19, 2018) and “China highlights fighting gangs and organized crime in annual work plans,” Xinhua News, February 9, 2018 <http://en.tibetol.cn/html/News/china/2018/0209/2722.html> (accessed July 19, 2018)). The national-level notice of February 2, 2018 does not refer explicitly to any type of political crime.

² “China Focus: Fight against organized crime reflects Xi’s governance thought,” Xinhua News, January 27, 2018, http://www.xinhuanet.com/english/2018-01/27/c_136929819.htm.

³ “TAR PSB takes action for the ‘Eliminate Organized Crime, Destroy Vice’ struggle,” *Tibet Legal Newspaper*, March 6, 2018. Provincial-level authorities have taken similar action in the predominantly ethnic Uyghur region of Xinjiang in northwestern China. <https://www.scmp.com/news/china/policies-politics/article/2133824/xinjiang-separatists-and-tibets-dalai-cliques-targets> (accessed July 19, 2018).

context of the notice through previous regulations criminalizing social activism in Tibet. The report's appendices include detailed testimony explaining the impact of these restrictions on daily lives, and translations of the relevant government documents.

Recommendations

To the Chinese Government

- End interference by officials, Chinese Communist Party representatives, and state security forces in the formation, continuation, and conduct of independent social associations in Tibetan communities.
- Investigate and act on allegations that regional officials in Tibetan areas have misrepresented local conditions to the central authorities and applied central policy directives with unjustified severity.
- Cease alleging without basis or evidence that foreign forces are manipulating social groups or activists to get them to express dissenting views or engage in violent or subversive activities.
- Unconditionally release educators, social activists, and local officials arbitrarily detained for serving their communities.
- Abide by international human rights norms on the right to freedom of association.
- Grant access to Tibetan areas, as requested by several United Nations special procedures.

To Concerned Governments and the United Nations

- Publicly call on China's leaders to reconcile laws and policies restricting the rights to freedom of expression, peaceful assembly, and association with their claims to respect the rule of law.
- Publicly condemn, when cooperating with China on law enforcement or counterterrorism efforts, the use of false public order, terrorism, or separatism allegations to persecute or otherwise curtail the rights of nongovernmental groups.
- Press for access to the region by diplomats, independent human rights groups, journalists, and United Nations special procedures.

I. Background: Containing the Threat of Civil Society in Tibet

China's crackdown on community organizations in the Tibet Autonomous Region (TAR) follows a series of moves to intensify security and control in Tibetan areas that were introduced in response to widespread protests by Tibetans in 2008. The first wave of these moves dealt mainly with individuals involved in demonstrations or with distributing unauthorized information, but by 2011, policymakers had moved to strengthen CCP organizations and presence at the grassroots level throughout the region. From October 2011, CCP cadres were stationed in every village and monastery in the TAR.⁴ Starting in May 2012, new offices, known as grid unit offices, were established in towns to provide enhanced security management at the block level.⁵ In May 2013, a network of local reporting systems known as the Advanced Double Linked Household system was set up throughout the TAR.⁶ This led to an increase in government micro-management and surveillance at the most local level, and has led to increasing restrictions on community activities and social associations that are not created or approved by the state, irrespective of their political intent.

This development in Tibet partly reflected increasing government restrictions imposed on “social organizations” throughout China. These accelerated after the 2014 circulation of an internal CCP briefing paper, known as Document 9, which reportedly said that “advocates of civil society want to squeeze the Party out of leadership of the masses at the local level” and described such advocacy as “becoming a serious form of political opposition.”⁷ At the national level, this has led to new limits on the activities of nongovernmental

⁴ “China: ‘Benefit the Masses’ Campaign Surveilling Tibetans,” Human Rights Watch news release, June 18, 2013, <https://www.hrw.org/news/2013/06/18/china-benefit-masses-campaign-surveilling-tibetans>

⁵ “China: No End to Tibet Surveillance Program,” Human Rights Watch news release, June 18, 2016, <https://www.hrw.org/news/2016/01/18/china-no-end-tibet-surveillance-program>.

⁶ The title of a household-level monitoring and surveillance system introduced in TAR in 2013. Households are “linked” in groups of 5 or 10, each with a foreperson in constant liaison with the neighborhood or village authorities, to monitor political compliance and administer social benefits. See, for example, “The Autonomous Region’s advanced double linked household innovation achieves good results,” Tibet Radio, August 3, 2013, http://www.vtibet.com/tb/xw_1629/yw_705/201310/t20131011_130765.html. The original announcement of the new system was published at http://tb.chinatibetnews.com/news/2013-05/22/content_1223908.htm, but the link has since expired.

⁷ Communiqué on the Current State of the Ideological Sphere, General Office of the Central Committee of the Communist Party of China, April 22, 2013, <http://www.chinafile.com/document-9-chinafile-translation>.

organizations (NGOs) throughout China.⁸ These include the Charity Law of 2015, which requires charities to “represent the core values of socialism and promote the traditional morals of the Chinese nation” (article 5);⁹ the 2016 regulations on social service organizations, which requires them to uphold “national unity, security or ethnic unity,... national interests, the societal public interest, and the lawful rights of other organizations and citizens, and must not go against social morality;”¹⁰ and a statement issued jointly by the CCP Central Committee and China’s State Council on social organizations in 2016, that ordered social organizations to be prohibited from establishing local branch organizations, instructed records to be established “of the negative behavior of responsible persons” who founded NGOs, and called for databases to be set up of “social organizations which present [signs of] suspect behavior, and blacklists.”¹¹ Control of foreign funding of domestic NGOs was also strengthened, and the 2016 law on foreign NGOs required all such organizations to be registered.¹²

Authorities had already implemented strict measures in some Tibetan areas: in April 2012, the Kandze (Ch.: Ganzi) Tibetan Autonomous Prefecture in Sichuan province issued a notice ordering “all social organizations engaging in public activities” to register or be closed down, and at least three local Tibetan groups working respectively on education, dispute-mediation, and environment were shut down.¹³ These measures were strengthened in the TAR in March 2015, when the TAR government produced a set of

⁸ The “Regulation on the Registration and Administration of Social Organizations,” issued in 1998, required all social organizations to be registered in order “to become established” (“Regulation on Registration and Administration of Social Organizations [Revised]” [社会团体登记管理条例(1998) [已被修订]], Order No. 250 of the State Council of the People's Republic of China, October 25, 1998, <http://en.pkulaw.cn/display.aspx?cgid=21051&lib=law>).

⁹ The Charity Law of the People’s Republic of China [中华人民共和国慈善法], Order of the President of the People's Republic of China No. 43, March 16, 2016, <http://www.chinadevelopmentbrief.cn/wp-content/uploads/2016/04/Charity-Law-CDB-Translation.pdf>.

¹⁰ Regulations on Registration and Management of Social Service Organizations (Draft Revisions for Solicitation of Public Comment) [社会服务机构登记管理条例（修订草案征求意见稿）], Ministry of Civil Affairs Policy and Regulation Department, May 26, 2016, <https://www.chinalawtranslate.com/minfei/?lang=en>, art. 3.

¹¹ Opinion on the Reform of the Social Organization Management System and Promotion of the Healthy and Orderly Development of Social Organizations [关于改革社会组织管理制度促进社会组织健康有序发展的意见], General Office of the CPC Central Committee and the General Office of the State Council, August 21, 2016, <https://www.chinalawtranslate.com/zofficessocialorg/?lang=en>, arts. 5.3, 6.1, and 6.3.

¹² The Law of the People’s Republic of China on the Administration of Activities of Overseas Nongovernmental Organizations in the Mainland of China [中华人民共和国境外非政府组织境内活动管理法], Order of the President of the People's Republic of China No. 44, April 28, 2016, <http://www.mps.gov.cn/n2254314/n2254409/n4904353/c5548987/content.html>.

¹³ Notification of the Ganzi Tibetan Autonomous Prefecture Bureau of Civil Affairs on the registration and inspection of public activities organized by social organizations and related matters, Ganzi Prefecture Bureau of Civil Affairs, April 26, 2012, <http://tchrd.org/chinese-government-notification-restricts-tibetan-ngos-in-kandze/>. The order applied to all “social organizations engaging in public activities” and did not identify any particular activities as illegal.

registered social organizations in the TAR that had CCP cells or branches within them jumped from 58.5 percent in 2014 to 99.7 percent in 2015.²⁰

Voluntary associations and social organizations that remained informal or undeclared in Tibetan society thus became of uncertain legal status, increasingly so as national regulations on social organizations were tightened. A number of organizations calling for environmental protection and similar aims still operate in Tibetan areas with official approval, and a small number of monastic schools are also still functioning, at least in some eastern Tibetan areas outside the TAR. Informal community activities also continue in many Tibetan areas. But for such groups to operate in Tibetan and minority areas, especially if run by Tibetans or members of other minorities, has become increasingly difficult. They appear able to exist without registration only if they are very small, have little or no funds, have few members, do not carry out public activities, and do not deal with sensitive topics, and even then, only in certain areas. In March 2015, a delegate to the National People's Congress from Qinghai province said that "the masses are wondering whether social organizations can take on the burden of replacing government, or even suspect that they are becoming a second government," and called for "new mechanisms of oversight [and] control ... to make their data public, [and] to ban illegal social organizations."²¹

It is unclear what organizations in Tibetan areas were seen by officials as trying to become "a second government." Security conditions in Tibetan areas have been far tighter than in most other areas of China for at least 40 years and there are no known social organizations in those areas that specifically promote civil rights or political objectives. Reports of underground dissident groups in Tibetan areas are now almost unheard of. Most social

问题的通知], Ministry of Civil Affairs of the People's Republic of China, September 18, 2016, <http://www.mca.gov.cn/article/gk/wj/201609/20160915001949.shtml>. The Notice requires social organizations to prepare to establish "party groups" (*dangzu*) within their organizations. The Draft Regulations on social service organizations require them "based on actual circumstances" to "set up Chinese Communist Party Organizations and carry out Party activities [and] provide necessary conditions for Party organizations' activities." Regulations on Registration and Management of Social Service Organizations (Draft Revisions for Solicitation of Public Comment) [社会服务机构登记管理条例 (修订草案征求意见稿)], May 26, 2016, Ministry of Civil Affairs, <https://www.chinalawtranslate.com/minfei/?lang=en>, art. 4.

²⁰ In the TAR, 380 of the 599 registered social organizations already had Party organizations within them by 2015. TAR CCP Organization Bureau, "CPC TAR Public Statistical Report, 2014," July 2, 2015, http://tb.chinatibetnews.com/zw/zfgg/201507/t20150702_673130.html (accessed July 19, 2018). 600 of the 610 registered social organizations in the TAR had them a year later. TAR CCP Organizational Bureau, "TAR CCP Public Statistical Report, 2015," July 6, 2016, <http://tibet.people.com.cn/15600681.html> (accessed July 12, 2018).

²¹ "Din Xiaohou opens discussion on introducing law on management of social organizations," CCTV.com, March 15, 2015, <http://tibetan.cntv.cn/2015/03/15/ART11426399654623565.shtml> (accessed July 20, 2018).

groups among Tibetans are informal local welfare organizations of a traditional kind that are sometimes religious in character and linked to local lamas; informal collectives that provide practical support for their members, usually based on regional or birthplace affiliation; and some more recent groupings that address issues such as environmental protection, literacy classes, or cultural heritage. These kinds of informal groupings appear to have been considered by officials, until now, to be innocuous or trivial and were not known to have been of interest to the security apparatus.

Rationale for Tightening Control over Informal Social Groups

Chinese officials seek to justify the recent dramatic increase in restrictions on Tibetans on the same grounds used for previous restrictions on Tibetans: they are necessary to stop support for the exiled Dalai Lama and his supporters, who they claim are organizing or encouraging a separatist movement in Tibet.²² Yet, the police notices in the TAR list many activities that are not described as having any connection to the Dalai Lama or to any form of separatism or dissent. These activities are condemned for having “temples as patrons,” “religious interference,” “interfering in basic-level administrative affairs,” “using religion or family forces to illegally meddle and intervene in conflicts and dispute,” “meddling in civil disputes,” and “illegal fundraising.”

The reasoning behind the restrictions on these activities is not given in the police notices. But a policy statement published by the Malho prefectural government in a Tibetan area of Qinghai province in February 2014, explains in some detail what are seen as “the causes and conditions for unrest” in areas with a significant “concentration of Tibetans.”²³ It lists four factors:

²² For several decades the Dalai Lama has stated publicly that he does not support calls for Tibetan independence but seeks guarantees of local autonomy. See e.g., “Dalai Lama: Tibet Wants Autonomy, Not Independence,” *Time*, April 15, 2006, <http://content.time.com/time/world/article/0,8599,1184009,00.html> (accessed July 20, 2018); and Bappa Majumdar, “Tibetans decide to stick to Dalai Lama’s ‘Middle Way,’” *Reuters*, November 22, 2008, <https://www.reuters.com/article/us-india-tibet-china/tibetans-decide-to-stick-to-dalai-lamas-middle-way-idUSTRE4AL1H20081122> (accessed July 20, 2018); and Edward Wong, “Autonomy Is Solution for Tibet, Dalai Lama Says,” *New York Times*, May 28, 2009, <https://www.nytimes.com/2009/05/29/world/asia/29dalai.html> (accessed July 20, 2018).

²³ Malho Tibetan Autonomous Prefecture Advanced Nationality Unity Prefecture Leading Unit Office (གཙོ་སྐབ་ཁྲིམ་ཆེན་མ་ཚོ་རང་སྐྱོང་ཁུལ་མི་རིགས་མཐུན་སྦྲིལ་ཡར་རྒྱས་ཚོན་ཐོན་ཁུལ་མགོ་ཁྲིམ་ཚན་རྒྱུང་གཞུང་ལས་ཁང་།), “It Must Be Made Clear that Involvement in an Incident of Instability is a Crime” (བརྟན་བརྩིང་མེན་པའི་དོན་རྐྱེན་གྱི་ནང་དུ་ཞུགས་པ་ནི་ཁྲིམ་འགལ་བྱ་སྤྱོད་ཡིན་པ་གསལ་བཤད་བྱ་དགོས།), The “Make Malho Tibetan Autonomous Prefecture a Prefecture Advanced in Nationality Unity” Campaign, (མ་ཚོ་བོད་རིགས་རང་སྐྱོང་ཁུལ་མི་རིགས་མཐུན་སྦྲིལ་ཡར་རྒྱས་ཚོན་ཐོན་ཁུལ་གསར་སྐྱེན་བའི་ཆེད་སྤྱོད་ཚོགས), February 27, 2014, <http://www.hnztzb.gov.cn/QHCMS/Template/hnztzb/news/154/1392864424069.html> (accessed April 12, 2018). For English translation, see Appendix 8.

- Influence of the separatist movement led by “the Dalai clique” (China’s term for the Dalai Lama and his exile supporters) and “Western hostile forces”;
- Low level of economic development and the “basic” level of education;
- “Psychological peculiarity” of Tibetans supposedly due to their religious culture and reluctance to adopt modern culture²⁴; and
- Influence of religious figures, as a result of the “low educational level, densely religious mentality, [and] little sense of the law” among ordinary Tibetans.²⁵

This indicates that a fundamental concern of the authorities is that local lamas and lay leaders often still have significant influence in Tibetan communities. Recent policies are increasingly dedicated to eliminating any role by such leaders in Tibet—irrespective of whether they have any actual link to the Dalai Lama, “separatism,” or any other political objectives. A 2014 report in a CCP journal referred to “clan forces and illegal organizations interfering in grassroots government authority in rural areas” and said that 1,300 cadres had been sent to localities to ban such illegal organizations and to punish Party cadres who had failed to stop them.²⁶ Since at least 2011, when teams of cadres were first stationed in every village in the TAR and ordered to set up new CCP organizations there, “strengthening Party organizations at the grassroots level” has been the policy priority in Tibetan areas. As a result, the number of CCP organizations at the grassroots level in the TAR increased from 12,000 in 2008 to 19,000 in 2018. Official allegations of veiled support

²⁴ “They hold fierce pride in their traditional culture, and have a reluctance to familiarize themselves with and adopt the mass culture of modern society, out of fear of assimilation and transformation.” Malho Tibetan Autonomous Prefecture Advanced Nationality Unity Prefecture Leading Unit Office, “It Must Be Made Clear that Involvement in an Incident of Instability is a Crime,” February 27, 2014, <http://www.hnztzb.gov.cn/QHCMS/Template/hntzb/news/154/1392864424069.html>, appendix 8, para. 5.

²⁵ Because “some Tibetan masses have a low educational level, a densely religious mentality, little sense of the law and a loose attitude towards doing things lawfully,” they are susceptible to manipulation by “some criminal monks and lay believers [who] have the idea that they have no responsibility to the masses to obey the law.... It starts to look as if religion is interfering in political affairs and *tulkus* [reincarnate lamas] are replacing the government.” Malho Tibetan Autonomous Prefecture Advanced Nationality Unity Prefecture Leading Unit Office, “It Must Be Made Clear that Involvement in an Incident of Instability is a Crime,” February 27, 2014, <http://www.hnztzb.gov.cn/QHCMS/Template/hntzb/news/154/1392864424069.html>, appendix 8, para. 6.

²⁶ “TAR concentrates an assault on resolving the issue of weak grassroots Party organization [西藏自治区集中攻坚解决基层党组织薄弱问题],” The Party’s Mass Line Education Practical Actions Bulletin, No. 338, July 21, 2014, <http://qzlx.people.com.cn/n/2014/0721/c367518-25310220.html>, (accessed July 19, 2018). A Tibet Radio report in January 2014 quoted the delegates as concluding that “Public Security Departments across the region have strengthened the crackdown on illegal groups, refined crackdown and rectification work, and, by deepening continuous propaganda education work, have made efforts to involve the broad masses in crackdown activities and engage their support.” “Grassroots delegates and committee members view exhibit on the results of smashing illegal [activity],” *Tibet Radio*, January 14, 2014, http://www.vtibet.com/tb/xw_1629/sz_704/201401/t20140114_171436.html (accessed July 19, 2018).

for the Dalai “clique” appear designed to justify the expansion of CCP and state apparatus in Tibetan communities.

The long-running efforts in Tibet to restrict any involvement by lamas, monks, traditional community leaders, or social welfare groups in grassroots-level cultural initiatives, education, and dispute-mediation reflect the effort by the CCP to restrict the development of civil society and to destroy any competitors who might weaken its control over Tibetan communities.

Legal Provisions Governing Social Organizations in China

Article 35 of the Constitution of the People’s Republic of China states without qualification that citizens are allowed freedom of assembly and of association. However, current Chinese law requires all social organizations to uphold “national unity, security, or ethnic unity,” as well as other criteria.²⁷ Laws passed since 2016 also require all social organizations to register with the authorities if they meet certain criteria in terms of size, amount of funds, internal organization, and other standards. Organizations that have applied for registration and have been rejected are deemed illegal.²⁸

The legal status of social groups that have legally permissible objectives but are too small to register is unclear, but current national-level regulations in China by implication do not require them to register.²⁹ Instead, according to a joint statement by the CCP Central Committee and the State Council in 2016, local authorities are required to place such

²⁷Regulations on Registration and Management of Social Service Organizations (Draft Revisions for Solicitation of Public Comment) [社会服务机构登记管理条例（修订草案征求意见稿）], Ministry of Civil Affairs Policy and Regulation Department, May 26, 2016, <https://www.chinalawtranslate.com/minfei/?lang=en>.

²⁸ “In the case of illegal social organizations that have not gained approval and are acting without authorization in the name of social organizations to engage in activities, they will be closed down in accordance with the law.” Opinion on the Reform of the Social Organization Management System and Promotion of the Healthy and Orderly Development of Social Organizations [关于改革社会组织管理制度促进社会组织健康有序发展的意见], General Office of the CPC Central Committee and the General Office of the State Council, August 21, 2016, <https://www.chinalawtranslate.com/zofficessocialorg/?lang=en>, art. 6.6. This provision appears to apply to social organizations that are large enough to apply for registration but either fail to apply or are rejected when they apply; presumably it does not apply to organizations that have legally admissible objectives but are too small to register.

²⁹ “For those community social organizations that have not managed to fulfill registration criteria, we will implement management through sub-district offices (or county or township governments) and strengthen guidance based on category and field of activity, on the basis of the different scales, scopes of activity, structures of membership and service recipients of organizations.” Opinion on the Reform of the Social Organization Management System and Promotion of the Healthy and Orderly Development of Social Organizations [关于改革社会组织管理制度促进社会组织健康有序发展的意见], General Office of the CPC Central Committee and the General Office of the State Council, August 21, 2016, <https://www.chinalawtranslate.com/zofficessocialorg/?lang=en>, art. 3.1.

groups under “management” or “guidance.” It appears that localities below the national level can decide for themselves which unregistered small-scale initiatives are considered legal and how or to what extent they should be “guided.” Some localities allow organizations that are too small to apply for registration to use the *bei’an* (“filing documentation for the record”) method, which allows these organizations to file for recognition with local offices of the Ministry of Civil Affairs, although this practice has not been reported in Tibetan areas. In practice, social organizations or groups that are too small to register or have been unable to file for recognition face increased legal risks if they raise funds, have subscribers, or hold public events.³⁰

Under Chinese law it has been a criminal offense since 1997 for officials to “illegally encroach on minority nationalities' customs or habits” (article 251). However, no cases have been identified in which any official in a Tibetan area of China has ever been charged under this law. If officials suspect Tibetan or other citizens of activities that have dissident or unapproved political objectives, those citizens can be charged with a criminal offence. On the other hand, Chinese law defines acts that threaten “national security, the political power of the people's democratic dictatorship, and the socialist system” (article 2) or “the motherland's sovereignty, territorial integrity and security” (article 102) as crimes, and officials have frequently charged Tibetans suspected of political dissent with “incitement to split the country and undermine national unification” (article 103).

³⁰ Human Rights Watch email correspondence with Shawn Shieh, June 4, 2018. See also, Shawn Shieh, “China Philanthropy Law,” International Center for Not-for-Profit Law, <http://www.icnl.org/research/Philanthropy/China.html>.

II. Criminalizing Social Activism: The February 2018 Police Notice

The TAR Public Security Bureau published a list of newly defined forms of “organized crime” on February 7, 2018 in a circular entitled “Notice of the Tibet Autonomous Region Public Security Department on Reporting Leads on Crimes and Violations by Underworld Forces.”³¹ The notice lists 22 “crimes by underworld forces” or “gang crimes,” which it urges citizens in the TAR to report to the police, promising anonymity. A subsequent notice issued by Nagchu county in the TAR announced rewards of up to 100,000 yuan (US\$15,600) for tipoffs about the activities listed in the notice.³²

The list includes three types of activities that are defined as organized crime. The first type consists of conventional examples such as extortion, destruction of property, organizing prostitution, and gambling. Seven of the 22 items on the list are of this type.³³

The second type consists of activities that oppose China’s policies in Tibet and are considered by the Chinese authorities to be forms of “separatism.” These are already banned in China, but they are not known to have been defined as “organized crime” previously. They include challenging China’s territorial claims over Tibet, “participating in separatist activities,” colluding with or “accepting remote control” from “the Dalai clique” or the “hostile foreign forces” that support him (articles 1, 2, 5), and providing funds for “the Dalai clique” (article 6). The notice also calls on local people to be on the lookout for the “evil forces” of the Dalai Lama that might “confuse and incite” people against the CCP and the government.³⁴ There are no indications in the notice that these activities need to

³¹ Notice of the Tibet Autonomous Region Public Security Department on Reporting Leads on Crimes and Violations by Underworld Forces [西藏自治区公安厅关于举报黑恶势力违法犯罪线], TAR Public Security Bureau, February 7, 2018, <https://www.chinalawtranslate.com/西藏自治区公安厅关于举报黑恶势力违法犯罪线> (accessed July 19, 2018).

³² “Police in Tibet Offer Cash Rewards for Tips on Crime, Disloyal Behavior,” *Radio Free Asia*, April 4, 2018 <https://www.rfa.org/english/news/tibet/rewards-04042018162659.html> (accessed July 19, 2018).

³³ These are described in article 21. Articles 11-15 refer to gangs operating in the construction industry or mining, to those involved in trade in marketplaces and airports, and to pornographers, drug-dealers, and violent loan-sharks. Article 22 refers generally to “other crimes involving organized crime and vice.”

³⁴ Liu Caiyu, “Police asks Tibetans for Dalai Lama tips,” *Global Times*, February 11, 2018, <http://www.globaltimes.cn/content/1089266.shtml> (accessed July 19, 2018).

involve violence to merit punishment, and, according to international norms, they are protected forms of political opinion and activity.

The third type of organized crime listed in the TAR notice consists of activities that have no obvious connection to political issues or that involve support for policies that are not calls for “separatism,” Tibetan independence, or the overthrow of the Chinese government or system. These activities are not normally considered crimes under Chinese law. These include “acting as the so-called ‘spokesperson’ of the masses under such banners as the economy, people's livelihood, environmental protection, folk customs, and culture” (article 5). The police notice seeks to justify including such activities within the scope of “organized crime” in the TAR with the unsupported assertion that the people raising such issues “are in fact the 'spokespersons' of the Dalai clique and hostile foreign forces.” This prohibition appears to criminalize complaints about government policies relating to ordinary life and culture in Tibet.

Included in new forms of organized crime of this type is “instilling in the masses reactionary ideas such as the ‘middle way’” (article 4), a reference to the Dalai Lama’s proposal to resolve the China-Tibet conflict through negotiations leading to increased autonomy in Tibet instead of calling for independence. Advocacy or speech about “protecting the ‘mother tongue,’” meaning calls for the greater use of Tibetan language in society, is also listed as a form of organized crime and is now prohibited (article 4). A Tibetan shopkeeper and language activist, Tashi Wangchuk, received a five-year sentence in May on charges of “separatism” after a video interview with a US journalist about threats to Tibetan language teaching in his area, a Tibetan autonomous prefecture in the province of Qinghai.³⁵ The criminalization of this issue in the TAR police notice appears to refer primarily to private conversations or messages about threats to Tibetan language rather than to public activities such as demonstrations.

The use of Wechat groups and online forums for illegal purposes is also cited as a form of organized crime (article 18). The notice also calls on citizens to report “underworld forces

³⁵“China: Drop Charges Against Tibetan Education Activist: Shopkeeper Faces 15-Year Sentence for Promoting Minority Language,” Human Rights Watch news release, January 15, 2017, <https://www.hrw.org/news/2017/01/15/china-drop-charges-against-tibetan-education-activist>; “China: Activist Convicted for Promoting Tibetan Language: Politically Motivated Trial Shows Beijing’s Contempt for Minority Rights,” Human Rights Watch news release, May 22, 2018, <https://www.hrw.org/news/2018/05/22/china-activist-convicted-promoting-tibetan-language>.

organizing the employment of online ‘paid trolls [commentators]’ to threaten, intimidate, insult, slander, or make trouble” (article 17), although the state employs tens of thousands of online monitors to do such work surreptitiously throughout China.

Criminalizing Traditional Social Practices

The most disturbing of the new forms of “organized crime” are social activities that are part of ordinary Tibetan cultural life. One item in the list is “using religion ... to interfere in grassroots-level administrative affairs or ... education” (article 3). This appears to refer to the traditional role of lamas or prominent monks acting as advisors to the community and giving public teachings, when allowed, about social and ethical issues, such as avoiding alcohol, violence, or gambling. Until recently, many monasteries and individual lamas ran schools in Tibetan villages or grassland areas. Demand by ordinary Tibetans for monastic education for their children is still high, especially in rural areas, partly because state schools provide less and less teaching in Tibetan.

The police notice describes another traditional activity as a form of organized crime: “the use of religious or family powers to illegally meddle and intervene in conflicts and disputes.” The article gives the example of disputes over pastureland, caterpillar fungus collection, or boundaries (article 10). Tibetans frequently call on lamas or traditional community leaders to arbitrate serious disputes over grazing rights and other conflicts, which have frequently led to bloodshed if no one is able to negotiate a settlement.³⁶

The police notice also calls on the public to report “criminal activities such as illegal fundraising and operations” (article 19). These activities are listed separately from the crime of raising funds for the “Dalai clique” (article 6), indicating that the reference here is to non-political initiatives. Initiatives that have been targeted under these provisions are traditional community groups that raise funds for collective social welfare. A number of these groups were shuttered or placed under strict scrutiny in the TAR since 2008, and the February 2018 notice suggests that officials may now view them as criminal. The outlawing of traditional dispute mediation and the increase in restrictions on community welfare groups is discussed below in Section IV.

³⁶Emily T. Yeh, “Tibetan Range Wars: Spatial Politics and Authority on the Grasslands of Amdo,” *Development and Change*, Vol. 34, Issue 3, June 2003, pp. 499-523.

The 2018 TAR police notice is exceptionally broad in its scope. It is not limited to activities that support or are suspected of supporting Tibetan independence or the Dalai Lama, or that criticize the Chinese authorities. Rather, it targets any informal social groups or initiatives in the entire region according to criteria—including “interfering in basic-level administrative affairs,” “acting as so-called ‘spokespersons’ for the masses,” “illegally soliciting donations,” or “meddling in civil disputes” (articles 3, 5, 6, and 16)—that could be applied to almost any social initiative. It allows officials to treat almost any unregistered or informal social grouping or activity as illegal.

III. Previous Regulations Banning “Illegal Organizations”

Since 2014, Chinese authorities in the Tibet Autonomous Region have discussed “social groups” or “social associations” as forms of criminal or anti-state activities. The 2014 annual work report of the TAR government, in a section on “social stability maintenance,” referred to “a harsh strike against criminal forces and social associations,” but did not give further details.³⁷ The first known documents to detail which “social associations” had come under suspicion and been deemed illegal, were two local-level notices issued by authorities in Chamdo (Ch.: Changdu), a prefecture (now municipality) in the TAR, and in Malho (Ch.: Huangnan) Tibetan Autonomous Prefecture in Qinghai province. Both announcements describe all organizations that support certain environmental, educational, and cultural issues as illegal.³⁸

The Chamdo document—the “Notification on Striking Hard and Eliminating Illegal Organizations and Illegal Activity by Social Organizations According to Law” (see Appendix III)—was issued on March 20, 2014. The Chamdo document reaffirms existing bans in China on involvement in activities that promote Tibetan independence (“splittism”), “reactionary ideas,” “ethnic hatred,” “terrorism,” or self-immolation. It also banned any form of protest, stating that any person who leads others to “converge on state premises,” organizes a petition, or disrupts traffic will be held criminally responsible, irrespective of the purpose, even though protests are permissible under Chinese law if prior permission has been granted; such permission is rarely, if ever, granted.³⁹

³⁷ “Summary of Comprehensive Management of Social Stability work in TAR,” *Tibet Daily*, February 3, 2015, http://tb.chinatibetnews.com/zw/zfwj/201502/t20150206_312870_1.html (accessed July 19, 2018). See also “西藏自治区政府工作报告” (Tibet Autonomous Region Government Work Report), *China Tibet News Network*, February 4, 2015, http://www.xzxw.com/zw/zwyw/201502/t20150204_310252.html (accessed July 12, 2018).

³⁸ A public notice issued in Kanlho (Ch.: Gannan) Tibetan Autonomous Prefecture, part of Gansu province, on March 9, 2012 called on citizens to report political crimes to the police involving “illegal organizations,” but it referred only to criminal actions or writings that “damage nationality unity” or “incite splittism” (article 1.3). It did not refer to normal social or cultural activities such as forming welfare groups, private settling of disputes, promoting vegetarianism, or expressing concern about language issues. Yeshe Choesang and Mathew Singh-Toor, “Chinese Police Publicly Threaten to Beat/Torture Tibetans in Tibet,” *The Tibet Post International*, March 28, 2012, <http://www.thetibetpost.com/en/news/tibet/2431> (accessed July 19, 2018).

³⁹ A booklet distributed to schools in Tsolho (Ch.: Hainan) prefecture in Qinghai in 2012 called “Ten Ways of Looking at the Present Situation in Tsolho Prefecture” advised that: “[a]ccording to the nation’s law on assembly, procession and demonstration, one must write to the main [relevant government] office for permission at least five days prior to the event. The letter must specify the [nature of] assembly, procession, or demonstration, as well as the method, objective, leaflets, slogans, number of participants, number of vehicles, types and number of microphones and duration of the event. The organizer of the event must submit details of his name, residential address and occupation.” “Tibetan student detentions

The Chamdo document’s other provisions, however, describe wholly new forms of restrictions on social groups. It declares that social groups are “illegal organizations” if they belong to any of these categories:

Those [organizations] that have not been investigated and approved according to law by local government agencies; those that are not in accord with the constitution, the law, and the relevant directives of the State Council’s “Ordinance on the Registration of Social Organizations”; any organized group with more than five members, with its own regulations, with an established core membership, [and] sources of funding, recruiting members on a large scale, from those conducting under another name activities incompatible with current laws and policies down to those with outright political objectives, those conducting criminal activity, and social organizations of the kind that have an effect on political and economic matters and social order in the locality—all shall be considered illegal organizations.⁴⁰

This definition appears to classify any grouping with more than five members as illegal if it has not been investigated and officially approved. Under the Chamdo document, unregistered groups in Chamdo are illegal even if they are not involved in criminal activity and have no effect on local politics, the economy, or social order. This set a stricter threshold for informal groups in Chamdo than the higher-level TAR Ordinance on Voluntary Service, which ruled in March 2015, that such groups must be run or “guided” by local government offices, but do not necessarily have to register.⁴¹ National-level regulations in China also by implication allow groups not to register if they do not have illegal objectives and are very small.⁴²

after protests in Chabcha, Rebkong,” International Campaign for Tibet, December 19, 2012, <https://www.savetibet.org/tibetan-student-detentions-after-protests-in-chabcha-rebkong/> (accessed July 19, 2018).

⁴⁰ Chamdo Prefecture Notification on Striking Hard and Eliminating Illegal Organizations and Illegal Activity by Social Organizations According to Law, March 20, 2014.

⁴¹ “Volunteers to be given preferential hiring treatment when recruiting civil servants [招录公务员优先录用志愿者],” ifeng.com, January 24, 2015, http://news.ifeng.com/a/20150124/43010002_o.shtml (accessed July 19, 2018).

⁴² Opinion on the Reform of the Social Organization Management System and Promotion of the Healthy and Orderly Development of Social Organizations [关于改革社会组织管理制度促进社会组织健康有序发展的意见], General Office of the CPC Central Committee and the General Office of the State Council, August 21, 2016, <https://www.chinalawtranslate.com/zofficessocialorg/?lang=en>, art. 3.1 (accessed July 19, 2018).

The purpose of the draconian restrictions in Chamdo appears to be to shut down initiatives that call for environmental protection or seek to protect religious and cultural sites from mining and construction work:

Those using pretexts such as “holy mountain,” “holy lake” and so forth, [who, while] raising the banner of human rights, ethnicity, or religion to mount petitions, call illegal gatherings, or use force to obstruct the operation of state projects or the regular development of natural resources and their normal management, and thereby disrupt work, productivity, commerce, education, and cause losses ... will be investigated for criminal responsibility. (article 6)

The Chamdo document notes that organizations calling for environmental protection and other aims in Tibet are only legal if they have been approved and registered by the authorities, and a number of such organizations are known to operate in Tibetan areas with official approval. But the banning orders in the document are not empty threats, as the authorities in Chamdo were already notorious for having shut down a village-level environmental protection group in 2010. The group had been formed to plant trees and prevent poaching around the village. The founder of the group, Rinchen Samdrup, was imprisoned for five years on trumped-up charges of “inciting separatism” because of an article published in the group’s magazine that had referred in passing to the Dalai Lama.⁴³ Rinchen Samdrup’s two brothers also received prison sentences in related cases.

A report published on a CCP website in July 2014, noted that the Chamdo administration banned 19 organizations in a drive by officials in its area to “rectify the problems of some clan forces and illegal organizations that intervened in grassroots political authority in the farming and pastoral areas.”⁴⁴ It did not give reasons for the bans or provide any details about the organizations.

⁴³ “China: Drop Charges Against Tibetan Environmental Philanthropist,” Human Rights Watch news release, June 10, 2010, <http://www.hrw.org/en/news/2010/06/10/china-drop-charges-against-tibetan-environmental-philanthropist>; “Tibetan environmentalist jailed for 5 years,” *Reuters*, July 3, 2010, <https://www.reuters.com/article/us-china-tibet-environmentalist-idUSTRE6620EZ20100703> (accessed July 19, 2018).

⁴⁴ “TAR concentrates an assault on resolving the issue of weak grassroots Party organization,” *The Party’s Mass Line Education Practical Actions Bulletin*, No. 338, <http://qzlx.people.com.cn/n/2014/0721/c367518-25310220.html>.

The Chamdo authorities have a record of extremely abusive treatment of villagers in rural areas where any dissident thought or activity is suspected. For instance, in 2013 in Karma Gon township, Chamdo prefecture, Human Rights Watch documented numerous incidents in which Chamdo authorities committed abuses against Tibetan villagers, including widespread arbitrary detentions, beatings, threats, intimidation, and political indoctrination.⁴⁵

The document issued by Malho prefecture in Qinghai is titled “Twenty Illegal Activities Related to Tibet Independence.” The Malho document bears no date or issuing source, but appears to have been published in February 2015.⁴⁶ A speech by the Malho prefectural Party secretary, Ju Kezhong, published at around the same time,⁴⁷ includes a similar list under the sub-heading “Sixteen illegal activities related to Tibet Independence,”⁴⁸ that appears to confirm the list of “twenty illegal activities” was also issued by the Malho prefectural authorities. The list primarily targets community actions, such as prayer meetings or religious rituals, that are expressions of support for people who had staged self-immolation protests. It also lists and condemns a large number of other social or religious actions that it considers supportive of the Dalai Lama or Tibetan independence. The local government also issued books and online materials with cartoons illustrating the injunctions against these activities (See Appendix VII). But the Malho document also declares that activities supporting language rights and environmental protection could be illegal—even if those activities do not involve any forms of protest: “Organizing illegal groups and illegal movements in the name of ‘language rights,’ ‘environmental protection,’ ‘literacy classes,’ etc.”

⁴⁵ Human Rights Watch, *Relentless: Detention and Prosecution of Tibetans under China’s ‘Stability Maintenance’ Campaign*, May 22, 2016, https://www.hrw.org/sites/default/files/report_pdf/tibeto516web_appendixi.pdf, Appendix I.

⁴⁶ ICT states that the copy of this document it received included a note at the end saying, “it was distributed on February 12, 2015 by the Communist Party office of Tongren County.” ICT concluded that the document had been issued by a higher-level office such as the Malho Prefecture Government. “Praying and lighting butter-lamps for Dalai Lama ‘illegal’: new regulations in Rebkong,” International Campaign for Tibet, April 14, 2015, <https://www.savetibet.org/praying-and-lighting-butter-lamps-for-dalai-lama-illegal-new-regulations-in-rebkong/> (accessed July 19, 2018). For an English translation, see Appendix 6.

⁴⁷ “Explanation of relevant terms from the speech by Prefectural Party secretary Ju Kezhong at the 10th plenary session of the 11th prefectural Party committee” (Khul au’i hru’u ci cis khi krung gi rang khul kyi skabs bcu gcig pa’i au yon tshang ’dzoms gros tshogs theng bcu ba’i steng gi gsung bshad khrod kyi ’brel yod ming brta’i ’grel bshad), contains a similar list under the heading “Sixteen illegal activities related to Tibet Independence.” See also Oliver Arnoldi, “China issues 20 ‘illegal activities related to the independence of Tibet,’” *Tibet Post International*, February 25, 2015, www.thetibetpost.com/en/news/tibet/4436-china-issues-20-illegal-activities-related-to-the-independence-of-tibet (accessed July 19, 2018).

⁴⁸ The Tibetan title in the above document is *Bod rang btsan gyi ngo bo ldan pa’i khriims ’gal gyi bya spyod bcu drug*.

The Malho document bans “organizing illegal groups and public demonstrations in the name of ‘language rights’” (article 5). Like the Chamdo document, the Malho document outlaws social efforts to limit the unnecessary killing of animals, especially if these cause “disruption” to the economy or to social order. This refers to the practice of paying to rescue animals from a slaughterhouse or market (*tshe thar* or “life ransom” in Tibetan), a traditional Buddhist ritual practice in both China and Tibet intended to enhance personal merit or lifespan. The document condemns the practice of “obstructing the ‘kill your livestock or sell them’ [policy] by forcibly ‘ransoming the animal’s life,’ using pretexts such as ‘environmental protection,’” on grounds that this is done “to disrupt social order.” It also proscribes social organizations that promote food safety or call for the protection of wildlife, as well as groups that encourage people to speak the Tibetan language without including Chinese loanwords, and groups that organize literacy classes in Tibetan for Tibetans who cannot read or write their own language.

The Chamdo document goes even further, also declaring that the promotion of vegetarianism, which is increasingly taken up among Tibetans as a Buddhist virtue, could be seen as a crime, even though it is standard practice among Chinese Buddhists. According to the Chamdo document, “Those who incite the masses ... on the grounds of religious discipline, to ‘Stop animal slaughter,’ ‘Stop eating meat,’ ‘Stop ploughing the fields,’ etc., and disrupt production and commerce by force” would be charged under article 276 of the Criminal Code.”⁴⁹

The Chamdo document provides that organizations calling for environmental protection and other aims in Tibet are legal if they have been approved and registered by the authorities, and a number of such organizations are known to operate in some Tibetan areas with official approval. A small number of monastic schools are also still functioning, at least in some eastern Tibetan areas, and informal community activities continue in many Tibetan areas.

⁴⁹ There are numerous accounts of Tibetans grouping together to feed stray dogs or to protect them from culls. Since around 2000, a number of prominent lamas, including Gyalwang Karmapa, have called on Tibetans to avoid eating meat. Some lamas, such as Khenchen Tsultrim Lodro, have popularized the religious practice of buying animals, fish from markets, or slaughterhouses so that they will not be killed, a variation on the Tibetan tradition of “life ransom” [*tshe thar*]. In the Qinghai-Gannan region this practice has sometimes been reported as a form of offering for the Dalai Lama’s longevity, and unusually large numbers of cattle have had their lives spared. Radio Free Asia (See Appendix IX) reported the arrest of three senior monks from Gangshar monastery, Pema county, Golok, in connection with the ransom of 300 livestock. Although actual protest against resettlement is little reported, there have been several local protests against the slaughterhouses that have proliferated in pastoral areas since these policies were introduced.

Both the Chamdo and Malho documents state or imply that social groupings can be declared illegal even if they are not known to be related in any way to support for Tibetan independence or for the Dalai Lama. The Chamdo document states all organizations that are “not registered through the local government offices of the relevant locality, [and] self-constituted social associations...will be resolutely eliminated [and] those culpable will be investigated for criminal liability.” The Malho document prohibits “illegal groups and illegal movements” that promote cultural or environmental issues, without requiring that these be shown to have a “reactionary,” damaging, separatist, or anti-state purpose. Like the 2018 TAR police notice, the documents appear to allow officials to treat almost any unregistered or informal social grouping or activity as illegal.

IV. Limits on Social Activism in Tibetan Areas since 2012

In the last two decades, in response to the Chinese government's intensified resource extraction and policies encouraging linguistic and cultural assimilation, Tibetans have increasingly gathered in small informal groups to express concerns about local issues affecting their environment, culture or education. Many of these initiatives, which have emerged in remote rural communities, as well as among educated populations in towns, have been inspired by modern concepts of social activism, identity, and environmental protection, while others have their origins in traditional views about sacred sites, religious commitments, and the protection of nature.

Such groups have taken actions including pledges to non-violence and abstinence in social life, generalized pledges of unity, adult literacy campaigns, and the observance of days in which participants speak only the Tibetan language and wear Tibetan clothes, known as “White Wednesdays” (*lha dka*).⁵⁰ Most of these initiatives have consisted of social welfare activities, changes in daily behavior, or practical efforts to improve local conditions, the lives of animals, and the environment, and are carried out by informal, community-based groups that clean up religious sites, replace prayer flags on mountain tops and beside roads, teach people about protecting the environment, or feed stray animals. Local initiatives to clean up garbage have become common in Tibetan communities, notably in the area around Qinghai Lake in Qinghai province where overfishing and garbage dumping have caused widespread concern.

Some of these initiatives have involved criticism of government policies and have led to petitions being submitted to local authorities. One such petition was a submission to the provincial government drafted by a group of young lamas in Qinghai in 2013:

Strictly implementing national laws on environmental protection, the practice of certain private individuals in collaboration with certain

⁵⁰ One Tibetan's description of the purposes of the *lha dka* initiative is given in translation at “White Wednesday: ‘The Lhakar Pledge,’” *High Peaks, Pure Earth*, July 4, 2011, <http://highpeakspureearth.com/?s=lhakar> (accessed July 19, 2018). The anonymous writer says, “Through this technique we can keep the people of the Snowland's soul language till the end of humankind. This technique helps us retain Tibetan culture, Tibetan good morals and the traditions which are born from our soul language.” The “White Wednesday” actions are regarded by some observers as indirect expressions of support for the Dalai Lama, who is said to have been born on a Wednesday.

government offices giving money to communities on various pretexts in order to mine natural resources should be stopped, and all activities harmful to the environment and public health, such as burning garbage in public places, digging pits along main roads, killing wild animals, and dumping poisonous waste on pasture land, should be strictly prohibited. For example, the mining activities at Nyenpo Yutse, Amnye Machen, Leshar Narma Chukmo, and so on.⁵¹

The petition also complained about the sale of fake medicines and foodstuffs, as well as delays in providing medical treatment to ordinary people in hospitals.⁵²

These actions have so far been dealt with unevenly by the government in its drive to control civil society.⁵³ Authorities in some Tibetan areas have tolerated small-scale activities of this kind at certain times, but in the TAR officials have been particularly aggressive since 2008 in response to minor activities, even those that did not involve any protest action or petition.

For example, when a small group of Tibetans in Lhasa began to clean up refuse at religious sites around the city in 2008, some of their members were briefly detained and warned to cease their activities, which they were told were the responsibility of the government alone.⁵⁴ Similarly, when Lhasa people gathered spontaneously to bail out water from the

⁵¹ Petition to Qinghai provincial government, 2013, article 5. The petition was composed by attendees at the “7th Refresher Course for Qinghai Lamas and Tulkus,” held in Xining on July 12, 2013, and circulated on social media.

⁵² The petition also included criticism of local officials: “These days, officials in some areas, assuming the population of those areas to be of low intelligence, not only neglect their public responsibilities but look for opportunities to advance their own private interests, or even use their power to avenge past disputes, therefore wider awareness of the laws of government is required. In particular, health and anti-epidemic departments are not meeting their responsibilities, with the result that contagious diseases have spread, causing death and debility among the public, and this has been ignored and requires attention. For example, in areas of Tsekok [Ch.: Zeku] county, liver, blood and respiratory diseases are manifestly spreading and the death rate is mounting.” *Ibid.*, article 7.

⁵³ Unity campaigns have met with official reprisals in some cases, such as in Karma township in Chamdo in January 2014 (Ch.: Changdu), when police were said to have detained hundreds of people for wearing special “unity” wristbands. “Hundreds of Tibetans Detained in Chamdo Over ‘Unity’ Campaign,” *Radio Free Asia*, January 24, 2014, <https://www.rfa.org/english/news/tibet/unity-01242014170421.html> (accessed July 19, 2018). Police reportedly took similar actions in Dunda township in Pema (Ch.: Banma) county, Golok, in Qinghai in April 2014. “Chinese Officials Order School for Tibetan Monks Shuttered,” *Radio Free Asia*, April 15, 2014, <https://www.rfa.org/english/news/tibet/school-04152014164706.html> (accessed July 19, 2018).

⁵⁴ One of those detained from the Lhasa group in 2008 was reportedly told that “without the authorities’ permission no one can do anything in Lhasa or elsewhere. The government has money, leaders and all the resources to deal with any public necessity. Your job is to look after your life, family and make sure to follow rules of the law. Do not worry about the streets of Lhasa.” See Appendix I, Interview 1, Part 1.

main temple during a flood in July 2014, security forces dispersed and briefly detained them. In these cases, police acted on the assumption that the voluntary activity might represent concealed support for the Dalai Lama.

One detainee who had helped after the Jokhang flooding in 2014 was questioned at length about involvement in the local voluntary group that responded to the flooding (See Appendix I: Interview 2), and was reportedly told by a police officer that:

[The authorities] look after the Jokhang temple for the sake of Tibetan Buddhist believers and will not give the Dalai and his followers an opportunity to make a judgment or criticize us at any time because we [the government] have money, manpower, and technology to deal with any situation in order to protect the Jokhang.⁵⁵

Attempts by Tibetans to promote the use of the Tibetan language, or to raise concern about the decreasing use of Tibetan in schools, have become particularly sensitive. Such activities, which are particularly popular in Tibetan areas of Qinghai province and in Kanlho (Ch.: Gannan), Tibetan Autonomous Prefecture, are tolerated in some cases and local governments appear to encourage activities, such as displays of Tibetan calligraphic art. However, certain small-scale community activities, such as providing informal literacy classes for Tibetan villagers, have been banned by the authorities in some Tibetan areas.⁵⁶

The Chamdo and Malho documents, in the TAR and Qinghai respectively, both describe literacy classes as illegal, claiming that they are veiled forms of separatist activity. The responses of these two prefectures were probably a result of large-scale street protests staged in Qinghai against the downgrading of Tibetan-medium education in schools between 2010 and 2014. About 1,000 Tibetan high-school students demonstrated in Rebkong (Ch.: Tongren), Malho prefecture in October 2010 against a plan to replace Tibetan-language examinations with Chinese ones,⁵⁷ leading to the arrests of some

⁵⁵ See Appendix I, Interview 2.

⁵⁶ See, for example, "Tibetan Language Promotion Event Blocked by China," *Radio Free Asia*, April 22, 2014, <https://www.rfa.org/english/news/tibet/language-04222014150658.html?searchterm=utf8:ustring=Tibetan+Language+Promotion+Event+Blocked+by+China> (accessed July 19, 2018).

⁵⁷ Edward Wong, "Tibetans in China Protest Proposed Curbs on Their Language," *New York Times*, October 22, 2010, <https://www.nytimes.com/2010/10/23/world/asia/23china.html> (accessed July 19, 2018). See also Edward Wong, "China:

students.⁵⁸ Student protests on a similar issue were reported from Rebkong, Tsekhok (Ch.: Zeku), and Kangtsa (Ch.: Gangcha) counties in Qinghai in March 2012.⁵⁹ The authorities responded with force to these protests.

In November 2012, security forces broke up three protests by students over language policy in Chabcha (Ch.: Gonghe) county, Tsolho (Ch.: Hainan) prefecture in Qinghai,⁶⁰ seriously injuring at least four protesters, according to reports by exile and advocacy groups.⁶¹ Eight participants in the November 2012 protests later received sentences of up to four years in prison.⁶²

A similar protest by about 100 middle-school students took place in Rebkong and Tsekhok in March 2014. The Malho prefectural government described the protests as “illegal actions that are not only seriously harmful to the order of our society, but in defiance of state laws.”⁶³

Tibetan Students March To Protest Education Policies,” *New York Times*, October 21, 2010, <https://www.nytimes.com/2010/10/21/world/asia/21briefs-TIBET.html> (accessed July 19, 2018).

⁵⁸ At least one of the student protesters was given a five-year prison sentence, according to an unconfirmed oral report from the area provided to Human Rights Watch in 2016.

⁵⁹ “Language Policy Comes Under Scrutiny,” *Radio Free Asia*, March 14, 2012, <https://www.rfa.org/english/news/tibet/students-0314201213524.html> (accessed July 19, 2018).

⁶⁰ About 1,000 students from Sorig Lobling high school in Chabcha protested and clashed with police over a government booklet calling the Tibetan language irrelevant, according to exiles and advocacy groups. Tania Branigan, “Tibetan students injured during protests in China,” *Guardian*, November 27, 2012, <https://www.theguardian.com/world/2012/nov/26/tibetan-students-injured-protests-china> (accessed July 19, 2018).

⁶¹ “Tibetan student detentions after protests in Chabcha, Rebkong,” International Campaign for Tibet, December 19, 2012, <https://www.savetibet.org/tibetan-student-detentions-after-protests-in-chabcha-rebkong/> (accessed July 19, 2018).

⁶² Qinghai News Network News reported that on April 10, 2013, “the People’s Court of Gonghe County issued a public first-instance verdict on a case of illegal demonstrations by some students of Hainan Vocational and Technical School on November 26 [2012].” “The Gonghe County People’s Court pronounced judgement concerning the “11·26” illegal demonstrations [共和县人民法院宣判“11·26”非法游行示威案],” *Qinghai News Online*, April 17, 2013, <http://www.qhnews.com/newscenter/system/2013/04/17/011064621.shtml> (accessed July 19, 2018). A student named Sangye Bum was sentenced to four years in prison; Kunsang Bum, Lhaten and Jampa Tsering each received three years and six months of imprisonment; Wangyal Tsering and Choekyong Kyap were sentenced to three years and three months; and Tsering Tashi and Dola were each sentenced to three years. “The Gonghe County People’s Court held a trial concerning the case of the “11·26” illegal demonstrations,” China Tibet Network, April 17, 2013, http://ti.tibet3.com/news/tibet/qh/2013-04/17/content_457369.htm (accessed July 19, 2018). For English summary, see “Chabcha student protesters sentenced up to four years,” Tibetan Centre for Human Rights and Democracy, April 17, 2013, <http://tchrd.org/chabcha-student-protesters-sentenced-up-to-four-years/> (accessed July 19, 2018).

⁶³ “On March 14 over 100 middle school students in Rebkong [Ch.: Tongren] and Tsekok [Ch.: Zeku] counties demonstrated. Before doing so, they did not seek permission from their teachers, and neither did they listen to their teachers’ advice against doing so, but rushed madly into the streets shouting slogans, making trouble, disrupting traffic, etc., in violation of the Traffic Law and the Law on Gatherings and Demonstrations. [...] The above incidents were neither spontaneous nor casual. They were staged in a secretive and organized manner by the Dalai Clique in collusion with Western hostile forces.” Malho Tibetan Autonomous Prefecture Advanced Nationality Unity Prefecture Leading Unit Office, “It Must Be Made Clear that Involvement in an Incident of Instability is a Crime,” February 27, 2014,

As China moves steadily to increase the use of Chinese language in schools in minority areas of the country,⁶⁴ the gradual downgrading of Tibetan language in education has become an increasingly sensitive issue in Tibetan areas.

This increased sensitivity to criticisms of social and cultural policies is even more evident with respect to environmental issues in Tibet, particularly those involving mining operations and construction projects in rural areas. As recently as 2009, protests by local Tibetans against mining operations in their area had not been declared illegal per se, even though on some occasions these have involved hundreds of participants. For example, in 2009, senior TAR leaders intervened during a major anti-mining protest in Markham (Ch.: Mangkang) county, Chamdo prefecture and apparently negotiated an end to the dispute.⁶⁵ That deal collapsed a year later, when the TAR government allowed the disputed mining to resume and detained five Tibetans in Lhasa who were involved in petitions or actions against the mining plan.⁶⁶

Since that time, numerous protests by local Tibetans against mining operations in their areas have been forcibly broken up and multiple arrests have taken place. In February 2018, police detained a village leader in Driru county, Nagchu prefecture after he refused to sign a document giving approval for a mining operation to proceed on a nearby sacred mountain.⁶⁷ In April 2018, more than 30 other Tibetan villagers involved in the campaign against mining in Driru were detained, after reports of their efforts appeared in foreign media outlets.⁶⁸

<http://www.hnztzb.gov.cn/QHCMS/Template/hntzb/news/154/1392864424069.html> (accessed April 12, 2018). For an English translation, see Appendix VIII.

⁶⁴ See, for example, “Tibetan Students in Qinghai Appeal in Letter For Teaching in Tibetan,” *Radio Free Asia*, June 1, 2018, <https://www.rfa.org/english/news/tibet/students-06012018150420.html> (accessed July 19, 2018).

⁶⁵ “Mine Standoff Said Resolved,” *Radio Free Asia*, May 27, 2009, <https://www.rfa.org/english/news/tibet/standoffresolved-05272009175822.html> (accessed July 19, 2018).

⁶⁶ Eight other Tibetans were detailed at the same time in Chengdu, apparently while trying to deliver a petition opposing the mining. “Villagers Renew Mine Protests: Did a 2009 deal to halt mine operations fall through?” *Radio Free Asia*, December 5, 2010, <https://www.rfa.org/english/news/tibet/mine-05122010162910.html> (accessed July 19, 2018).

⁶⁷ “Tibetan Man Detained After Villagers Protest Chinese Mine Plans,” *Radio Free Asia*, March 3, 2018, <https://www.rfa.org/english/news/tibet/mine-03202018170709.html> (accessed July 19, 2018).

⁶⁸ “Tibetan Villagers Detained, Questioned After News of Mine Project Leaks,” *Radio Free Asia*, April 27, 2018, <https://www.rfa.org/english/news/tibet/project-04272018134655.html> (accessed July 19, 2018).

As seizure of land for government-backed construction and development projects increases,⁶⁹ it is becoming riskier for local residents to make complaints about these encroachments, let alone to publish their concerns. A group of nomads in Nyemo (Ch.: Nimu) county near Lhasa, who released a video in early 2018 showing their pastureland being prepared for development as a tourist zone,⁷⁰ said that they were threatened with arrest if they spoke out publicly against the scheme. Although some small-scale community activities are allowed, more and more issues are treated by the authorities as politically sensitive, leading to increased limits on normal forms of community engagement and social activism.

Restricting Community-Based Mediation

TAR authorities have unambiguously banned one form of traditional community activity: the resolution of local disputes by community leaders and lamas. Since 2012, a steadily increasing number of government proclamations have required officials to prevent mediation by local leaders, and the latest laws state that all disputes must be dealt with exclusively by officials. The new policy on “organized crime” goes even further: it declares traditional forms of dispute-mediation to be serious criminal offenses. In rural areas, particularly among nomadic communities, disputes are often dealt with by lamas or by respected lay leaders within the local community.

The government has issued numerous regulations banning this practice. For example, a document issued by the Chamdo county government in 2012 stated “getting famous local lamas or locally reputed or powerful persons to intervene and resolve matters related to criminal suspects is not allowed, nor is it allowed to get them to intervene in social affairs, much less resolve them.”⁷¹ Regulations on monastery management issued by Driru county,

⁶⁹ “Tibetan Farmland Seized For New Airport,” *Radio Free Asia*, April 17, 2018, <https://www.rfa.org/english/news/tibet/farmland-04172018164111.html>.

⁷⁰ The pastureland had been devastated as a result of failed attempts by the authorities to use it for growing new crops, according to the nomads’ video. “Tibetan Nomads Appeal For Return of Land Seized For Tourist Project,” RFA, May 14, 2018, <https://www.rfa.org/english/news/tibet/appeal-05142018153133.html> (accessed July 19, 2018).

⁷¹ Notice on responsibilities for improving social stability within the religion sphere, Chamdo County Political-Legal Committee, January 7, 2012, art. 11. For English translation, see Appendix V.

Nagchu prefecture, TAR in September 2014, required local officials to “correct interference by monastics in the resolution of social disputes.”⁷²

In some cases, all involving small rural communities, local Tibetan leaders noted for their work as mediators of disputes have been detained and even prosecuted, with at least one having died in custody. The reasons for their imprisonment are unclear, but all of these cases involved members of community who were active in local dispute resolution. They included Washul Dotruk, described as “a well-known local mediator” in Pema county, Golok, Qinghai, who was sentenced to 10 years’ imprisonment in 2013 on apparently contrived charges relating to a self-immolation protest.⁷³ Ngawang Jamyang, a learned monk of Tarmo monastery in Driru, who was noted as an arbiter in his local community, died from ill-treatment in custody in December 2013.⁷⁴

In April 2014, authorities briefly detained 250 members of a village group in Kandze prefecture in Sichuan that carried out dispute-mediation (all but 33 were released the following day after public protests).⁷⁵ Eight Tibetans who had formed a group to mediate disputes in Kashur village, Kandze prefecture, Sichuan, were detained in June 2014.⁷⁶ In the same month Geshe Tenzin Lhundrup of Lenchu monastery in Driru county, Nagchu prefecture, who was also known as an active mediator of disputes in his community, was sentenced to 12 years in prison.⁷⁷

⁷² Announcement of provisional implementation of the county government decision on rectification of the religious sphere and allocation of responsibilities for subsequent maintenance of standards, Driru County Peoples Government, Nagchu prefecture, TAR, September 12, 2014.

⁷³ “Tibetan Handed 10-Year Term for Supporting Self-Immolation,” *Radio Free Asia*, October 10, 2013, <https://www.rfa.org/english/news/tibet/term-10102013140812.html> (accessed July 19, 2018).

⁷⁴ “Senior Tibetan Monk Beaten to Death in Chinese Police Custody,” *Radio Free Asia*, December 19, 2013, <http://www.rfa.org/english/news/tibet/beaten-12192013165055.html> (accessed July 19, 2018).

⁷⁵ Police closed down the group, which was called the Dayul Tuntun Tsokpa (the “Da-yul Unity Association”). The group had been established in 2008 by local villagers to help with the resolution of local disputes. “Chinese government notification restricts Tibetan NGOs in Kardze,” TCHRD, May 2, 2012, <http://tchrd.org/chinese-government-notification-restricts-tibetan-ngos-in-kandze>.

⁷⁶ “Tibetan Monk Detained Following Solo Protest,” *Radio Free Asia*, July 11, 2014, <https://www.rfa.org/english/news/tibet/solo-07112014162603.html> (accessed July 19, 2018). It is not known whether the case went to trial.

⁷⁷ “Senior Tibetan Buddhist scholar sentenced to 12 years in prison,” Tibetan Centre for Human Rights and Democracy, July 14, 2014, <http://tchrd.org/senior-tibetan-buddhist-scholar-sentenced-to-12-years-in-prison/> (accessed July 19, 2018).

In 2009, the TAR judicial authorities created “mobile courts,” which are sent to remote areas to mediate local disputes on the spot.⁷⁸ These travelling courts have increasingly been used to deter locals from seeking help from lamas or community leaders in settling disputes. New policies introduced in 2011, when cadre teams were first sent to reside in every village of the TAR, have emphasized the resolution of disputes as a key activity to be carried out by CCP and government cadres—a central objective of “stability maintenance,” as their work is called in official parlance—instead of by local lamas and community members.

Since the “Advanced Double Linked Household” system was established in 2013, dispute settlement has become one of the main responsibilities of the “Double Linked Household” committees, which are run by village-based cadre teams in conjunction with their local appointees. A report from Nyenrong county, Nagchu in 2015, for example, described the concentration of the cadres on dispute mediation:

In Nyenrong county, Nagchu, strengthening of conflict resolution work provided the opportunity to improve the efficiency of Double Linked Household work. Conflict resolution organizations were established in every Double Linked Household committee in the county, and special conciliators appointed. Contradictions and disputes focused on boundaries, grazing land, and caterpillar fungus collection have been examined one by one and resolved. A total of 632 such disputes, as well as neighbor disputes, marriage disputes, [and] public disputes, have been resolved since last year.⁷⁹

The increased use of mobile courts, village-resident cadre teams, and Double Linked Household committees in all of the 5,400 villages in the TAR is part of a remarkable growth

⁷⁸ “Toelung County Peoples Court has been running mobile courts for public convenience since 2009....to resolve [disputes] wherever possible, to adjudicate disputes on the spot wherever possible, to combine resolution and adjudication, [and] alleviate problems following adjudication of disputes”. [...] The cases mainly involved things like lending money, buying and selling, the payment of wage shares, marriages, neighborly relations, etc.” “Village harmony mobile courts in session in Toelung county,” Chinatibetnews, May 7, 2015. Mobile courts also were started in 2009 in each of the 11 counties of Chamdo prefecture. “Chamdo municipality’s “mobile courts” support legal administration [ཆབ་མདོ་ཁོང་གི་ཁྱེད་ “འཁོར་ཚོགས་ཀྱི་ཚོད་ལོ་རྒྱུ་ལེན་གྱི་ལས་འཛིན་ལྷན་ཁང་།,” China Tibet News Network, November 11, 2015, http://tb.xzxw.com/fz/flcs/201511/t20151110_910625.html (accessed July 19, 2018).

⁷⁹ “Nyenrong county sees bigger benefits from ‘Double Linked Household’ networks work [ལྷན་རིང་ཚོང་གིས་ “གཉིས་ཐུན་དུད་ལྷོས་” གྱི་ལས་ཀའི་ཕན་འབྲས་ལྡན་པའི་ཆེ་བ་ལྟར་ལ།,” China Tibet News Network, March 3, 2015, http://tb.xzxw.com/fz/fzxw/201503/t20150310_336756.html (accessed July 19, 2018).

in the number of CCP organizations and related institutions that have been established at the grassroots level in the TAR since 2011. The total number of grassroots CCP organizations in the TAR is now 19,000, not counting the cadre teams—an average of nearly four organizations in every village, and an increase of 58 percent over the last six years.⁸⁰ It has become clear from official statements that the effort to prevent lamas and local community figures from mediating disputes is part of an overall effort to strengthen the role and unchallenged dominance of CCP and government organizations within local Tibetan communities.

Restricting Community Welfare Groups

Community welfare groups are among the most common form of traditional social organizations in Tibetan society. They are often known as *kyidu* (*skyid sdug*, meaning “weal and woe”), or in the Amdo region are sometimes called *mani tsokpa* (“prayer groups”). The groups are usually based on birthplace affiliation and operate as circulating funds, providing basic social insurance for their members: each member contributes a small sum whenever another member needs support for an event, such as a marriage or funeral, or if there is a major illness or natural disaster. The groups, which often also organize prayer sessions or rituals for members, have long been a feature of Tibetan lay society and were re-established in their present form after the 1980s liberalization.

Since the unrest of March 2008, *kyidu* associations have been increasingly targeted as “illegal organizations,” at least in the TAR. According to research by Human Rights Watch, some *kyidu* members there were reportedly detained and questioned about their sources of funding and about their use of funds. They were also questioned about the role of their *kyidu* in arranging for local monk-ritualists (*grong chog pa*) to carry out basic rituals and prayer ceremonies for households—a practice which is now forbidden in Tibet without official permission. The *kyidu* members were warned to stop their public welfare activities, including collecting garbage.

In a detailed account provided to Human Rights Watch in 2015, a *kyidu* member described the closure of a soup kitchen for street dwellers run by his association in an area of Lhasa:

⁸⁰ “The Party flag fluttering elegantly [ཉང་དང་ལྷ་བ་ལྷུང་གཡོ་བཞིན་ཉམས་བཟང་མངོན།],” China Tibet News Network, http://tb.chinatibetnews.com/sylm/syyw/201806/t20180606_2247929.html (accessed July 19, 2018).

Sometime in December 2008, we started to go back onto the streets to feed beggars, but there were not many beggars. After a few weeks, I think sometime in January 2009, the Barkor police officers and night-duty bao'an [security personnel] stopped five ladies from our kyidu while they were giving soup to beggars, most of them Chinese. Police took them to the Barkor Square police station for questioning in the very early morning and kept them there for three days. They questioned them about who was funding it, and about why they were feeding people free food, what was the motivation behind it? The police took all their details. They confiscated bowls, three big tureens, and a wheelbarrow. They contacted our Neighborhood Committee and the local police as well. Next day, seven businesspeople from [name withheld] area were called for a meeting at the Neighborhood Committee office.

All the cadres were very angry with us and shouted that we were damaging the neighborhood's reputation. They wanted to see where we cook the soup, so we took them there. It was near [name withheld's] house, where there is a small room in the courtyard next to the doghouse. When we came back to the cookhouse it had been sealed off, and all the furniture had been taken away for "scientific examination." I don't know who they were, but they had white suits with masks and a suitcase, and police and high-ranking officials came during the day. It looked to onlookers as if we had been running an underground chemical or drugs factory. People know there is nothing like that, but I think they wanted to make us out to be drug dealers or terrorists within the community, so that people would stop contacting or trusting us.⁸¹

Human Rights Watch also received a detailed first-person account of the closing down of a kyidu started by a group of former nomads who had been resettled in a village in county in Nagchu prefecture, part of the TAR. The closure was directly related to the extension of CCP organizations at the grassroots level. According to the interviewee, in 2012, a work team of CCP officials came to the village and ordered the residents to dismantle a shrine room that they had set up in an unused building. The officials replaced the village head, recruited

⁸¹ See Appendix I, Interview 1, Part 1.

young people as CCP members, and paid them to monitor the villagers' activities and report anything they saw as politically suspicious, according to the source.⁸²

Later that year, a visiting official denounced the villagers for having constructed a *chorten* (a *stupa* or reliquary) built to pacify local spirits after an outbreak of cattle disease. He declared that the stupa had been built illegally on government land and said that a popular quotation from a Buddhist text carved on the stupa (“The precious mind of enlightenment/ May it arise where it has not arisen/ Where it has arisen may it not decline/ But continually increase”) was a political slogan associated with the Dalai Lama and his supporters:

He said the stupa must be destroyed after further investigation. He said that the village's kyidu was an illegal organization and all its members will be punished, because they have been fooling ordinary people and exploiting village income. It has spread bad influence and wrong ideas in neighboring communities. ...

Everyone in the village was shocked and really frightened. In the next few days, all the kyidu members were questioned and 2,500 yuan [US\$400] was confiscated. A group of Chinese soldiers came at night and destroyed the stupa—they even took all the *sungshu* [sacred contents] away as well to be examined. [name withheld], the former village head, was taken to [name withheld] county for questioning. He was kept there for a week under interrogation. He was banned for one year. The rest of the kyidu members were banned from picking caterpillar fungus during the first week of its harvest season.

The interviewee also mentioned reports of closures of other kyidu in the Nagchu area in or around 2015:

After the government destroyed the stupa and forced the village kyidu to close, I heard that they also destroyed two stupas in [names of two

⁸² See Appendix I, Interview 1, Part 2.

counties withheld], and that several other kyidu were shut down in these three counties at around the same time.

Human Rights Watch has not been able to confirm these reports, but at least two interviewees from Lhasa said that it is no longer safe to use the term “kyidu” to describe a group in Tibet or to organize an informal activity or initiative of that kind without official permission.

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Appendix I: Interviews on the Closure of a Traditional Tibetan Welfare Group

Interviews conducted by Human Rights Watch in 2014 and 2015 with Tibetans. Names and other details have been withheld to protect interviewees' identities.

Interview 1, Part 1: Clampdown on a Kyidu in Lhasa

Interviewee: Entrepreneur, male, age about 50, name withheld.

Interview date: February 2014.

I was born in XX village in [name withheld] county in Chamdo in a semi-nomad family. I never had the opportunity to go to school, but learned Tibetan from my father when I was young, working with my parents in the fields and looking after animals. When I was 16, I came to Lhasa with my father where we started to do business, buying animal skins and antiques such as old Tibetan tables and boxes. The business went very well in Lhasa, and we rented a house near ZZ monastery. In 1990, my dad managed to transfer his ration card to Lhasa and bought a house. The next year, mine and my mother's ration cards were transferred to Lhasa. My older sister stayed in the village as we have a house and animals to look after. She is still there with her family today. We opened a shop in Chamdo in the early 1990s, and then another branch shop in our village. This made it very easy for my family to live in Lhasa. I was always working between Lhasa and Chamdo.

Both my parents and I had been to India to see His Holiness the Dalai Lama in 1995. We have a quite big community in Lhasa and most of us live in ZZ area. Before 2008, I think we had more than 500 people from [name withheld] county in Lhasa. We started to get together for Losar and other special days in the Tibetan calendar, and to help each other. My father was one of the earliest people from Chamdo who settled in Lhasa for business. Actually, he trained as Tibetan doctor with his father before the Chinese came, but he did not want to be a doctor. It's also because there was no work for Tibetan doctors in the villages in the 1960s and 70s. However, he was a deeply religious man and well respected in our village and made many new friends in Lhasa since we moved there. From the time when the Chinese government allowed Tibetans to rebuild monasteries, my father was involved in many projects in Lhasa as well as in [name withheld] county. In particular, he

donated a lot of precious stones to the Ganden monastery and XX monastery when they were rebuilding and recruited many volunteer workers from Chamdo area. He always keeps his promises and never lets other people down, and he helped set up businesses for many other people from Kham when they first arrived in Lhasa in the early days. At that time, he became very close friends with the late Gen DD-la at ZZ monastery. I don't know how many years he spent in prison, but he had been a political prisoner. Gen was a monk at ZZ before 1959. He had to spend a few years in a labor camp after [being] release[d] from prison. When he was freed, and the religious freedom policy [was] introduced in Tibet, he was one of the first monks to return to ZZ, [where he] worked to rebuild the temple and teach the young monks. At the time, my father did a lot work at ZZ with Gen-la and recruited laymen to work there and introduced many boys from [name withheld] county to be monks there. This is the main reason why there are so many monks from [name withheld] county at ZZ, and many of us are there today.

Traditionally, [name withheld] area was famous for Gorshay (circle dance). My father loves Gorshay and he can play the piwang /horjin (musical instruments) very well. As I mentioned, my father recruited many people from [name withheld] to work at Ganden, most of them stayed in Lhasa to celebrate Losar, and my father provided accommodation and food during the Losar holiday. We used to perform Gorshay at ZZ monastery to celebrate Losar. I think that started in late 1980s. We would dance all night long on the third day of Losar and hundreds of Lhasa residents would come to join us.

On that night, businesspeople, led by my father, started to serve drinks and our traditional New Year soup for participants. In return for soup, locals started giving donations to the organizers. Later, the Gorshay was extended to three to four nights because it became so popular in Lhasa, as it is today, and people donated money for food and drink. That was the first time we realized that we could do good things for the community if people from the same area got together, and the idea of having a [name withheld] kyidu (community association) began from there.

There were about 100 monks from [name withheld] area at ZZ before 2008, but only about 30 of them had residence permission, the rest were unregistered. Those monks at ZZ came from different monasteries in [name withheld] county. If anyone from [name withheld] area needed to be hospitalized in Lhasa or got any problems, [name withheld] businesspeople would help to pay their medical expenses, and if anyone died in the community and the

family had no money, we would always invite monks from ZZ to do funeral rituals for them for free. When they first came to Lhasa, anyone from [name withheld] would come to ZZ to seek help from the kyidu. We would provide accommodation for a week for younger people, and a month for the elderly. The elderly normally came to Lhasa on pilgrimage.

By the end of 1999, we had collected more than 70,000 yuan [US\$11,400]. Since 2001, we held a Guru puja at ZZ for 15 days during Saga Dawa (fourth month of Tibetan calendar). We provided tea, biscuits, and vegetarian lunch for participants. We also did long-life prayers for the Dalai Lama every day. At the time, there were many monks and nuns from all over Tibet living in Lhasa as itinerant pilgrims or drongchok-pa (monks who perform rituals or prayers in peoples' homes). All these people would join the prayers. These people would receive gifts of cash given by donors, the same as the monks get. Many former "Choedrok Tsokpa" members, especially elders, would also come to join the prayer session every day, with many locals and people from outside Lhasa. [The "Choedrok Tsokpa," or "Fellow-disciples Association," was formed in the late 1980s, and had about 150 members. They were all Lhasa elders, and they used to help political prisoners by collecting money from the community, but the government forced them to shut down in 1996; some members were arrested, including the group's leader, Ramoche Dawa-la].

The Guru puja went well, and everybody liked the idea very much. People donated lots of money, and we would save some of the money for the following year. At the end of the day, we had a meeting about what we could do with the rest of the money and decided to set up a kyidu in summer 2001. It was called [name withheld]. Some members, including me, gave 30 percent of the profit from our individual businesses. We started giving loans at 20 to 25 percent interest rate and helping Tibetans set up new businesses. We chose three people to look after the money and to arrange events, because many [name withheld] area businesspeople kept giving donations. It added up to 169,000 yuan [\$27,600] by 2007.

During Saga Dawa in 2006 we invited Khenpo TT from SS monastery in Kham, and he gave teaching for three days. Many Tibetans from Lhasa attended Khenpo's teaching. ZZ was very crowded during teaching days, there was no seat inside the main hall, and people were sitting even in the courtyard and the passage outside. When it was over, about 10 volunteers would spend three days cleaning the temple inside and outside. But whatever we did at ZZ monastery, we had to talk to the work-team leader to get permission. During all the pujas from 2001 to 2007, the neighborhood committee and officers from the local

police station monitored the event. The head of the neighborhood committee [name withheld], would come with local police and security personnel (*ba'o'an*) to talk to us about the event almost every day. He met ZZ monastery's Democratic Management Committee members and work team cadres to check what was going on. We would tell him about what we were doing, but he was mainly interested in finding out whether we were praying for the Dalai Lama and Free Tibet. Before he left, he always told us "don't pray for bad things." But they did not disrupt things, as we were so polite to him and his colleagues.

We did many good things in Lhasa, like sponsor prayers in the three big monasteries, Sera, Ganden, and Drepung. In 2005, we built a half-kilometer path with big stone steps at Drikung Thel monastery, leading from the monastery up to the popular sky burial site. Because the path was so slippery and steep, it was difficult for people to carry dead bodies up the hill. All the workers were volunteers. We donated three tents and a secondhand jeep for the burial workers to use, and picked up a huge amount of plastic and old clothes that people had left there. Most of the old clothes used to belong to the dead. We put up four new poles for people to hang prayer flags nicely. Since the summer of 2006, we organized locals to pick up rubbish on Bumpa-ri hill opposite Lhasa. We picked up all the old prayer flags scattered all over the hill and even on the main road near Lhasa Bridge. Those rotting flags have images of Buddha and printed mantras (so it is not good to leave them lying on the ground). We took all the old flags to the top of the mountain to burn, and spread the ash on the grass wherever we can find clean places. Our idea was popular with Tibetans, we got a lot of support and many locals joined our activity. Then we started to do the same thing all around the Lhasa River, around Sera, Drepung, and Ganden monasteries, and other places. Within a few years, we had great feedback from the public and earned a good reputation. Since then, we expanded our work in Lhasa, including the Barkor area, to provide all kinds of social service. Every full moon we held prayer sessions at ZZ and sometimes in front of the Jokhang temple. Almost every day we gave soup to beggars sleeping in the streets, especially during the winter, when they need hot food in the early morning to keep warm. The beggars were not only Tibetans but many Chinese, because many Chinese migrants in Lhasa sleep in the street at night and go to work during the day. For us, it doesn't matter whether they are Chinese or Tibetan, we fed them all.

In 2007, just before the Beijing Olympic torch rally took place in Lhasa, the government launched a campaign to clear away the beggars on Lhasa streets, and many nonresident Tibetans were forced to return to their homes. A few weeks before this campaign was

launched, the government started paying attention to our kyidu. A police officer from Barkor police station told our ladies who were feeding beggars: “If any beggar gets sick after eating your soup, you are responsible and will be investigated.” He also said we have to report to Barkor police station about how many months we have been making soup for beggars, and who sponsors it. Our soup should be tested by a qualified government doctor and we should get an approval letter saying it contains no chemical substance or poison that could harm the beggars’ health. Police also told us that giving free soup to beggars encourages them to be lazy, and the number of beggars in the streets would increase. However, the government did not investigate any further, and since there were no more beggars left in the streets, we had to stop for the time being.

After the March 14, 2008, riot in Lhasa, 39 monks were arrested and 48 expelled from ZZ. The remainder were called for a political meeting, to study rules and regulations and to condemn the 3.14 incident. Those monks who did not have permission to stay at ZZ were taken back to their villages, escorted by cadres and police and handed over to their village leaders one by one. During this campaign, cadres and police in both Lhasa and [name withheld] county learned about the relationship between [name withheld] area kyidu members and the ZZ monks and started to draw the authorities’ attention to our activities. Those monks expelled and sent back to their villages were of course questioned by work team members and police, who recorded all the details about their life in Lhasa.

Everybody knows that nonregistered monks [staying in a monastery temporarily to study] have no income source and it is impossible for anyone to live for years in Lhasa without a job. In Tibet traditionally, monks depended on tea served in the assembly and donations offered by sponsors or devotees. The Chinese government wanted to find out how those monks lived on for many years, and who was providing for their food and needs without the government’s knowledge. In May or June 2008, three women were arrested for finding sponsors for unregistered monks in Sera monastery and coordinating between sponsors and drongchok-pa. Ladies XX and YY, in their 50s, are from [name withheld] and worked many years for the kyidu. There was another woman from a neighboring county, but I don’t know her name. The Chinese thought these three women had an organization to help unregistered monks, and they were interrogated and detained for about nine months. We know there were more than 200 unregistered monks at Sera monastery before 2008. Those monks were not only from Kham but from all over Tibet, and some from Mongolia. But no one thought you would get arrested for helping monks. These were very good monks who

came a long way to seek good teachers and classmates, they studied extremely hard, and most of them wanted to be teachers in their home monastery after completing their studies. The problem was that the Chinese think the relationship between monks and ordinary believers is not only religious, but always suspect that there is a secret political conspiracy, spreading rumors and watching videos of the Dalai Lama's speeches or sharing Free Tibet information among Tibetans. Today, the Chinese government calls this "illegal relations with monks."

In fact, in Tibetan culture, whenever we start something new, for example open a new shop, start a new business and so on, we invite monks to do puja. We invite them for occasions like weddings and funerals, or moving into new house, and also for regular propitiation. According to the Tibetan calendar, we invite monks to our house to offer prayers like Rimdro (rite to eliminate obstacles) and other rituals. We have hundreds of rituals for different purposes, and many Tibetan households do Rimdro monthly. (The monthly Rimdro, known as Dasol, is for propitiating the protector deities worshipped by the ancestors of the household.)

Those three women had been arranging for some unregistered monks to visit individual households for this purpose. As living conditions have been getting better, many Tibetans can now afford to invite monks for Rimdro, and drongchok-pa were therefore in huge demand in Tibetan communities everywhere in those days, and there was always shortage of drongchok-pa particularly in Lhasa, because the Chinese authorities hunted them down several times since early 2000s. When I met XX and YY after their release, they told me that during the interrogation, a senior police officer told them "Those drongchok-pa are not officially recognized as religious practitioners, most of them have black political records, and there are con men and frauds at large in the Tibetan community. You are also the drongchok-pa's victims. These monks are fake and have connections with the Dalai clique and splittist organizations. They are a dangerous influence on Tibetans and damage the thinking and future prospects of many schoolchildren when their parents invite them home to do puja." The release certificate given to XX by Gutsa detention center said, "She illegally arranged and introduced people who deceive and exploit others in the name of religion to her neighborhood in Lhasa more than 60 times a year, and this made a seriously negative impact on society, but she has been released for showing a good attitude, and because she had been taken in by them." However, a separate paper with her photo on top said that she will remain under local authority surveillance for three years.

When I met XX just a week after her release, I found her a broken woman with a swollen face, and she did not want to tell me anything about what happened to her. One of her close friends told me that she felt extremely guilty because she had to give the names and details of those drongchok-pa, which would surely cause them to be arrested, and lead to many other problems. All of these things happened only because of Chinese paranoia.

Sometime in December 2008, we started to go back onto the streets to feed beggars, but there were not many beggars. After a few weeks, I think sometime in January 2009, Barkor police officers and night-duty Bao'an security personnel stopped five women from our kyidu while they were giving soup to beggars, most of them Chinese. Police took them to Barkor square police station for questioning in the very early morning and kept them there for three days. They questioned them about who was funding it, and why they were feeding people free food, what was the motivation behind it? The police took all their details. They confiscated bowls, three big tureens, and a wheelbarrow. They contacted our neighborhood committee and local police as well. Next day, seven businesspeople from [name withheld] area were called for a meeting at the neighborhood committee office. All the cadres were very angry with us and shouted that we are damaging the neighborhood's reputation. They wanted to see where we cook soup, so we took them there. It is near my house, a small room in the courtyard next to the doghouse. When we came back, the cookhouse was sealed off, and all the contents taken away for scientific examination. I don't know who they were, but they had white suits with masks and suitcases, and police and high-rank officials came by during the day. It seemed to onlookers like we were running an underground chemical or drugs factory. People know there is nothing like that, but I think they want to label us as drug dealers or terrorists among the community, so that people would stop contacting or trusting us.

We were cleaning the streets in Lubu area, and some of our volunteers had a couple of arguments with local security personnel. The incidents happened when the volunteers picked up prayer flags from the rubbish and took down prayer flags tied across some street corners; these prayer flags were hung there by non-religious people to stop passersby peeing there. The idea of using religious symbols to prevent peeing has been there since beginning of 1990s, because official signs did not work effectively. I think most Tibetans are not used to reading signs on the wall, and some of them can't even read, both Tibetans and Chinese. The signs said, "The penalty for urinating or defecating here is 20/30/40 yuan [\$3/\$4/\$6]." Some signs even said 100 yuan [\$16]. However, the prayer flags worked

only for Tibetans: Chinese passersby don't care, because they don't know what a prayer flag is. For them it is a piece of rubbish.

One summer day in 2009, our volunteers did something in Banakshol area. They found themselves picking up not only prayer flags, but all kinds of rubbish overflowing from rubbish bins in the streets. Leftover food and dead street dogs left in the bins for many days attracted hordes of bugs which covered the pavement during hot days. It was hard to find a place to walk on the pavement because of the bugs flooding from rubbish bins. After [the protests of] March 14, 2008, lots of street dogs were shot dead by soldiers patrolling at night for the first few weeks, and local Tibetans were complaining to the army, but there was no way to stop it. Our volunteers hired a local potato seller and his wheelbarrow, picked up a few dead dogs from different places and went to bury them outside the city. On their way, police stopped them and checked the wheelbarrow. AA, a native of Lhasa in her 50s, and BB in her 40s from [name withheld] county, were arrested on the spot and detained for one week. Two other women were handcuffed and questioned at Shingchen Datue for a few hours but released the same day. None of them were beaten. AA and BB were accused of disturbing the local security duty patrol and fined 200 yuan [\$32] each.

We had no idea that picking up dead dogs from the streets would be called an illegal act. Usually, if someone throws a dead dog in the street that is illegal, and they would be fined, not the other way around, but after March 14, the army was deployed in the streets, patrolling 24 hours, and during the first few weeks most street dogs were shot dead. Neighborhood communities told residents that all pets should be kept inside the owner's house. It is not common in Lhasa to leave dead dogs in the bin for many days, and there must have been a reason why the government got upset with residents picking them up, but we will never know the real story behind it.

When I talked to AA about the incident a few months after her release, she said the police questioned her not only about the actual incident, but more about where she was on March 14, 15 and 16, and what she was doing on these days. They thought that she had heard something was going to happen on March 14. She said she was interrogated for three days without food. While she was detained, a group of police and soldiers searched her house, but they found nothing. Luckily the neighborhood committee leader told police that she was not involved in the March 14 riot and she had no political record. She thought that was what ensured her release. When police handed her over to the neighborhood

committee, they told her that “it doesn’t matter whether you had good or bad intentions, without the authorities’ permission no one can do anything in Lhasa or elsewhere; if there is something that needs to be done, the government has money, leaders and all the resources to deal with any public necessity. Your job is to look after your life, family, and make sure to abide by the law. Do not worry about the streets of Lhasa.”

Interview 1, Part 2: Closure of a Rural Kyidu

Interviewee: Entrepreneur, male, age about 50, name withheld.

Interview date: February 2014.

I never went to school, and never had any proper education. Tibetans of my generation who grew up in the village and have similar background, we have not lost our identity. We live with great dignity. Because we learned from our parents, and living within the community, how to be Tibetan, our culture, the meaning of being Buddhist, being compassionate, and so on. Whatever we do in life, we care about Karma and compassion. That is our fundamental belief and way of thinking, Tibetan values, and qualities of my generation are based on these principles. That is our identity and dignity. The problem that we are really facing as Tibetan communities in Tibet today is that the Chinese government does not let us live as Tibetans. It is not happening only with Tibetan children at government schools being introduced to Chinese culture and history, which leaves little room for them to learn Tibetan language and values—whatever we do, our opinions must be what the government and Party approves. When everything is put to an end, there is no alternative for us. In fact, to live as a Tibetan is to take a risk, because the government sees it as an important matter and some Tibetans get punished for it. The result of oppressive Chinese policy in Tibet is already there. I can see that Tibetan identity, traditions which make us proud to be who we are, and distinguish ourselves from Chinese, is about to disappear from the new generation in Tibet.

Let me tell you about how Tibetans used to be just a few decades ago. When I started to do business with my father in the late 1980s to early 1990s, we used to go to villages collecting any antiques we could find, such as turquoise, corals and old furniture such as boxes and tables. We traded with them and sold shoes and other goods that villagers need. I traveled with my father and other friends to almost all the counties in the TAR, apart from Kongpo area. I have many friends and wherever I go I have a place to stay. Most of them were people I met couple of times when I was in their village for business. These people were living in poor conditions, there was no health care in the village, with not much money, poorly dressed, some of them did not even have shoes to wear most times of year. But these were remarkable and trustworthy people, you can see the full strength of their unique heart and Tibetan identity from their eyes. They lived almost how Tibetans used to live before the Chinese occupation, with great and honest heart, peaceful minds

full of compassion and determined to obey what their parents and Buddhist culture taught. That is what we call “people who don’t worry about when they will die.” For example, I used to leave large amounts of money and other goods with my villager friends for a year, and next time I go, I would get it all back. There was almost no one who would steal, swindle, or cheat. Can you find these people in any village in Tibet today? If you are lucky! What happened to them and why did they change? I will give an example.

It is a very long story, and I believe you have never heard about it. We go to [name withheld] village (rukag 2) in RR county, Nagchu to collect yak *khulu* [soft wool taken from the undercoat, used to produce cashmere]. [Name withheld] village is a pure nomadic community and one of the best khulu sources in Nagchu. There are about 25-30 households. They used to live only in tents far apart on the grassland, but since 2003, the government built them a new house for each household and today they live together in [name withheld] village most of the year. Since 1987, I go there twice a year to collect both yak hide and khulu, but these days I collect only khulu because yak hide season is in the beginning of winter and khulu season is late May. But there are hundreds of Siling-nga [Chinese Muslim or Hui] collecting yak hide and they would wait for the season for months, so the business became very competitive. I think I collect about 2,000-3,000 pounds of khulu each year from there. Most nomads know me in this area because I am the first Tibetan khulu collector in RR county. I have a lot of trusted local men who help me collect khulu from most villages in RR and we are very good friends. I also speak the local dialect quite well. When the government built new houses for the [name withheld] nomads, they also built a three-room house as a common building. The big room was a meeting hall, one room for the Tripu’s [local Party leader] office, and another room for county leaders to stay overnight when they visit.

When I was there in 2004, all the rooms were empty, no furniture. At that time, MM was village head (cunzhang). He was in his late 40s, he has a great heart and was well respected by locals, even though he was a CCP member. There was no work team, and we could do business with local people without problems.

Just after the nomads moved to the new houses, a bad cattle disease broke out, and many sheep and yak died. Locals invited a group of monks from FF monastery to do five days puja and fire offering. The locals believe that the local guardian deity (*yul lha*) had been annoyed by the digging of land and mining of stone everywhere while the government was

building houses. In fact, the construction of the housing project damaged a lot of grassland and the nearby river. I think this kind of thing happened in many places in Tibet and I know similar things happened in our native county a few years ago. I met MM and told him that we should do something about it. I suggested that if he and the locals agree, we should build a stupa and buy a whole set of *Choebum* [Buddhist texts, 20 volumes per set] and the [name withheld] kyidu would be happy to sponsor it. All of them happily accepted and thanked me. While I was in [name withheld] village, we bought wood for making shelves and made a shrine in one of the rooms in the common building. We put a carpet and decorated the room. When I got back to Lhasa, I arranged everything for them as I promised, I bought a set of *Choebum* scriptures using kyidu money and sent it to them within a month. I bought all the materials for the stupa in Lhasa, and collected all the things to go inside (including the *sungshu* [the relics or sacred contents], the spire, the “wealth vase,” fragments of the robes of lamas and saints, sand left over from tantric mandala rituals at the three great monasteries, ash from the fire pujas, various medicines, incense and so on). It took me more than six months to prepare all these things and it cost the kyidu more than 55,000 yuan [\$9,000] only for the scriptures and materials. I know a stupa builder called VV in GG county, and he agreed to come to [name withheld] village for two months to build the stupa with local help. By the end of 2005, we completed the project. At the kyidu’s request, VV carved a well-known verse from the *Bodhicaryavatara* (“The precious mind of enlightenment/ May it arise where it has not arisen/ Where it has arisen may it not decline/ But continually increase”) on the base of the stupa and decorated it well. There are four lines in Tibetan that fitted perfectly on each of the four sides.

In summer 2005, I went there with four monks from ZZ monastery. They did a three-day consecration ritual. At least two people from each household attended the ceremony. All of them were so pleased to have the shrine room [where the scriptures were kept] and new stupa in their new village and everybody thanked me and the kyidu for sponsoring it. Locals also invited another 10 monks to read the scriptures for the first time. There were five locals who can read, so they joined the monks. I had a great feeling when I saw the happiness and appreciation on the faces of the people of [name withheld] village. We had an informal meeting to discuss how to maintain the shrine room and stupa, and who would take charge throughout the year. At the meeting, I suggested that it would be a good idea to set up a kyidu and choose one person as leader. The head of the kyidu would be responsible for maintaining the shrine room and stupa, and this person can change every year. I also told them about our kyidu in Lhasa, how it works and how to organize

gatherings and voluntary social work. The locals were very happy with my idea and we decided to set up a [name withheld] village kyidu. The next day, the locals chose a guy called JJ as head, and KK as accountant. Their duty was to invite monks to read scriptures and to organize a winter prayer meeting when people got back to the new village from the summer pasture. For maintaining the stupa and shrine room, and the cost of the winter prayer meeting, each household agreed to contribute 10-20 yartsagunbu, or butter and cheese, to the kyidu. Everything went very well for next few years, and the idea became fashionable in many neighboring communities, and even neighboring counties like PP and QQ. [Name withheld] village kyidu was successful both financially and in its activities, and later they bought three statues, three small silver butter lamps, and one set of water offering bowls with my help from Lhasa, which cost them about 30,000 yuan [\$4,900].

After the 2008 protests in many places in Tibet, RR county leaders and police started to visit [name withheld] village very often. Locals told me they just came there to make sure there was no political activity and to monitor the general political situation. Sometimes they held meetings to tell villagers not to support the 3.14 [March 14] protesters and the Dalai clique, but they did not say anything about the stupa, because no one there was directly involved in 3.14 and nothing had happened in [name withheld].

Last year [2013], I met WW after some events happened in [name withheld] village. He told me the whole story:

At the beginning of 2012, a work team arrived in the village. They did not say anything about the stupa, but they were not happy about the shrine room in the common building with scriptures and statues and butter lamps. In fact, it already looked like a small temple. They said that, “The government built this as a study room in the new village, not a temple. If you want to pray or light butter lamps, you can go to the monastery or do it at home, because the government allows great freedom of religion. But by using the government study room for a shrine room, villagers had ignored the rule of law and were not showing respect, [and] not recognizing the kindness of government policy for the village. Still, locals begged the work team to allow them to keep it. The work team said they don’t have power to make a decision, but that they will report the matter to county leader with the locals’ request. A few days later, the county leader told the work team that turning a government room into a temple is illegal. All the religious items must be removed from the room within a week, and the room must be used for the purpose it was built for. The work

team told us that if everything was not removed within a week, it would all be confiscated, and they would launch an investigation into who is responsible for the problem. For us, there was no option left. We called local people and emptied the room that same day. The statues and scriptures were taken into households who had some space to keep them. At that time, the village head was called for a meeting. He admitted that he gave permission for the shrine because the room was completely empty, and the woodwork unfinished. Now our shrine room is turned into a study room. The work team brought a lot of books, newspapers and DVDs, and anyone who has time can go there to read. But no one goes there unless the work team calls us to study the legal system, to be educated, or to give talks about how to be a good and patriotic person. Sometimes they bring a vet to the village during winter to teach us about animal diseases, which was helpful for us.

At the same time, the work team changed the head of the village. They recruited many young people to be CCP members and appointed them to monitor the villagers' activities, monitor the grassland where we go to pick *yartsagunbu* [caterpillar fungus], and to make sure everything is in order according to government law. These young guys have to work closely with the work team and report anything they see as politically suspicious. They do surveillance of the whole area, and if any Tibetan comes to our area from outside, particularly monks, they would report it because they get paid by the work team. The work team don't stay in [name withheld] village, and the duty is mostly done by these boys.

One of the work team members was a young Tibetan man who people call "CC," and some locals said he used to be a monk. In winter 2012, somehow, he noticed the prayer we wrote around the base of the stupa. He took photos of the stupa and started asking us when it was built and who designed it. We had no idea what CC was looking for and told him everything. He speaks the local dialect. After he got all the details, a group of higher level officials from RR county arrived and called a meeting in [name withheld] village.

The senior official said the stupa was built illegally on government land, it has nothing to do with religion but has a political purpose, because it has a political slogan written on it. The verse is not quoted from any Buddhist text and it has no religious meaning. It is a well-known slogan of the Dalai clique and his splittist followers when they protest against the Motherland. He said the stupa must be destroyed after further investigation. He said that the village's kyidu was an illegal organization and all its members will be punished, because they have been fooling ordinary people and exploiting village income. It has

spread bad influence and wrong ideas in neighboring communities. Livestock are important for the community, and if they get diseases, the government will send veterinary doctors and treat them scientifically.

Everyone in the village was shocked and really frightened. In the next few days, all the kyidu members were questioned and 2,500 yuan [\$400] was confiscated. A group of Chinese soldiers came at night and destroyed the stupa; they even took all the *sungshu* [sacred contents] as well to examine. MM, the former village head, was taken to RR county for questioning. He was kept there for a week under interrogation. He was banned for one year. The rest of the kyidu members were banned from picking yartsagunbu during the first week of yartsagunbu season.

After the government destroyed the stupa and forced [name withheld] village kyidu to close, I heard that they also destroyed two stupas in PP county and one in QQ county, and several other kyidu were shut down in these three counties around the same time. These stories have never been heard outside Tibet, and only local people know about it. Before the yartsagunbu price went up, the life of this community was very hard. Now they have more cash and people can travel outside their county. I think about 70 percent of them are illiterate, especially those of my age. They don't know anything about the outside world, and apart from His Holiness the Dalai Lama, they know little or nothing about the exile government. That way, the government always controls these people by threatening or humiliating them, because they know that they are incapable of complaining about their suffering. In my opinion, neither the kyidu nor the stupa had anything to do with Chinese political sensitivities or Free Tibet. It is rightful for [name withheld] villagers to have their own stupa and kyidu. The Chinese government ordered every village in Tibet not to have contact with outsiders unless they are relatives or former village members, because they would bring dirty information and spread rumors. In fact, the Chinese worry about people in remote areas learning more about reality, so that it will become more difficult to keep them under control. This is the only reason to stop the spread of rumor, and they have no right to tell others what happened to them.

The Chinese say that there is freedom of religion, and never tell us that we can't practice religion, but popular religious events, and the conditions necessary for religion are eliminated, or entirely restricted. For ordinary Tibetans, being allowed to practice religion

while being unable to do so in daily life is a hardship that is not visible to people on the outside, and something that they find greatly oppressive.⁸³

⁸³ Note: The interviewee faced many problems with the authorities because of sponsoring the stupa and helping to set up the kyidu but did not allow us to report the story of what happened to him.

Interview 2: Preventing Repair Work after a Flood

Interviewee: Lhasa resident, female, age about 45, name withheld

Interview date: March 2015

When I was in Lhasa in July 2014, there was a huge thunderstorm. Within 15 minutes all the roads and streets filled up with rain water and there was flooding everywhere. I was at my friend's house in Thalpung Gang, next to the Tsamkung nunnery. Just after the thunderstorm, I left my friend's house and walked via Kache Lhakhang [the mosque] to the Barkor. When I reached the Dongchen Sur corner, the Barkor street was still full of water. I saw many Tibetans carrying buckets and basins rushing to the Jokhang temple, saying "everybody come with basins to save the Jokhang." I did not understand what they were talking about at first, but I asked a woman what was going on, she told me that Jokhang temple was flooded and water had gone into most of the ground floor.

I followed the other Tibetans and when I got to the Jowo Wutra [the tree in front of the entrance to the temple], and could see into the Gomchor [portico], it was filled with water, and about 50 Tibetans were scooping out water with basins and buckets. I joined them straight away to help passing buckets. About 20 minutes later, more Tibetans came with buckets. We made a human chain passing buckets and taking out water from the Gomchor. The main gate of the temple was still closed, but water was flooding over the doorsill, and we could see water going inside the gap. Some people looked for a drain hole but was impossible to find under the water. Then three monks got inside from the Shingra gate. We managed to talk to them through the closed gate, and they said the water was all the way up to the statues of the four guardian kings (in the entrance of the main building). I and three other Tibetan men managed to get close to the gate to talk to the monks inside. Some Tibetan ladies brought blankets and used them to block water from going under the gate. I think it helped. Many people were still scooping out water with buckets, and more locals joined in, but the situation was very chaotic, I think because no one was expecting such a thing.

Then three firefighter trucks with lots of police and army arrived. The police and the soldiers did not say anything to the Tibetans at first and seemed to be trying to understand the situation. They learned that they had to pump out water from the Gomchor, but the trucks had come with full tanks of water. They emptied their tanks and started to pump out

water. At that time, a senior police officer arrived in a police car. He ordered his men and other police to get all the Tibetans under the Gomchor to leave. The police were aggressive and did not care that we were doing a good job. The senior policeman was a Chinese, who shouted at us that anyone who refuses to leave will be arrested. His announcement was repeated by Tibetan police officers in Tibetan. We had no time to leave before they stormed into the Gomchor and started kicking, punching, and dragging the people with buckets. They confiscated all the buckets and basins. Three soldiers [or police] dragged me from the Gomchor along with others. I did not know what was really going on, and what the police were doing, but most of the Tibetans had realized what was happening and they ran away. I and four other people were put into a police jeep and taken to the Barkor police station.

They took us for questioning one by one. I was completely shocked by what had happened. I have family in Kathmandu, and I am the only person who is doing business and looking after the family. I was in Lhasa on March 14, 2008 [during the protests], but I never got involved in any political activity or in opposition to the Chinese government. I told them everything when they questioned me. They wanted to know who had organized people or called people to scoop out the water. I told them that I was at my friend's house and the things I had heard. As soon as I told them I was from the Khatsara community [Tibetan residents of mixed Nepali and Tibetan descent], they assumed I had connections with Dharamsala [residence of the Dalai Lama]. They wanted to check my mobile phone call records, but my phone was in my handbag, which I had dropped in the water when I talked to the monks inside the gate, so my mobile was dead and would not turn on at all.

The Tibetan police officer who was questioning me called another policeman and told him to fix my phone. After 40 minutes he came back with my phone and it was working. They went through all my number and call records but found nothing. They asked whether I was a member of any kyidu, and I told them I was member of the Khatsara kyidu in Kathmandu. They asked me about its members and its activities in Nepal. I told them we do not do any activities or social service for the Tibetan refugee community. It is true, we don't do anything for them, for many reasons. I was kept at the police station until 10:30 p.m. Before they let me go, the chief police officer told me:

There are many illegal organizations in Lhasa, with many different names and forms, and some of them even believe the Jokhang temple belongs to them, not to the government. They posted leaflets on the wall nearby when

the government was renovating the temple. They did not like that the government set up a “Restoration Management Office” in the Jokhang temple. Some Tibetans even said that the government was stealing treasure on the pretext of renovation. The Jokhang temple belongs to the government, why would we steal anything from there? If we need, we can take any time, but we don’t need, and we don’t do that. We look after the Jokhang for the sake of Tibetan Buddhist believers, and will not give the Dalai and his followers an opportunity to make a judgment or criticize us at any time because we [the government] have money, manpower and technology to deal with any situation in order to protect the Jokhang.

I was shocked, but at the same time happy that he had told these things that I did not know. When I got back home, they had searched my house and taken my passport. I had told them where my passport was. But they did not find what they were looking for. I think that was the reason I got released the same day. Later, I heard that water had badly damaged the wall paintings inside the inner portico with the four guardian kings, and the army and police used electric heaters all night long to dry the wall. When I went there later, you could see changes to the color. One thing I was not happy about was a rumor about the flood at Jokhang temple: there were a few bags of red earth on the floor on the left side of the Gomchor, which turned the water red, but a rumor that went around that the water had turned to blood inside the temple.

Appendix II: Notice of the Tibet Autonomous Region Public Security Department on Reporting Leads on Crimes and Violations by Underworld Forces

Published February 7, 2018⁸⁴

Underworld forces are a malignant cancer of healthy economic and social development, they are a chronic disease that is loathed by the people and must be resolutely combated in accordance with law. Based on the spirit of the "Notice on Carrying out a Special Crackdown on Clearing Away Organized Crime and Eliminating Vice" issued to the entire nation on January 11, 2018 by the CCP Central Committee and State Council, so as to thoroughly advance the special crackdown on clearing away organized crime and eliminating vice, to ensure that the people live and work in peace and happiness, to ensure social harmony and stability, and to bring about long-term national stability, the broad masses of the people are asked to enthusiastically report leads on cases of violations or crimes by underworld forces. Notice on matters related to reporting is hereby given as follows:

I. Content of Reports

- (1) Underworld forces that threaten political security, especially regime security and institutional security, as well as those penetrating the political sphere.
- (2) Underworld forces interconnected with the Dalai clique, accepting remote control or command, or participating in separatist and disruptive activities.
- (3) Underworld forces with temples as patrons, using religion to control, to confuse, to incite, or coerce the masses to resist the Party and government, or interfering in local-level administrative, judicial, educational or other affairs.

⁸⁴ Based on translation at “西藏自治区公安厅关于举报黑恶势力违法犯罪线索的通告,” China Law Translate, February 2, 2018, <https://www.chinalawtranslate.com/西藏自治区公安厅关于举报黑恶势力违法犯罪线索的通告> (accessed July 19, 2018). The original text in Chinese (西藏自治区公安厅关于举报黑恶势力违法犯罪线索的通告) can be found at http://www.thepaper.cn/newsDetail_forward_1993471.

(4) Underworld forces with close relations and interconnections to all kinds of illegal organization, instilling the masses with reactionary ideology and narrow nationalism, such as the “Middle Way” and “protecting the ‘mother tongue.’”

(5) Underworld forces holding themselves out as so-called “spokespersons” for the masses, under such banners as economics, the people's livelihood, environmental protection, folk customs and culture, that are in fact the “spokespersons” of the Dalai clique and hostile foreign [non-mainland] forces.

(6) Underworld forces illegally soliciting donations, fundraising, giving out fines, taking compulsory collection from the people, or seizing opportunities for unjust enrichment, and providing funds to the Dalai clique.

(7) Underworld forces such as black village officials with a grip on local-level political power, monopolies on local economic resources, and misappropriating collective property.

(8) Underworld forces using illegal means such as fraud, bribery, threats, and violence, to manipulate, disrupt, or undermine local-level general elections.

(9) Underworld forces such as “village tyrants,” that exploit religion or family forces to do whatever they please in the village, blatantly take sides, and bully and suppress the common people.

(10) Underworld forces that exploit religion or family forces to illegally meddle and intervene in conflicts and disputes among the people such as over boundaries, pastures, caterpillar fungus, and debts, to act as “underground law enforcement teams” meddling and intervening in the local-level administration and judiciary.

(11) Underworld forces stirring up trouble in land acquisition, leases, demolitions, engineering projects, and the like, so as to obtain unlawful benefits.

(12) Underworld forces such as all types of “Sand Boss,” ”Car Boss,” or ”Road Boss” that interfere with engineering and construction in industries or fields such as construction, transport, and mining, make malicious bids, illegally occupy land, mine excessively, seize

resources, monopolize or compel sales, block roads to take tolls, or compel hire of equipment and personnel.

(13) Underworld forces such as “Market Bosses,” “Industry Bosses,” “Produce Bosses,” and “Meat Bosses” that dominate markets, force sales, or accept protection money, in venues such as commercial trade markets, wholesale markets, bus stations, train stations, airports, and tourist destinations.

(14) Underworld forces manipulating or operating illegal and criminal activities such as “porn, gambling, and drugs.”

(15) Underworld forces using any kind of method of high interest lending such as “routine loans” or “campus loans” or using violence to collect debts.

(16) Underworld forces meddling in civil disputes, serving as 'underground law enforcement teams'.

(17) Underworld forces organizing the employment of online “paid trolls” [or commenters] to threaten, intimidate, berate, defame, make trouble.

(18) Underworld forces who connect online through Wechat groups, online forums, or other means, and carry out illegal or criminal activities offline.

(19) Underworld forces that engage in unlawful or criminal activities such as illegal fundraising and operations, grabbing and holding economic interests, seriously harming the order of fair competition and the environment of economic development.

(20) State employees exploiting their position to facilitate, harbor, or abet, crimes by underworld forces, serving as their 'protective umbrella'.

(21) Forced trading, extortion and blackmail, provocation [picking quarrels], gathering crowds to fight, unlawful detention, intentional destruction of property, organizing prostitution, forcing prostitution, setting up casinos, and other types of crime involving vice.

(22) Other leads as to crimes involving organized crime and vice.

II. Channels for reporting

(1) Field Reports: Tibet Public Security Bureau Criminal Investigation Team. Organized Crime Investigation Branch, No. 35 Lin Ju Road, Lhasa Chengguan District, Tibet Autonomous Region.

Reports may also be made directly to municipal or regional public security bureaus, of criminal forensics squads.

(2) Telephone Reports: Call the Tibet Autonomous Region Public Security Organ Public Reporting Number: 0891-12389. Note: Select the relevant public security organ for reporting based on the telephone voice prompts.

Clearing away organized crime and eliminating vice is a people's war and must rely on the public's active participation. The masses are welcome to actively report and uncover leads on violations and crimes involving underworld forces, and to resolutely struggle against underworld forces' illegal conduct. The public security organs are to lawfully protect the personal information and security of groups that provide leads. The legal responsibility of reporters will be pursued in accordance with law where reporting is malicious or framing others. Where the subjects of reports carry out revenge, they are to be given severe and heavy punishments in accordance with law.

Public Security Department for the Tibet Autonomous Region

2018/2/7

Appendix III: Nagchu County Public Security Bureau Procedures for Rewarding Informants for [the Campaign to] Remove the Influence of Organized Crime and Correct Wrongdoing

Published March 13, 2018⁸⁵

In order to encourage public enthusiasm and congregation to participate in the “Eliminate Organized Crime, Destroy Vice” and “Smash Wrong Views, Quell Disturbance” struggle, to elicit information about underworld-related crimes and to promote the deepening of the struggle for these campaigns, Nagchu county Public Security Bureau has formulated the following protocols on granting rewards to informants related to “Eliminate Organized crime, Destroy Vice” and “Smash Wrong Views, Quell Disturbance”.

ONE: Stipulations for informants and means of claiming rewards

On the basis of large rewards for serious cases and small rewards for minor cases, once their information is validated, informants will be rewarded according to the following criteria:

1. Informants exposing organized criminal acts threatening political stability, especially the stability of governance, the stability of normal order, and infiltration in the political sphere, will receive a reward of 100,000 yuan [US\$16,000] upon confirmation by the Public Security Bureau. Those reporting actual acts of harm committed or providing secret information about harm to social stability will be rewarded without limit.
2. Informants exposing organized criminal forces actively participating in splittist sabotage will receive a reward of 100,000 yuan upon confirmation by the Public Security Bureau.

⁸⁵ Translation of based on a photography of the original poster in Tibetan language provided by Radio Free Asia.

3. Informants exposing organized criminal forces interfering in government administration, judicial administration, education etc. at the local level on the pretext of religion will receive a reward of 100,000 yuan upon confirmation by the Public Security Bureau.
4. Informants exposing organized criminal forces hijacking local-level governance to pervert the course of local elections, appropriate resources, and plunder public assets will receive a reward of 50,000 yuan [\$8,000] upon confirmation by the Public Security Bureau.
5. Informants exposing organized criminal forces who present themselves as “spokespersons”, using such pretexts as economic development and mass livelihood, environmental protection, folk culture, and so on, but in fact belong to the Dalai clique and hostile foreign forces will receive a reward of 50,000 yuan upon confirmation by the Public Security Bureau.
6. Informants exposing organized criminal forces inciting narrow-minded ideas of [local] nationalism will receive a reward of 50,000 yuan upon confirmation by the Public Security Bureau.
7. Informants exposing organized criminal forces such as “local tyrants”, using clan or religious powers to control and occupy a locality and oppress the people will receive a reward of 30,000 yuan [c. \$4,900] upon confirmation by the Public Security Bureau.
8. [Repeats article 7].
9. Informants exposing organized criminal forces making meaningless criticisms and circulating rumors, using Weibo and online information sharing to not only associate online but covertly launch illegal campaigns will receive a reward of 20,000 yuan [c. \$3,200] upon confirmation by the Public Security Bureau.
10. Informants exposing organized criminal forces using fake Weibo accounts to form online groups to threaten, abuse, falsely accuse, and intimidate others will receive a reward of 20,000 yuan upon confirmation by the Public Security Bureau.

11. Informants exposing organized criminal forces making trouble in the course of acquisition or leasing of farmland, demolitions, relocations, and construction projects will receive a reward of 20,000 yuan upon confirmation by the Public Security Bureau.
12. Informants exposing organized criminal forces monopolizing sales and arbitrarily raising prices in the course of construction projects, especially construction of national key projects, or obstructing project construction through forced hire of equipment and manpower, will receive a reward of 20,000 yuan upon confirmation by the Public Security Bureau.
13. Informants exposing organized criminal forces deliberately trying to take over places of work such as sand mines, building sites, transport services, mines and yartsagunbu collection areas, illegally occupying land, illegally managing the work, robbing visitors, extracting [resources] haphazardly, or blocking roads to collect dues will receive a reward of 30,000 [\$4,890] yuan upon confirmation by the Public Security Bureau.
14. Informants exposing organized criminal forces such as those who control cities and dominate trades in places like commercial centers, wholesale markets, bus stations etc. by cheating their partners, forcing sales, collecting protection money, and so on will receive a reward of 10,000 yuan [\$1,600] upon confirmation by the Public Security Bureau.
15. Informants exposing organized criminal forces involved in running criminal enterprises in prostitution, gambling, drugs etc., and members of secret organizations, will receive a reward of 10,000 yuan upon confirmation by the Public Security Bureau.
16. Informants exposing organized criminal forces illegally making high-interest loans and collecting them by force, especially by means such as filing false cases, pursuit, threats, detention, and assault will receive a reward of 10,000 yuan upon confirmation by the Public Security Bureau.

17. Informants exposing organized criminal forces interfering in disputes among the public and posing as “undercover judges” will receive a reward of 10,000 yuan upon confirmation by the Public Security Bureau.
18. Informants exposing organized criminal forces needlessly creating trouble and stirring things up, misleading petitioners into inappropriately imposing themselves and making troublesome demands, disturbing the regular order of state offices and social order will receive a reward of 5,000 [c. \$800] yuan upon confirmation by the Public Security Bureau.
19. Informants exposing organized criminal forces, organizations or individuals, illegally collecting donations and amassing funds, soliciting donations, obliging the public to render service, accepting bribes, and participating in splittist campaigns will receive a reward of 10,000 yuan upon confirmation by the Public Security Bureau.
20. Informants exposing organized criminal forces, organizations or individuals, illicitly keeping or trading in firearms and ammunition, will receive a reward of 20,000 yuan upon confirmation by the Public Security Bureau.

The custom of giving the reward to the first informant will be followed, so that in the case of many people providing the same information, the reward will on principle go to the first one, based on the times recorded in the Public Security office’s list.

TWO: Cases not eligible for reward

1. Those accused, imprisoned, or serving a judicial penalty.
2. Former Public Security employees.
3. Government employees with direct knowledge of that area of duty.
4. Officials charged with special responsibilities.
5. Recipients of other rewards.

THREE: Protection and confidentiality

There must be strict confidentiality for informants according to the Public Security confidentiality code, and not a single report can be allowed to escape confidentiality. Informants must protect themselves well, and those with important information must use essential protection methods. Where an informant's life or property are endangered or harmed due to a breach of confidentiality or official mishandling, the relevant people will be held to account.

FOUR: Reporting methods

Phone - 14718960167

Contact location – (blank)

The Nagchu County Public Security Bureau Remove the Influence of Organized Crime and Correct Wrongdoing Work Department

March 13, 2018

Appendix IV: The Chamdo Prefecture “Notification on Striking Hard and Eliminating Illegal Organizations and Illegal Activity by Social Organizations According to Law

*Published March 20, 2014*⁸⁶

To clean up unseen threats to social stability, to promote harmony and stability in society, to improve the atmosphere of social stability and development, genuinely safeguard the core interests of the broad masses, and determined to strike hard on and eliminate illegal organizations and illegal activity by social organizations according to law.

To crack down vigorously on various kinds of criminal activity, the following are announced, according to law and legal principles.

One

Those that have not been investigated and approved according to law by local government agencies, not in accord with the constitution, the law and the relevant directives of the State Council’s “Ordinance on registration of social organizations,” any organized group with more than five members, with its own regulations, with an established core membership, sources of funding, recruiting members on a large scale, those conducting under another name activities incompatible with current laws and policies, down to those with outright political objectives, conducting criminal activity, social organizations of the kind that have an effect on political and economic matters and social order in the locality, all shall be considered illegal organizations.

Two

Those not registered through the local government offices of the relevant locality, self-constituted social associations, those operating under the name of a social organization, and those that have been deregistered but continue to work under the name of a social association or social organization will be resolutely eliminated according to point 35 of the State Council’s “Ordinance on registration of social organizations,” their illegal income will

⁸⁶ Translation based on original Tibetan language document provided by Tibetan Centre for Human Rights and Democracy.

be confiscated, those culpable will be investigated for criminal liability, those not qualifying as culpable will face administrative punishment [*bde 'jags chad gcod*].

Three

Associations and groups that are legally registered and have permission to work... [text missing], whether an organization or an individual, are not entitled to do anything against the constitution and the law, and any such activity will be investigated.

Four

Any organization, monastery, monks, or individuals committing the following offenses... [text missing], serious offenses, with intent to incite the splitting of the country or to sabotage the unification of the country will all be punished accordingly under section 1 of article 103 of the criminal law:

1. Shouting reactionary slogans at public gatherings, or writing, pasting, and distributing reactionary posters, leaflets, songs, and so on.
2. Circulating text or messages with reactionary content by internet or mobile phone.
3. Professing and explaining reactionary ideas in monasteries or at public meeting places.
4. Ethnic hatred and discrimination, splitting the Motherland, damaging national unification... [text missing]

For those involved in these illegal activities of splittism, and so on, the public security and state security departments will punish those culpable with imprisonment, fines, or a warning, according to the nature and severity of the offense and harm caused to society. Those with very little guilt, who were tricked or forced into criminal activity, must be ordered by the public security or state security agencies to write a confession, and will be handed over to their local officials, the township office, village committee, or monastery management committee and dealt with according to local township or village regulations.

Five

No organization, monastery, monk, or individual may engage in activity harmful to social stability.

1. Those involved in the manufacture, transportation, sale, possession, hiding or stockpiling of firearms, in violation of national directives on the management of guns, ammunition and explosives, including military guns, hunting guns, muskets, sports guns, air guns, etc., and those involved in the stockpiling, sale or transport of illegally produced explosives, fuel etc. once detected by public security agencies, will be charged according to relevant directives of the criminal law, the gun law, and the “Regulation on management of explosives in public use.”
2. The following activities will be investigated according to the criminal law, on suspicion of a threat to social stability:
 - (a) self-immolation and other activities harmful to public order in public places or public transport facilities such as squares, monasteries, hotels, shops, petrol stations, residential areas, local marketplaces, offices, enterprises, etc.
 - (b) Taking explosive materials to the above locations for the purpose of self-immolation.
 - (c) Offenses such as organizing, leading or participating in terrorist activity will be investigated on suspicion of threats to social stability as in article 120 of the criminal law.

As mentioned in the above article, multiple offenses such as murder, causing explosions, kidnapping, etc. will be punished severely according to law.

Six

All-natural resources, mines, rivers, forests, mountains, grasslands, wasteland, beaches, and so on are state property. No organization, monastery, monk, or individual may... [text missing] take or damage state property or obstruct social development. Those using pretexts such as “holy mountain”, “holy lake,” and so forth, raising the banner of human

rights, ethnicity or religion to mount petitions, call illegal gatherings, or use force to obstruct the operation of state projects or the regular development of natural resources and their normal management, and thereby disrupt work, productivity, commerce, education, and cause losses, the instigators and organizers of such agitations and most active participants will be investigated for criminal responsibility under article 190 of the criminal code.

Seven

Those who incite the masses to converge on state premises, such as local party and government offices, or incite, coordinate, force or organize others into mounting petitions to higher authorities, or even use force to prevent government officials from carrying out their duties, offices from functioning, disrupt order and traffic in public places, the instigators and organizers of such agitations, and most active participants will in serious cases, or in cases of causing significant loss, will be held criminally responsible under articles 290, 291 and 277 of the criminal code.

Eight

No organization or individual shall contravene state laws by illegally cutting forests, and any large-scale incident, or case of profit from illegal tree felling, will be prosecuted under article 345 of the criminal code.

Nine

In accord with the country's constitution, the "Regulations on Religion Work," "Pilot Measures for Implementing the TAR Regulations on Religion Work," and relevant decisions on strengthening and renewing monastery management in TAR, in case of serious individual incidents such as self-immolation, fires, or explosions among monks at a monastery, or scattered monks coming from outside, or interference in disputes over things like pasture land and resources, using the protector "Gyalchen Shugden" to create differences among the believing masses, inciting, and organizing collective agitations and illegal gatherings, forcing and tricking members of the public into joining illegal organizations, impacting on overall social stability, will be punished under [either] criminal or administrative laws. At the same time, the criminal liability of the monastery's committee head and others in positions of responsibility such as incarnate lamas, abbots, etc., will be investigated. Those [monasteries] that have been selected as "model monasteries" and monks and nuns selected as "progressive" will have that status

annulled, and for up to three years they will not receive any of the benefits of the government's 'Good for Monasteries, Good for Monks' welfare policy, their water and electricity will be cut off, and the incarnate lamas and abbots of the monastery will be struck off the register of religious professionals and expelled.

Ten

Those who incite the masses, on the grounds of religious discipline, to "Stop animal slaughter," "Stop eating meat," "Stop ploughing the fields," etc., and disrupt production and commerce by force will be punished under article 276 of the criminal code.

Eleven

Using the issue of the protector deity "Gyalchen Shugden" to start an illegal organization, beating up people of different faiths and pursuing quarrels, deliberately destroying statues, scroll paintings, wall paintings, etc. which are the common heritage. Serious offenders will be investigated for criminal liability under article 275 of the criminal code.

Twelve

Those who have travelled of their own accord, without the permission of Public Security, United Front or Religion and Nationalities Affairs departments, in neighboring Tibetan provinces, or even abroad, to study religion, receive empowerments, make pilgrimage, etc. will be called for intensive reeducation. According to their attitude, it will be decided whether they should qualify for state benefits [under the 'Benefit the Masses' policies].

As for those monks and nuns who went of their own accord to monasteries outside TAR to study religion, and have not returned despite repeated advice, it is accepted that they will not return or remain voluntarily... [text missing] and the benefits they receive under the "Good for Monasteries, Good for Monks" policies will be cancelled. Those monks and nuns who went of their own accord to monasteries outside TAR to study religion, and have not returned despite repeated advice, will not be allowed to collect precious resources such as yartsagunbu [caterpillar fungus], and any benefits they enjoy under the "Good for Monasteries, Good for Monks" policies will be cancelled. Furthermore, their households' farmer and medical benefits will be annulled.

In the case of those monks and nuns who went of their own accord to monasteries outside TAR to study religion, and have not returned despite repeated advice, as well as monks or

lay believers who have disappeared for at least two years, according to the “Regulations on Management of Household Registration” and other laws, and on the basis of a letter from the village committee of the area, or a legal document from the People’s Court confirming that the person is missing or deceased, Public Security will remove the person’s name from the register.

Thirteen

It is forbidden for members of the public to carry knives, and Public Security will confiscate them as soon as they find out.

Fourteen

Chamdo prefecture residents, including visitors from outside, who carry, produce, sell, transport, store, or disseminate reactionary propaganda literature, and illegal reactionary organizations, their leaders, and members will all face administrative punishment, and those on serious charges will be investigated for criminal liability.

Fifteen

Those who set up illegal organizations at the instigation of the “two committee” [township committee and village committee] officials in their area, or participate in the activities of such organizations, or conduct illegal activities in the name of the “two committees,” or who give shelter to members of illegal organizations in firm contact with the Dalai Clique abroad while engaged in their illegal activities, or who instigate or organize the worst crimes of self-immolation, arson and explosions, those [local officials] who instigate or organize disturbances at public meetings over resource disputes among the people and petitions to the higher authorities, leading to a mass incident, will in serious cases face investigation of criminal liability according to article...[text missing]. Those not liable for criminal prosecution will face administrative punishment [*bde ’jags chad gcod*] by Public Security, and according to the “PRC Neighborhood Committee Organization Law” and the TAR implementation guidelines for that law, they will be expelled by their township party and government offices.

Sixteen

In villages where the worst incidents occur, like self-immolations, arsons, and explosions, or disturbances at public gatherings, or illegal gatherings, mass incidents, if the village has “model progressive” status this will be annulled, all such awards like “affluent

village” will be withdrawn, and for up to three years they will not receive anything from the government’s “Benefit the Masses” welfare policy.

Seventeen

[Concerning those] who come and go across borders, their regular activities should be distinguished from their irregular activities in a scientific way, and to ensure the interests of the masses, it is necessary to crack down severely on illegal organizations and illegal activities coming and going in Chamdo prefecture, strictly in line with the “Nine No” directive. While the convenience of the masses must be assured, there can be no relaxation of control. While family members and relatives do travel back and forth, they may not bring disastrous and misleading illegal rhetoric and illegal organizations with them. Movement back and forth for commerce is assured, but fake and harmful goods cannot be brought in. There must be comprehensive control systems and whatever means of control needed to meet the standard, and this duty cannot be allowed to slide. Those who seek permission to go outside may not engage in illegal activities. On return, when their work is completed, they may not bring restricted items with them. Those going to meet friends, foreign tourists, [or] Buddhist institutes may not go along with illegal ideas propagated by illegal organizations. Registration must be done properly, and no suspect circumstances can be overlooked.

Eighteen

Those in violation of the above decisions must immediately and decisively stop all illegal activity and admit their guilt in an attempt to secure a more lenient punishment. In [a] case [where] they are found out by administrative agencies or reported to the authorities by the masses and their guilt is established, they will face strict and heavy punishment.

Nineteen

Those who have been inducted into illegal organizations and illegal activities by criminals, and engaged in criminal involvement with firearms, explosives, and the like, and whose guilt is proved through investigation, can be punished more leniently according to the law, and those who are cooperative can be treated even more leniently, or spared punishment altogether.

Twenty

Members of the broad masses who vigilantly inform the authorities of the activities of illegal organizations, who provide evidence of criminal acts, and who urge and advise such criminals to confess will be awarded and given protection. Reports to the authorities will be rewarded in accord with relevant directives. Those who harbor or conceal criminals, or assist them to destroy evidence or produce false evidence, will be investigated for criminal liability according to law. Those who threaten or retaliate against people making reports will be strictly punished according to law.

This notice will come into effect from the day of issue.

Chamdo Prefecture Intermediate People's Court

Chamdo Prefecture Procuracy [branch office]

Chamdo Prefecture Public Security Department

March 20, 2014

Appendix V: The Chamdo County “Notice on Responsibilities for Improving Social Stability”

Published 2012⁸⁷

This notice of responsibilities has been drawn up for the purpose of strengthening management of social stability in [designated] areas, implementing management regulations with long-term efficacy, scrupulously prosecuting [offenders] and maintaining [order], vigorously smashing all forms of illegal activity, and establishing a social environment of harmony, stability, and long-term wellbeing.

1. Uphold the unification of the motherland, uphold unity of nationalities, uphold the dignity of the law, and resolutely struggle against separatism. Harming the dignity of the nation and activities aimed at destroying social stability and unity of nationalities, or any participation therein, is strictly forbidden.
2. Interference with the legal conduct of government administration is forbidden.
3. Interference or disruption of legal investigations by administrative offices and management of social affairs is forbidden.
4. Harboring firearms and ammunition, or selling them on the black market, is forbidden, and explosives and other dangerous materials may not be kept.
5. Mass gatherings to cause disruption and agitation are forbidden. Incidents of a mass nature, like gathering a crowd and going to make trouble at the site of a dispute, abusing each other, and so forth, is forbidden.
6. Interference on the pretext of religion with the lawful administration of localities by party and government, investigation of crimes by law enforcement offices, and

⁸⁷ Translation based on photograph of official notice in Tibetan, circulated on social media. The document is undated but is believed to have been issued in 2012.

management of social activity, is forbidden. No building intended for religious activity or with religious significance can be constructed without authorization.

7. Fabrication and spreading of rumors is forbidden. Talk that undermines the unity of nationalities is forbidden.
8. Natural environment must be protected according to law. Unauthorized cutting of forest, black market purchase and sale of timber or theft are prohibited.
9. Disruption of educational administration is prohibited. Laws and regulations such as the “PRC law on compulsory education” must be strictly obeyed. In all circumstances, school-age children must be sent to school to receive an education.
10. Under any circumstances, ad hoc conflict resolution and extraordinary petitions are forbidden. Petitions to higher authorities and applications for permission must be made at the appropriate level, through the local village peoples’ committee and township party committee and government.
11. Disputes over resources and social dispute must be resolved on the basis of normal legal process. In particular, getting famous local lamas or locally reputed or powerful persons to intervene and resolve matters related to criminal suspects is not allowed, nor is it allowed to get them to intervene in social affairs, much less resolve them. Resolution of criminal cases involving murder, injury, and death compensation, etc. cannot be resolved through private discussion.
12. Involvement in illegal electoral organizations is not allowed. The electoral law must be strictly observed.
13. Destruction and disruption of state-organized infrastructure projects, resource extraction etc. is not allowed. Destruction and disruption of infrastructure such as highways, electricity facilities, communication facilities, bridges, hydropower, etc. is forbidden.
14. When meetings and activities are organized to relay the decisions of local party and government offices, monasteries may not use religion as a pretext to interfere.

Construction of buildings for religious activities or with religious significance is not allowed without prior authorization.

15. Participation in any incident of a mass character organized by religious or lay members of the public is forbidden. Religious or lay organizations may not hold illegal gatherings.
16. Involvement in illegal electoral organizations is not allowed. The “Electoral law” must be strictly observed.
17. Regulations, decisions, and orders issued by local party, government, and religious affairs management offices must be obeyed and respected. Monastic discipline must be followed strictly and promoting beliefs of your own invention is not allowed.
18. When you have to leave the monastery to return home, the system of applying for permission must be properly followed. Leaving of your own accord is forbidden.
19. Destruction and disruption of state-organized infrastructure projects, resource extraction, etc. is not allowed. Destruction and disruption of infrastructure such as highways, electricity facilities, communication facilities, bridges, hydropower, etc., are forbidden.
20. Natural environment must be protected according to law. Unauthorized cutting of forest, black market purchase and sale of timber or theft are prohibited.
21. It is forbidden to propagandize and incite religious and lay masses to commit separatist sabotage on the pretext of holding religious functions and teachings.
22. When monks and nuns leave the monastery to perform scripture reading, they must take permission from the relevant authorities. It is forbidden to go out and read scriptures just of your own accord and choosing.
23. When khenpos, tulkus, and important lamas are to be invited, permission must be sought from the monastery management committee, religious and nationalities

affairs offices at township and county level, and United Front offices. Relevant processes must be followed, and monasteries may not decide things for themselves.

24. The national flag and portraits of national leaders must be properly respected. Portraits of national leaders must be displayed prominently in the house/building. Portraits of leaders must be clean and properly arranged, and spoiling them by doodling on them or treading on them etc. is strictly forbidden.

This responsibility notice is duplicated, and takes effect from the day of signature. Any infractions of the above regulations will be strictly dealt with on the basis of the “PRC criminal law”, the “PRC security management law”, the “PRC environmental protection law”, the “PRC electoral law”, the “PRC forest law”, the “State Council religious affairs ordinance”, the “TAR religious affairs ordinance implementation methods”, the “Correspondence and personal meetings ordinance”, and other laws, regulations and ordinances, as well as the regulations, resolutions and decisions of party committees, government offices and religion management departments at each level.

Chamdo County Administrative Committee

Chamdo County Religion and Nationality Affairs Department.

Appendix VI: The Malho Prefecture “Twenty Illegal Activities Related to Tibet Independence”

Published February 12, 2015⁸⁸

One: Encouraging, talking up and glorifying extreme acts such as self-immolation.

Two: Flying ‘Tibet independence’ flag, putting up leaflets, spreading written materials, and promoting discussion.

Three: Writing, producing, selling, and distributing books, images, recordings with ethnic separatist and ethnic extremist ideological content.

Four: Organizing illegal groups and illegal movements in the name of “language rights,” “environmental protection,” “literacy classes,” etc.

Five: Organizing illegal groups and public demonstrations in the name of “language rights,” “food safety,” “protecting wildlife,” etc. and organizing, leading, or inciting other kinds of illegal movements.

Six: Downloading messages, images, or video with Tibet Independence content from QQ or other chat forums, listening, watching, and sharing them. Even if electronic content that is harmful to the unity of nationalities, spreads rumors, disrupts social order, creates contradictions between nationalities, or is related to independence, is not passed on, to keep it on one’s mobile or computer without deleting it, and tell and show others about it [is also illegal].

Seven: Colluding with separatist forces abroad, sending communications of any kind to foreign hostile forces.

⁸⁸ “Praying and lighting butter-lamps for Dalai Lama ‘illegal’: new regulations in Rebkong”, International Campaign for Tibet, April 14, 2015, <https://www.savetibet.org/praying-and-lighting-butter-lamps-for-dalai-lama-illegal-new-regulations-in-rebkong/> (accessed July 19, 2018). The International Campaign for Tibet (ICT) reported that the Tibetan version that it received had a note stating that the document had been “distributed on February 12, 2015 by the Communist Party office of Tongren County.” ICT concluded that the document had been issued by the the Malho Prefecture Government.

Eight: Listening to and watching radio and TV broadcasts by foreign hostile forces talking up the “Tibet Independence” ideology.

Nine: Going to foreign countries and illegally participating in religious activities of any kind there.

Ten: Displaying photos of the 14th Dalai Lama and “Tibet Independence” flags at public gatherings.

Eleven: Showing images or playing recordings with “Tibet Independence” content in vehicles and other transportation facilities.

Twelve: Praying for people who commit self-immolation, burning incense, or reciting prayers for them, sparing the lives of animals or lighting butter lamps in their memory, or approaching their family members.

Thirteen: Collecting donations for foreign ethnic separatist forces or individuals, or forming organizations to collect such donations.

Fourteen: Promoting discussion of “Tibet Independence” and ethnic extremist ideology in schools.

Fifteen: Using the powers of religion, philosophy, or genealogy to interfere in legal and civil administration and social affairs, and terrorizing the masses of government officials, or creating resentment and hostility towards them, under the pretext of “nationality affairs”.

Sixteen: Cultivating links with foreign ethnic separatist forces, contravening decisions on social stability maintenance work in connection with “Tibet Independence,” and forcing others or forming organizations to oppose the government.

Seventeen: Making prayers for the 14th Dalai Lama on the occasion of a festival, or whenever the occasion arises, at a monastery or in a public place, inciting others or forming an organization to promote such activities.

Eighteen: Using religion or folk customs to incite others, or to form organizations to arrange public gatherings to offer incense, butter lamps or prayers to the 14th Dalai Lama.

Nineteen: Fabricating messages and imagery associated with “Tibet Independence”, with malicious intent, out of the regular religious activities, and even popular cultural activities in one’s area, in order to make statements or create rumors, and misrepresenting such things as propaganda study, assisted study for key contact targets, the comprehensive rectification of key townships and towns (villages and monasteries), rectification of illegal organizations and prosecution of individuals who break laws and regulations, thus disregarding national sovereignty and providing hostile forces with material for their rants [against China].

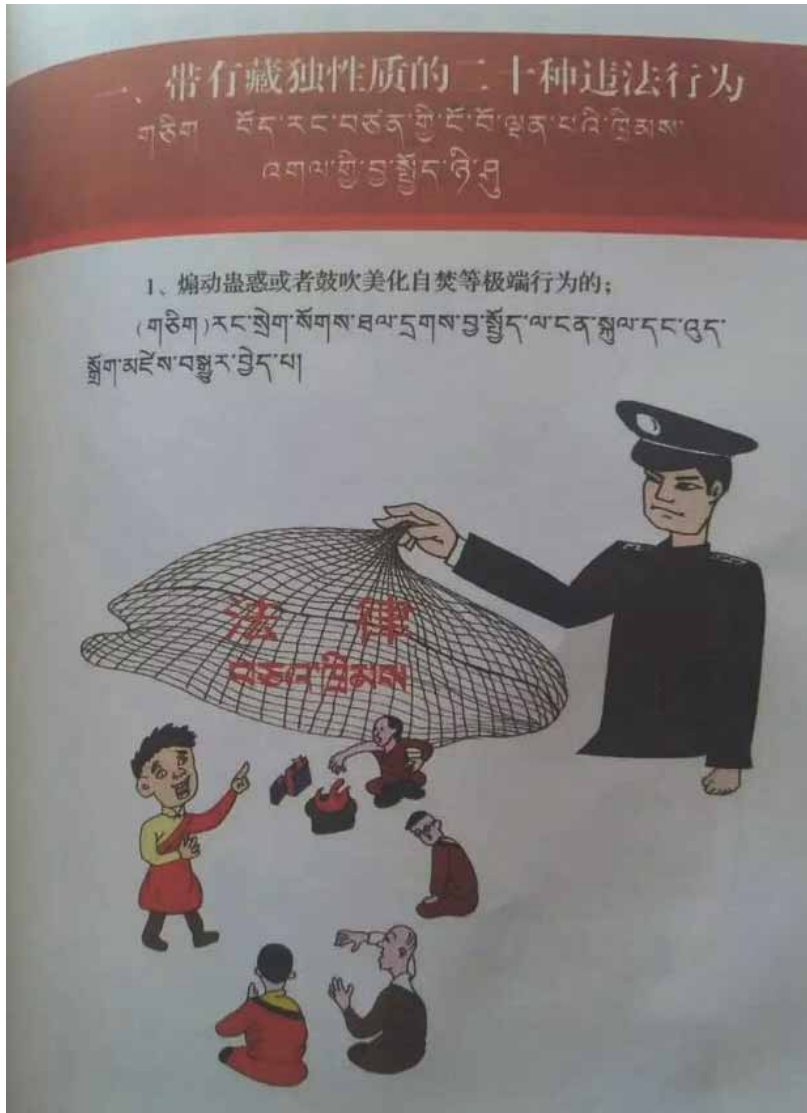
Twenty: Interfering, in accord with the foreign Tibet Independence separatist movement, with other people enjoying festivals, or weddings or banquets, forcing them to “Speak pure Tibetan”, [or] obstructing the “Kill your livestock or sell them” [policy] by forcibly “ransoming the animal’s life” (*tshe thar du gtong ba*), [or] using such pretexts as “environmental protection” to disrupt social order.

These twenty illegal actions related to Tibet Independence are the same as the illegal actions of the Tibet Independence separatist forces, and if even one is found and dealt with, there will be no leniency. Organizers, planners, and leaders will be strictly dealt with according to law; they will be punished by law according to their sincere rejection of the actual harms caused by the actions of the main leaders. Those who were incited or coerced into joining illegal activities will go through intensive personal study class, and then do training, and with help, will come to recognize the nature of Tibet Independence activities, and of the harm caused by joining in illegal activities, and will also be considered key contact targets and monitored. Leaders themselves and their families will be disqualified from allowances under Benefit the Masses policies. Officials drawing state pensions will be strictly punished under the provisions of the “Huangnan Prefecture Measures on Allocating Responsibility for Irregularities in Provision of Support to Retired Government Workers” and the “Standards of Conduct for Party Member Officials to Firmly Uphold Party Political Discipline in the Struggle against Separatist Infiltration” distributed by [all] five provincial Party committees (Qinghai Party Discipline Committee [2015] Doc. no.1).

Government workers at village level will not face Party disciplinary prosecutions but will have their salaries cut off. Villages in which incidents of instability have occurred, and monasteries also, will be subject to intensive comprehensive rectification; responsibility will be allocated to officials stationed in those townships, villages, or monasteries; no work projects or expenditure will be sanctioned for the following two years, and those already sanctioned will all be wound down.

Appendix VII: Cartoons Published by Malho Prefecture Government to Illustrate the “Twenty Illegal Activities”

Human Rights Watch was able to obtain copies from social media sources of five pages from a handbook published by the Malho prefecture government in or around 2015. The exact date and source of the handbook are uncertain.



One. Twenty Illegal Acts of a Tibet Independence Nature.

1. Encouraging and glorifying extreme acts such as self-immolation. Cartoon shows a policeman casting a net that says, “constitutional law”.



2. Hanging flags, pasting leaflets, distributing literature and making speeches about Tibet Independence.
Cartoon shows a uniformed arm holding a sign saying, “banned”.

4. 严厉打击抬尸游行、纠集多人聚集、围观、群体性游行示威等方式，聚众扰乱社会秩序行为（依照《刑法》第290条、291条的规定，以聚众扰乱社会秩序罪或聚众扰乱公共场所秩序罪追究刑事责任）。

4. བེམ་རོ་སྤྱོད་ལྷན་སྐྱོད་ལྷན་གྱི་དང་མི་ཚོགས་བསུ་བ། ལྷན་མོར་སྤྱོད་ལྷན་གྱིས་འདུ་ཚོགས་རང་བཞིན་གྱི་རམ་སྲོལ་བྱས་ཏེ། ལྷན་ཚོགས་བདེ་འཇགས་ལ་གནོར་བརྒྱག་གྱི་དང་པའི་བྱ་སྤྱོད་ལ་དྲག་རྒྱུ་བྱེད་དགོས། (ཉེས་ཁྲིམས་) འོན་ཚུན་ 290 དང་འོན་ཚུན་ 291 གི་གཏན་ཁུངས་ལྟར། འདུ་ཚོགས་གྱིས་ལྷན་ཚོགས་བདེ་འཇགས་ལ་གནོར་བརྒྱག་དང་། ལྷན་ཚོགས་ལམ་གནོར་བཞིག་བྱས་པའི་ཉེས་པར་ཉེས་འོན་འགན་འཁུན་བྱེད་པའི་འདུ་བྱེད་བྱེད་ཀྱི།)



4. Carrying corpses in public processions, gathering crowds, and creating a spectacle and so on in collective protest, and disrupting social stability. Such acts must be smashed. According to “Criminal law” articles 290 and 291, those responsible for assemblies that disrupt social stability and normal social order must be prosecuted. Cartoon shows a fist that says, “strike hard” and a corpse marked “self-immolator”.

5. 严厉打击阻碍公共民警或其他国家机关工作人员依法执行任务的行为（依照《刑法》第277条规定，以妨害公务罪追究刑事责任）。

5. ཉེན་རྟོག་པ་དང་རྒྱལ་ཁབ་གྱི་ལས་བྱེད་མི་ལྷན་ཁྲིམས་ལྟར་བྱ་བ་
སྐྱོད་པར་བཀག་འགོག་བྱེད་པའི་བྱ་སྤྱོད་ལ་དྲག་རྒྱུད་བྱེད་དགོས། (ཉེས་
ཁྲིམས) རྒྱ་ཆོན་277 གྱི་གཏན་ཁབ་ལྟར། གཞུང་ཞབས་བྱ་བར་གནོད་
ཚུལ་བའི་ཉེས་པར་ཉེས་རྒྱུ་འགན་འཁུགས་བྱེད་པའི་འདེད་བྱེད་རྒྱུ།)



5. Preventing police and government officials from carrying out their lawful duty must be smashed. According to “Criminal law” article 277, those responsible for harming the exercise of government functions must be prosecuted. Cartoon shows a shovel that says “eradicate!”

7. 严厉禁止组织群众为自焚者送葬、募捐、策划组织并参与为自焚者念经超度、悼念等行为，对拒不服从要求造成不良影响的，依法追究法律责任。

7. མང་ཚོགས་ཙམ་འདུགས་བྱས་ནས་རང་གྲིག་མཁན་ལ་ཞལ་འདེབས་བཟུ་བ་དང་བསང་མཚོན་བྱེད་པ། ཚེས་འདོན་པ་སོགས་འདས་མཚོན་ཚོགས་ལ་བའི་བྱ་སྤྱོད་གཏན་འཁེག་བྱེད་དགོས་པ་མ་ཟད། རྒྱིག་འགལ་གྱིས་མཚུགས་འབྲས་ལ་བཟོས་པར་ཉེས་དོན་འགན་འཁུལ་བདེ་འདེད་བྱེད་རྒྱུ་ཡིན།



7. The forming of public organizations to make donations for self-immolators, offer incense, say prayers and other rites for the dead must be banned, and those responsible for producing negative outcomes in violation of regulations must be prosecuted. Cartoon shows a policeman holding a piece of paper that says, “arrest warrant” and monks chanting “Om Mani Padme Hum”.

Appendix VIII: Malho Government Editorial “It Must Be Made Clear That Involvement in an Incident of Instability is a Crime”

Published February 27, 2014⁸⁹

The root of wellbeing is stability and the root of harm is unrest. The maintenance of social stability is an essential precondition for the smooth actualization of the goals of social and economic development, as well as a basic condition guaranteeing the wellbeing of the masses. It is generally recognized that in the absence of stability, there is no possibility to discuss anything else. However, in recent years, there are still some people in the Tibetan areas of our province who harbor ill will and use a small number of people among the masses, who do not know the real situation, to continue fabricating incidents of instability to achieve their ends. As these incidents of instability violated state law, those who participated in them have been sanctioned by law at various levels.

Our prefecture has one of the largest concentrations of Tibetans outside TAR, multiple nationalities and religions, and low development. Minority nationalities are majority believers in religion, and religious forces are broad and deep. Nationalities are in harmony, united, and friendly, progressing alongside one another, learning from each other, influencing each other, mingling with each other, and taking account of each other’s views, and in the long-term they have established the appearance of good relations, yet the causes and conditions for unrest remain as before.

The main signs of this are: One, foreign influence. Western hostile forces continue to conspire for westernization and separation, and deeper contradictions than before have appeared. Occurrences of inflammatory and tense incidents affecting social stability, incidents of spontaneous character and of collective character are still many. Moreover, in the Tibetan area, the Dalai group, with Western hostile forces’ support, carries on a movement for separation from the Motherland. They use sensitive periods, important functions, and important meetings to gather undisciplined mobs in the guise of “peaceful

⁸⁹ Malho Tibetan Autonomous Prefecture Advanced Nationality Unity Prefecture Leading Unit Office, “It Must Be Made Clear that Involvement in an Incident of Instability is a Crime,” February 27, 2014, <http://www.hnztzb.gov.cn/QHCMS/Template/hntzb/news/154/1392864424069.html> (accessed July 19, 2018).

demonstrations” and “non-violent protest”, agitating themselves to the point of death, in a movement for destruction, separation, and Tibet Independence.

Two, the influence of economic conditions. The natural environment of the Qinghai-Tibet plateau is very harsh. In most Tibetan areas, farming and herding is the main economic activity, and everywhere industry is at the lowest level. The level of economic development is below the [Qinghai] provincial average. Levels of development differ greatly between prefectures. As social development is backward and basic education is poor, the overall raising of manpower levels in the Tibetan area is monitored.

Three, ideological influences. The Tibetan nationality is an excellent nationality with a long history and solid cultural foundations. At the same time, it is a religious nationality. They hold fierce pride in their traditional culture, and a reluctance to familiarize themselves with and adopt the mass culture of modern society, out of fear of assimilation and transformation. The Dalai group makes use of this psychological peculiarity of the masses of the Tibetan area by infiltrating the ideology of ‘Tibet Independence’.

Four, religious influence. Some Tibetan masses have a low educational level, densely religious mentality, little sense of the law, and a loose attitude towards doing things lawfully. They have therefore become a target for propaganda education in law. Grassroots officials have one single approach to resolving disputes and deciding issues, their methods are few, and when they adjudicate disputes their thinking is hesitant and their actions ineffective. Some criminal monks and lay believers have the idea that they have no responsibility to the masses to obey the law, and a tiny minority of people with this attitude do participate in incidents of instability. It starts to look as if religion is interfering in political affairs and tulkus [reincarnate lamas] replacing the government. Monks in a few monasteries spread separatist rhetoric, and incite some ordinary people who do not understand the situation to interfere in the affairs of local government and create incidents of instability.

Our country’s laws define illegal activity as violation of state laws and activity harmful to social relations protected by the law. Generally, crime consists of actions in violation of administrative law and actions in violation of public interest. Serious illegal activity is criminal. Crime is by nature anti-social, in violation of the criminal law, and subject to legal

punishment. Criminal activity must be firmly struck down according to law. Those who commit criminal acts must bear the punishment.

People generally ignore criminal activity, thinking of it as minor, as of little harm to society, as not in violation of criminal law and not warranting legal accountability. In fact, this is not so. Any illegal activity must be held accountable by law. Illegal activity, even if it does little harm to society or is of a minor nature, is nonetheless harmful to the state and society, and must bear the appropriate punishment. Illegal activity against the public interest must be held accountable to the public interest, and illegal activity against administrative law must bear the administrative sanction. Otherwise, if some illegal activity is not punished in a timely way, the risk of crimes taking place increases, which certainly will cause major harm to society.

On March 14 in Lhasa, serious incident of violence took place. Following the incident, according to law, the TAR Public Security Bureau detained and imprisoned 953 people, and after the legal administrative departments made their investigations according to law, the TAR Peoples Court tried 84 persons. Of these, two were charged with murder and given [death sentences] suspended for two years, while the others were dealt with according to the security law, given reeducation, and released. During the Olympic torch rally, “Tibet Independence” people created many obstacles and hindrances, but not only did they not succeed in their objective, local Public Security personnel stopped them and prosecuted them according to law.

On January 24 this year, a few tens of people in Golok Pema county demonstrated in the streets holding religious flags and shouting reactionary slogans. Local police arrested five organizers and seven [others] for obstructing law enforcement officers. The county court gave prison sentences of between one and three years to the organizers of that unrest, on charges of causing unrest. On January 25, over 80 members of the masses attacked a group of 65 armed police and armed soldiers and damaged seven vehicles in the same county. One of those people was sentenced to criminal detention, and five were given administrative detention [*bde srung bkag 'jug*]. Eighty-one were given administrative punishment [*bde srung chad gcod*] after confessing their guilt.

On March 14, over 100 middle school students in Rebkong [Ch.: Tongren] and Tsekok [Ch.: Zeku] counties demonstrated. Before doing so, they did not seek permission from their

teachers, and neither did they listen to their teachers' advice against doing so, but rushed madly into the streets shouting slogans, making trouble, disrupting traffic, etc., in violation of the Traffic Law and the Law on Gatherings and Demonstrations. On March 15, over 60 monks in Thunde county, Hainan prefecture [Qinghai province], demonstrated in town holding religious flags, shouting slogans, throwing pamphlets etc. The demonstration was peaceful, but all of them were punished.

The above incidents were neither spontaneous nor casual. They were staged in a secretive and organized manner by the Dalai clique in collusion with Western hostile forces. They harbor the mindless idea of turning political order on its head by creating trouble and defying the law, creating contradictions in society and disrupting harmony. Some masses and students were duped into participating by misrepresentation and incitement, taking wrong-headed ideas to be true because they did not understand the actual situation.

We must clearly understand their actions to be illegal actions that are not only seriously harmful to the order of our society, but in defiance of state laws. As it is said, if there is no respect for law, government becomes difficult, and if there are no conventions, nurturing the masses becomes difficult: ours is a country governed by Socialist law, and none may disrespect the dignity and force of the law.

Whoever breaks the law, whether near or far, will definitely be prosecuted. Everyone, whether organizations or individuals, must strictly respect the law. This is a basic condition of modern societies ruled by law. Rule by law is the basic approach of our Party leading the masses in the exercise of government, and basic guarantor of the country's long-term stability. When the upholding of legal awareness and universal public awareness of the law is vigorously enforced, so that the law is obeyed voluntarily and the dignity of the law upheld, then normal social regulations can be maintained and a wholesome social environment can be established, contradictions and disputes can be better resolved, social stability maintained, and a harmonious society constructed.

Appendix IX: Sample Reports of Detentions of Tibetans for Community Activities, 2012-2018

A selection of arrests and prosecutions of individuals accused of setting up informal community groups or associations to address local education, environmental, and cultural concerns. The cases are drawn from exile or foreign media reports except where otherwise indicated. It has not been possible to confirm the reports.

Culture, Language, and Environmental Issues

Tibetan Culture Advocate “Detained”⁹⁰

A popular advocate of Tibet’s traditional culture and language is believed to have been detained by Chinese authorities, sources in exile and in Tibet said Monday. One source, calling from inside Tibet, told RFA that Dawa Dorje, age 27 or 28, and a government researcher in Nagchu (Ch.: Naqu) prefecture in the TAR, was detained at Gonggar airport in Lhasa last week. Dorje had taken a flight to Lhasa from Sichuan’s capital, Chengdu, after organizing a conference there promoting Tibetan culture, said Rabgye, a monk at the Sera Je monastery in southern India.

“He has written several books on the preservation of the Tibetan language, the proper practice of Tibetan religion, and the importance of sending children to school,” he said, adding that Dorje had also organized many conferences on these subjects.

Four Tibetan Environmental Activists Detained in Tawu⁹¹

Four Tibetan environmental activists, all members of the locally-founded Tawu Environmental Protection Association, were detained in mid-February 2012, by the local Public Security Bureau officers at Tawu (Ch.: Luohuo) County in Kandze (Ch.: Ganzi) Autonomous Prefecture, Sichuan Province, sources told TCHRD.

⁹⁰ “Tibetan Culture Advocate ‘Detained’,” *Radio Free Asia*, February 13, 2012, <https://www.rfa.org/english/news/tibet/culture-02132012210853.html> (accessed July 19, 2018).

⁹¹ “Four Tibetan environmental activists arrested in Tawu,” Tibetan Centre for Human Rights and Democracy, March 15, 2012, <http://tchrd.org/four-tibetan-environmental-activists-arrested-in-tawu/> (accessed July 19, 2018).

*Abbot “Disappeared,” Sister Dies Amid Widening Crackdown in Zatoe*⁹²

Concerned about the growing illiteracy among Tibetan children in the region, Khenpo had founded the Monsel School which offers classes in Tibetan language and grammar, Buddhism, and cultural values every winter when government schools in the region are closed for vacation. The school had some 800 students, mostly local children in the nomadic area and children of newly resettled Tibetan nomads in Zatoe County, according to TCHRD.

Khenpo Gyewala, and a number of other fellow teachers of the Monsel school, were initially detained on February 10, 2012, following a government order to ban Dechen Shingdrup, a local religious festival, but were released the same day in the evening after hundreds of Monsel students approached the Public Security Bureau office and demanded their release.

However, on March 8, Khenpo Gyewala and about 13 others, who had worked closely with him, “disappeared.” Local Tibetans believe that Khenpo was most likely arrested by the local PSB officers during a night time raid. Apho, 47, a monk at Tashi Lhabug Monastery; Tsering Dhundup, 32, a former county government official; and Rhagpa, a teacher at Monsel School also disappeared.

Sources told TCHRD a relative of Khenpo was called on March 28 to Zatoe county Public Security Bureau office. The relative, whose identity could not be established immediately, was allowed to speak on the phone with Khenpo Gyewala for three minutes.

*Tibetan Teachers Fired from Jobs*⁹³

Two educators and a school official have been removed from their posts following widespread language-rights protests earlier this year by Tibetan students in northwestern China, as Chinese authorities continue to clamp down on assertions of Tibetan cultural and national identity. Speaking to RFA on condition of anonymity, a resident of the area identified the school official as Tsenden Gyal, 48, of the Tsekhog county education

⁹² “Abbot ‘Disappeared’, Sister Dies Amid Widening Crackdown in Zatoe,” Tibetan Centre for Human Rights and Democracy, April 4, 2012, <http://tchrd.org/abbot-disappeared-sister-dies-amid-widening-crackdown-in-zatoe/> (accessed July 19, 2018).

⁹³ “Tibetan Teachers Fired From Jobs,” *Radio Free Asia*, June 6, 2012, <http://www.rfa.org/english/news/tibet/fired-06062012154114.html> (accessed July 19, 2019).

department in Qinghai province's Malho TAP. The teachers were identified as Pado, 42, head of the county's Middle School No. 1; and Jigdo, 44, head of the county's Middle School No. 2.

The date of their dismissal was not clear, but the firings are believed to be linked to demonstrations in March by Tibetan students in three Qinghai counties protesting a proposed change from Tibetan to Chinese as their primary language of instruction.

NGO's Forcible Closure Drives Founder into Exile⁹⁴

In November 2009, Sonam Gyatso, 32, a monk and a traditional medical practitioner at Drakar Monastery in Sangchu County, Kanlho Tibetan Autonomous Prefecture, Gansu Province, founded Phakey Dhodam Tsenchung (Society for the Preservation and Promotion of Tibetan Language) and began holding classes in Tibetan language and traditional culture when the government schools in the area closed for month-long vacation during summer and winter. Over a thousand Tibetan children were enrolled in these schools.

After holding a public meeting to discuss ways to protect the local environment on March 24, 2010, a group of officials from the township government office interrogated Gyatso about the nature and work of the organization and pressured him to stop using the organization's name or to change it into something that would reflect that it was backed by the government.

On December 7, 2010, Gyatso was again questioned by a team of seven officials from the County office about the organization's membership, funding sources and advisors. They claimed that it was illegal to found organizations without official approval and threatened that if they continued with their activities, Drakar monastery would be investigated.

The next day, about 20 officials from the County government arrived, divided the monastery's 80 monks into six groups and forced them to attend 'patriotic re-education' classes for about two weeks. They closed down Phakey Dhodam Tsenchung and another locally founded Tibetan organization. Gyatso and three other founders of the organization, Tashi Gyatso,

⁹⁴ "NGO's forcible closure drives founder into exile," Tibetan Centre for Human Rights and Democracy, August 27, 2012, <http://tchrd.org/ngos-forcible-closure-drives-founder-into-exile/> (accessed July 19, 2019).

Jamyang Sonam, and Khenrab were each placed under the surveillance of three officials, according to a document received by TCHRD. Gyatso subsequently fled into exile.

*Tibetan Monk and Educator Arrested, Journal Banned*⁹⁵

A Tibetan monk and educator who founded Bhoé Amay Rangkey Lasor, a social organization 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.

Jinpa Gyatso, 38, a monk from Mayul Samten Choekorling monastery in Machu, was arrested on October 25, while on his way to meet an ailing senior lama from his monastery at a hospital in Chengdu.

Earlier this year, on March 30, local police had detained Gyatso who had to pay a fine of 40,000 yuan [\$652] to secure his release. Local Tibetans believe that Gyatso's detention was linked to his social activism work. Founded jointly by Gyatso and some of his friends in 2009, the organization stressed on speaking pure Tibetan language, organizing classes for the local children during their winter holiday, and publishing a Tibetan language journal called Rewei Kanglam, meaning "Path of Hope" in English, which was banned following his arrest.

*Chinese Authorities in Yulshul Arrest Two Tibetan Environmentalists*⁹⁶

Tseten, a native of Ramdo village in Yushu, part of Qinghai province, returned to Tibet in 2005 after monastic studies in India. He is known for initiating numerous environmental campaigns and programs, and gradually earned the respect of the local Tibetan agricultural and nomadic communities of Yulshul through his classes for nomads and farmers on Tibetan Buddhism, culture, and environment.

⁹⁵ "Tibetan monk and educator arrested, journal banned," Tibetan Centre for Human Rights and Democracy, November 1, 2012, <http://tchrd.org/tibetan-monk-and-educator-arrested-journal-banned/> (accessed July 19, 2019).

⁹⁶ "Chinese authorities in Yulshul arrest 2 Tibetan environmentalists," Phayul.com, January 12, 2014, <http://www.phayul.com/news/article.aspx?id=34445> (accessed July 19, 2019).

Zumgah, a native of Zachok village in his 50s, was arrested in Beijing on December 25 last year. He worked with Tseten on various environmental issues in Yulshul, including mining operations in his village.

*Chinese Authorities Detain Eight Tibetans Over Links to Grassroots Campaign*⁹⁷

Eight Tibetans have been detained in Chamdo prefecture over their links to a grassroots campaign aimed at forging unity and enhancing literacy levels among Tibetans, according to sources.

They were detained in two groups on Sunday and Friday in Karma township.

Five were detained after the authorities conducted a search on Tibetan homes over their role in a movement established last year to end Tibetan in-fighting and forge greater Tibetan unity, one source said.

"Those five were identified as Barlo Yudrung, Denma Tratop, Ngora Tashi Namgyal, Draktsa Dorje Rigzin, and Yibnub Sonam," the source said. "Before they were taken away, several police and government workers arrived in Karma town and started searching the Tibetan houses."

The other three Tibetans held on Friday were identified as Phuntsok Namgyal, Pema Tsultrim, and Dorjee Lodoe, another Tibetan source said. They were linked to an anti-illiteracy drive among Tibetans which the authorities had labeled as illegal, the source said.

*Hundreds of Tibetans Detained in Chamdo Over "Unity" Campaign*⁹⁸

Chinese authorities have cracked down on a grassroots Tibetan unity campaign in the TAR, detaining hundreds found wearing special armbands or carrying photos of a senior religious figure backed by exiled spiritual leader the Dalai Lama, sources said.

⁹⁷ "Chinese Authorities Detain Eight Tibetans Over Links to Grassroots Campaign," *Radio Free Asia*, January 6, 2014, <https://www.rfa.org/english/news/tibet/movement-01062014193533.html> (accessed July 19, 2019).

⁹⁸ "Hundreds of Tibetans Detained in Chamdo Over 'Unity' Campaign," *Radio Free Asia*, January 24, 2014, <https://www.rfa.org/english/news/tibet/unity-01242014170421.html> (accessed July 19, 2019).

The detentions were triggered when police stopped three Tibetan truck drivers transporting firewood at about 2 a.m. on January 2 in Chamdo's Karma town, a local source told RFA's Tibetan Service this week. "The three were found to be wearing 'unity' armbands and in possession of photos of the Panchen Lama, and were detained," the source said.

*Gonghe County Peoples Court Holds Tribunal on the "11.26" Illegal Demonstration*⁹⁹

On April 10, eight defendants, students at Hainan prefecture technical college, were tried on charges of criminal behaviour and causing social unrest. Sangye Bum was sentenced to 4 years; Kunsang Bum, Lhaten, and Jampa Tsering were sentenced to 3.5 years each; Wangyel Tsering and Choekyong Kyap were sentenced to 3.3 years each.

*Diru Crackdown: Senior Tibetan Buddhist Scholar Beaten to Death in Police Custody*¹⁰⁰

According to information received by TCHRD, senior Buddhist master and scholar Ngawang Jamyang, known for his keen intelligence and mediation skills, died while in police custody.

*Three Tibetan Monks Detained for Freeing Yaks Headed to Slaughter*¹⁰¹

Chinese authorities have detained three senior Tibetan monks in Qinghai province's Golog prefecture after they purchased and freed 300 yaks that were headed to a slaughterhouse, according to sources.

Buddhist teachings encourage the practice of saving animals from imminent slaughter, hailing it as a meritorious action. Most slaughterhouses in Tibetan-populated areas are owned by Chinese groups.

Ringpu, 50, Yutruk, 51, and Salshap, 47, all three respected senior monks from the Golog Gangshar monastery, "were taken away on Feb. 6 to the Pema [in Chinese, Banma] county

⁹⁹ "Gonghe County Peoples Court Holds Tribunal on the "11.26" Illegal Demonstration," Chinatibetnews [China], April 17, 2013, http://ti.tibet3.com/news/tibet/qh/2013-04/17/content_457369.htm (accessed July 19, 2019).

¹⁰⁰ "Diru Crackdown: Senior Tibetan Buddhist scholar beaten to death in police custody," Tibetan Centre for Human Rights and Democracy, December 19, 2013, <http://tchrd.org/diru-crackdown-senior-tibetan-buddhist-scholar-beaten-to-death-in-police-custody/> (accessed July 19, 2019).

¹⁰¹ "Three Tibetan Monks Detained for Freeing Yaks Headed to Slaughter," *Radio Free Asia*, February 19, 2014, www.rfa.org/english/news/tibet/yaks-02192014162424.html (accessed July 19, 2019).

center and detained for saving about 300 yaks by purchasing them from the slaughterhouse,” a Tibetan from Golog told RFA's Tibetan Service.

*Diru Area Tibetans Sentenced in Secret*¹⁰²

“Thardoe Gyaltzen, the chant leader of Drongna monastery, was detained in December and was sentenced to 18 years, presumably for ‘political offenses,’” Diru Samdrub, a Tibetan living in Europe, told RFA’s Tibetan Service this week.

“He was found in possession of teachings and photos of [exiled spiritual leader] the Dalai Lama, and he had also established a school and worked for the preservation and propagation of the Tibetan language and culture,” Samdrub said, citing contacts in his native Diru county.

*China Sentences Two Tibetan village Leaders to 10 Years’ Imprisonment in Diru County*¹⁰³

Chinese authorities sentenced in secret two Tibetan village leaders to 10 years in prison in the restive Diru County in Nagchu Prefecture, TAR.

Both men Ngangtak, 54, and Rigsal, 31, were sentenced on January 14, 2014, for allegedly failing to fulfill their duties as villager leaders and in the case of Ngangtak, for instigating fellow villagers against the Chinese authorities. They were village leaders in Mokhyim Village in Diru County. Ngangtak was accused of holding of a secret political meeting with 17 others at his home last year.

A source with contacts in Tibet told TCHRD that both men were detained and disappeared on November 24, 2013. Their whereabouts and condition remain unknown to their family and friends. The exact charges on which they were sentenced are not known.

¹⁰² “Diru Area Tibetans Sentenced in Secret,” *Radio Free Asia*, April 1, 2014, <https://www.rfa.org/english/news/tibet/secret-04012014163035.html> (accessed July 19, 2019).

¹⁰³ “China sentences two Tibetan village leaders to 10 years’ imprisonment in Diru County,” Tibetan Centre for Human Rights and Democracy, April 3, 2014, <http://tchrd.org/china-sentences-two-tibetan-village-leaders-to-10-years-imprisonment-in-diru-county/> (accessed July 19, 2019).

*Senior Buddhist scholar arrested as repression escalates in restive Tibetan county*¹⁰⁴

Tenzin Lhundrup, a senior Tibetan monk and accomplished Buddhist scholar was arrested and disappeared in May 2014 while he was giving a lecture on the “status of Tibetan language and nationality” to villagers of Shagchu in the restive Diru County in Nagchu (Ch: Naqu) Prefecture.

Tenzin Lhundrup had been under the radar of Chinese security forces ever since he spearheaded the local opposition to Chinese mining activities at the sacred Naglha Dzamba Mountain in the area last year. “He regularly gave speeches to the local Tibetans to protect the sacred mountain from Chinese miners, and once he publicly offered scarves to the members of a local committee set up to protect the mountain as mark of respect and appreciation for their resistance against mining,” said the source.

He was sentenced to 12 years in prison the following year.

*Popular Tibetan Village Leader is Killed in Detention in Driru*¹⁰⁵

Bachen Gyalwa, the leader of Ushung village in Driru (in Chinese, Biru) county’s Gyashoe Yangshok township in the Tibet Autonomous Region’s Nagchu (Naqu) prefecture, was killed on Nov. 21 “on the orders of the local [ruling Chinese] Communist Party authorities,” the India-based Tibetan Centre for Human Rights and Democracy (TCHRD) said in a statement.

“At the village he built a community hall, where he invited Tibetan lamas to give religious teachings and organized prayer ceremonies and cultural performances,” the source said.

“He [also] built a school, where he invited educated Tibetans to teach illiterate Tibetans, including the young and elderly. He helped found Tibetan opera and dance institutes [and] built hospitals, shops, and roads in the locality.”

¹⁰⁴ “Senior Buddhist scholar arrested as repression escalates in restive Tibetan county,” Tibetan Centre for Human Rights and Democracy, July 14, 2014, <http://tchrd.org/senior-buddhist-scholar-arrested-as-repression-escalates-in-restive-tibetan-county/> (accessed July 19, 2019); “Senior Tibetan Buddhist scholar sentenced to 12 years in prison,” Tibetan Centre for Human Rights and Democracy, July 7, 2013, <http://tchrd.org/senior-tibetan-buddhist-scholar-sentenced-to-12-years-in-prison/> (accessed July 19, 2019).

¹⁰⁵ “Popular Tibetan Village Leader is Killed in Detention in Driru,” *Radio Free Asia*, December 15, 2014, <https://www.rfa.org/english/news/tibet/killed-12152014145331.html> (accessed July 19, 2019).

Local authorities have warned Gyashoe Yangshok township residents not to discuss Gyalwa's death, or to spread news of other recent detentions and arrests, with anyone outside the area, TCHRD said.

*Nearly 70 Tibetans Detained Following Clash Over Forced Vote*¹⁰⁶

Nearly 70 Tibetans have been taken into custody by Chinese security forces in Qinghai province, with all but three later released, following clashes with officials who had attempted to force villagers to vote for state-backed candidates in local elections, sources said. The incident in Kyangchu village in the Golog Tibetan Autonomous Prefecture's Gande county occurred last month after local Chinese authorities "insisted that two of their own nominees should be elected," a local source told RFA's Tibetan Service.

"Instead, they voted for a Tibetan called Samdrak, a member of a Tibetan grassroots organization called the People's Benefit Association, who has a good track record of serving the local people," he said. Forty of those who were detained were released after signing a document disavowing the People's Benefit Association, whose members "have a good reputation among the locals," RFA's source said.

*Tibetan Monk Detained a Second Time, Vanishes into Police Custody*¹⁰⁷

Choesang Gyatso, of Lutsang monastery, Mangra county, who had been detained once before for about a month and then freed without explanation, leads an association set up to promote education among young children in Tibetan nomadic areas.

*China Detains 30 Tibetans and Disappears Village Leader for Opposing Mining at Sacred Mountain*¹⁰⁸

TCHRD has confirmed the arbitrary detention of 30 Tibetans around 2 April this year from villages of Markor, Wathang, and Gochu. All of them were beaten up and detained after news about the detention of Karma, leader of Markor Village, and the mining project was

¹⁰⁶ "Nearly 70 Tibetans Detained Following Clash Over Forced Vote," *Radio Free Asia*, January 7, 2015, <https://www.rfa.org/english/news/tibet/vote-01072015144955.html> (accessed July 19, 2019).

¹⁰⁷ "Tibetan Monk Detained a Second Time, Vanishes Into Police Custody," *Radio Free Asia*, June 17, 2016, <https://www.rfa.org/english/news/tibet/vanishes-06172016151332.html> (accessed July 19, 2019).

¹⁰⁸ "Village leader among 31 Tibetans detained for opposing mining at sacred mountain," Tibetan Centre for Human Rights and Democracy, May 14, 2018, <http://tchrd.org/china-detains-30-tibetans-and-disappears-village-leader-for-opposing-mining-at-sacred-mountain/> (accessed July 19, 2019).

leaked to exile Tibetan sources... Khenrab, 36, is a government official in Shakchu Town and also a member of village cadre team. He was detained for engaging in “separatist activity” after he had lectured the villagers on the importance of environmental protection. His whereabouts remain unknown. He had earlier been detained in 2015 and held for six months at an undisclosed location on the charge of “maintaining contacts with separatists”. He was later released and reinstated to his post. Dhongye, 51, is a businessman and resident of Gochu village. He had won the “Clean Environment” competition held at Sernye village in the past.

School Closures

China Closes Tibetan Orphanage School in Amdo¹⁰⁹

Chinese authorities in Luchu county, Kanlho prefecture have shut down a Tibetan orphanage and arrested two of its teachers.

“The ‘Gangjong Sherig Shedhe Woekar Ling’ school was sealed off on charges of giving priority to Tibetan language and culture instead of Chinese propaganda and Chinese language,” said Lobsang Sangyal, a monk in exile with contacts in the region.

The orphanage has over 50 students, all orphans and semi-orphans from the nearby regions.

Last year, the principal of the school, Atsun Tsundue Gyatso was arrested by Chinese authorities. His arrest came after he authored a book on Tibet’s history and the current situation. Tsundue’s whereabouts and wellbeing have since remained unknown.

¹⁰⁹ “China closes Tibetan orphanage school in Amdo,”: Phayul (Dharamsala), May 14, 2012, <http://www.phayul.com/news/article.aspx?id=31384&t=1> (accessed July 19, 2019). See also “China Closes Tibetan Schools,” *Radio Free Asia*, May 15, 2012, <http://www.rfa.org/english/news/tibet/closes-05152012170245.html> (accessed July 19, 2019).

*Tibetan School Closed, Teachers Arrested*¹¹⁰

The government authorities in Kardze County closed a locally-founded Tibetan school that had offered classes in Tibetan language and culture for the last 20 years at Khadrok village in Rongpatsa Lema Township in Kardze County (Kardze TAP Sichuan). Sources told TCHRD that the Khadrok Jamtse Rokten school was closed on April 2, 2012 and the Kardze County Public Security Bureau officers arrested the school's director, Nyendak and a teacher, Yama Tsering.

*Chinese Officials Order School for Tibetan Monks Shuttered*¹¹¹

Chinese authorities in Qinghai province have closed a private school for young monks and implemented other "restrictive policies," while moving to sack officials from a local monastery they have accused of "separatist activities," according to sources from the region.

Authorities in Pema county in the Golog Tibetan Autonomous Prefecture recently forced the closure of the "School for Love and Altruism," drawing concerns from its affiliated monastery and local parents about the education the young monks would receive at their newly-enrolled "mainstream" schools, said a Tibetan source from Dunda village, where the institution is located.

"The Chinese authorities in Dunda village ... are implementing several restrictive policies, closing a special private school around April 10, and ordering its students to join mainstream pupils at the local government schools," the source told RFA's Tibetan Service.

*Tibetan Private School Ordered Shut in China's Qinghai Province*¹¹²

Chinese authorities have closed a 11-year-old Tibetan private school for poor Tibetan students in China's Qinghai province after jailing a teacher for alleged involvement in political activities, according to sources. The school in Chentsa county in the Malho TAP was closed in April last year, a local Tibetan said, citing "security reasons" for the delay in

¹¹⁰ "Tibetan school forcibly closed, teachers arrested," Tibetan Centre for Human Rights and Democracy, April 19, 2012, <http://tchrd.org/tibetan-school-forcibly-closed-teachers-arrested/> (accessed July 19, 2019).

¹¹¹ "Chinese Officials Order School for Tibetan Monks Shuttered," *Radio Free Asia*, April 15, 2014, <https://www.rfa.org/english/news/tibet/school-04152014164706.html> (accessed July 19, 2019).

¹¹² "Tibetan Private School Ordered Shut in China's Qinghai Province," *Radio Free Asia*, May 8, 2014, <https://www.rfa.org/english/news/tibet/school-05082014212328.html> (accessed July 19, 2019).

reporting the incident. No reasons were given for shutting down the school, which had about 70 students and 10 teachers.

“Last year a group of Chinese officials visited the school on April 25, and ordered the closure of the school,” he told RFA’s Tibetan Service. “A teacher named Phakpa, who studied in India, was earlier detained and sentenced to 13 years [for alleged involvement in some political activities]. Other teachers were also detained and interrogated but later released,” he said.

“The authorities paid a compensation of 40,000 yuan [\$6,420] for the text books and computers owned by the school. The teachers were paid 3,000 yuan [\$480] and ordered to go home.

*China Threatens Closure of Tibetan Nomad Children’s School*¹¹³

Authorities in China’s Qinghai province are threatening to close a school catering to Tibetan nomad children, saying that its operation has interfered with government plans to move the nomads off their pastoral lands, sources said. The authorities issued a “second warning” this week to local officials in Tsokya reng town in Golog prefecture’s Matoe county demanding that the school be closed, a resident of the area told RFA’s Tibetan Service.

“On May 20, Chinese authorities convened a local meeting and said that government officials are having trouble carrying out China’s policy of moving the Tibetan nomadic community into townships,” the source said, speaking on condition of anonymity.

*Privately Run Tibetan School is Closed in Qinghai*¹¹⁴

Authorities in northwestern China’s Qinghai province have ordered a privately-run Tibetan school to close citing lack of official registration, forcing the school’s pupils to attend a state-run school 20-miles away instead, sources said.

¹¹³ “China Threatens Closure of Tibetan Nomad Children’s School,” *Radio Free Asia*, May 22, 2014, <https://www.rfa.org/english/news/tibet/closure-05222014160121.html/> (accessed July 19, 2019).

¹¹⁴ “Privately-Run Tibetan School is Closed in Qinghai,” *Radio Free Asia*, January 28, 2015, <https://www.rfa.org/english/news/tibet/school-01282015161822.html> (accessed July 19, 2019).

Located in Hualong county in Haidong Prefecture, the school was ordered closed by county officials on January 14, a local source told RFA's Tibetan Service.



“Illegal Organizations”

China’s Crackdown on Social Groups in Tibet

In January 2018, China’s President Xi Jinping issued a nationwide call to combat “organized crime” and “mafia-like gangs.” While most Chinese provinces have focused their campaign on crimes such as gun-running and gambling, authorities in the Tibetan Autonomous Region have used it to target and suppress independent civil society initiatives.

“*Illegal Organizations*” details how authorities in Tibet are deepening their crackdown in Tibet, using crime-fighting and “social stability” as justification. One new tool they are using is a February 2018 police notice urging the public to inform on “underworld forces” and declaring many traditional or informal social activities among Tibetans illegal. These include not just organized initiatives on environmental and cultural issues, but traditional forms of social action, notably the local mediation of community or family disputes by lamas or other traditional authority figures. The police notice also describes any expression of support for the Dalai Lama’s proposal for increased autonomy as a form of organized crime. This is the first time such activities and opinions are known to have been listed as crimes by a provincial-level body in Tibet.

Human Rights Watch calls on the Chinese government to end its interference by officials, Chinese Communist Party representatives, and state security forces in the formation, continuation, and conduct of independent social associations in Tibetan communities.

(above) Chinese police photograph the crowd at the ceremonial unfolding of a giant thangka, or religious silk embroidery, during the Shoton Festival at Drepung Monastery on the outskirts of Lhasa, Tibet Autonomous Region, August 29, 2011.

© 2011 Jacky Chen/Reuters

(front cover) Section of a cartoon published by China’s Malho Prefecture Government in a handbook around 2015 to illustrate the “Twenty Illegal Acts of a Tibet Independence Nature.” The cartoon, a criticism of anti-government protests in Tibet, shows a fist that reads “strike hard” and a corpse marked “self-immolator” to depict illegal act No. 4: “Carrying corpses in public processions, gathering crowds, and creating a spectacle and so on in collective protest, and disrupting social stability.” According to the handbook, “such acts must be smashed.”