

Submission by the Society for Threatened Peoples



2013-03-04

Universal Periodic Review
Seventeenth Session
People's Republic of China

contact: Ulrich Delius, asien@gfbv.de
+49 (0) 551 49906-27
Geiststraße 7
37073 Göttingen, Germany

1. Tibet Autonomous Region (TAR) and adjacent areas where Tibetans live

1.1 As a reaction to the massive increase of self-immolations, the authorities of the People's Republic of China systematically punish family members and friends of people who committed suicide. On February 1, 2013, six Tibetans were sentenced to prison terms of up to 12 years because they did not hand over a suicide-corpse to the authorities. On January 31, the Tibetan Lobsang Kunchok was sentenced to death (sentence suspended for two years), in a show trial for allegedly inciting the suicide of 8 Tibetans. Five of these eight supposed suicides never actually occurred. According to the authorities, the respective Tibetans had given up their suicide plans after consultations with the police. His nephew Lobsang Tsering was sentenced to ten years in prison for "intentional homicide". These sentences are not to be seen as isolated cases. On February 2, 2013, the authorities arrested the 42-year-old Yarphe – an uncle of Lhundup Dorjee, who recently burnt himself. Several Tibetans were arrested or sentenced to prison terms for the alleged disclosure of information about self-immolations. Friends who tried to condole were not allowed to visit the surviving relatives, were intimidated or threatened with a cancellation of financial aids. According to new orders, the Chinese government will provide no more financial support for villages in which self-immolations took place. Several relatives were offered large sums of bribe-money if they were to publicly declare that their family members committed suicide because of private family reasons. In at least one case, a husband was arrested for refusing to make a false statement.

1.2 Dhonue, husband of the Tibetan woman Dolkar Tso, was arrested in early November 2012. She had committed suicide on August 7, 2012. Dhonue did not accept a bribe and refused to publicly declare that his wife had killed herself due to family reasons. A high sum was also offered to the families of the suicide Sangay Gatso in October 2012. They were supposed to claim that the Tibetan had not killed himself for political reasons.

1.3 The four monks Tashi Gyatso, Kalsang Gyatso, Jigme Gyatso and Kunchok Gyatso – from the Dokar monastery (Gansu Province) were arrested between the 14th and 17th of

October, because they had taken care of the body of a self-immolation victim and had also taken photos. In June 2012, the Tibetan monk Lho Younten Gyatso was sentenced to seven years in prison in Ngaba Prefecture (Sichuan Province) because he had sent information about a self-immolation to Tibetan exiles living abroad.

1.4 Tibetan prisoners in Chushur Prison, located about 48 kilometres (30 miles) southwest of Lhasa, are subjected to torture and other form of abuses on a regular basis. “We were tortured every day in jail,” a man told on condition of anonymity Radio Free Asia. He added that “we were sometimes hanging from the ceilings, with our hands and legs tied together. They never fed us regularly.” The Chinese interrogators repeatedly questioned the prisoners about who had influence on protests in the Tibet Autonomous Region and adjacent areas where Tibetans live, the man said, “They wanted to know who had ‘instigated’ us to protest against the Chinese government.”

1.5 Though the People’s Republic of China is a signatory to the United Nations Convention against Torture, according to Sophie Richardson, China Director at the Washington office of Human Rights Watch, torture remains endemic in Chinese prisons as a tactic either to force people to comply, or simply to torment them, or to elicit further information.

2. Xinjiang

2.1 The Uyghur scholar Ilham Tohti who is being continually harassed by the authorities of the People's Republic of China (PRC). Tohti has seen a deterioration of his right to freedom of thought and conscience, and freedom of expression. The professor at the Central Nationalities University who runs a Uyghur-focused, Chinese-language website (uyghurbiz.net) has also called for actual implementation of regional autonomy laws in Xinjiang and the Chinese Constitution.

2.2 In December 2012, Tohti received a notice from Beijing authorities ahead of the 18th National Congress, informing him that he would have to leave the city. While he was in Atush in the Xinjiang Uygur Autonomous Region, Tohti was made to stay in his home under police surveillance. Tohti has also been reporting on the situation of passport denials of Uyghurs, including the case of Atikem Rozi, who began tweeting on the popular Sina Weibo microblogging in December, vowing to fight for her civil rights after having been denied a passport three times in the past two years. According to twitter reports by uyghurbiz.net, she was detained for 6 hours on 5 February 2013 and was left frightened and not willing to talk of her experiences. His son has also been denied access to primary education without being provided any reason, which was thought to be as a result of his work.

2.3 According to media reports, on 2 February 2013 Tohti was detained again along with his daughter at a Beijing airport, from where he was planning to leave so as to speak at the Indiana University in the United States of America (USA). Tohti remained in custody for 8 hours, following which he was taken to his home, where he remains under 24-hour watch by the police who question those who speak to him in person or on the phone.

3. The case of the Mongolian Writer Hada

The writer and publisher Hada from Inner Mongolia should rightfully have been released from prison on 10 December 2010, after serving a 15 year prison sentence. But immediately after completing his prison sentence he was rearrested. He is being held illegally in prison. His wife Xinna and his son Uiles were temporarily taken into custody. They fear for Hada's health: When Xinna talked to friends on 17 October 2012 she reported that her husband was becoming mentally ill and had been totally apathetic when she last visited him in prison. Other members of Hada's family such as the sister of Xinna, Naraa has also been subjected to routine intimidation and threats by state security personnel. Hada had been detained on 6 December 1995 and a year later convicted of "spying" and incitement to separatism".

4. Labor Camps

4.1 On 7 January 2013, the Chairman of the "Central Politics and Law Commission", Meng Jianzhu, informed Chinese journalists that reeducation through labor is to be abolished in 2013. This would mean that China is preparing to put an end to a decade-long practice of arbitrary detentions in labor and reeducation camps. We welcome the announcement.

4.2 China's labor camps are anachronistic and a clear sign for an arbitrary state that tramples on citizens' rights. Neither are there any official internment-regulations, nor can inmates rely on their fundamental rights to be respected or on being released after the maximum sentence of three years. Often, the warrants of arrest are arbitrarily issued by local authorities. Insubordinate petitioners and Falun Gong practitioners are especially at risk.

5. Falun Gong members

Ever since the meditation movement was banned in July 1999, tens of thousands of Falun Gong practitioners have been sent to reeducation camps, where torture and violence became part of their daily lives. The camp administration encourages other inmates to attack them by promising rewards. More than 3,000 Falun Gong practitioners have already died due to torture and abuse in the camps. The inmates are also forced to work in the camps or as temporary workers for the Western export-markets, producing trousers, wigs and Christmas decorations. Many Falun Gong practitioners have been locked up in the camps longer than the maximum sentence of three years.

6. Nomads in the People's Republic of China

6.1 In May 2012, the Chinese government announced its plan to force at least 1.2 million nomads in the People's Republic to settle until the year 2015. According to the plan 246,000 nomadic families in Tibet, Inner Mongolia and Xinjiang are supposed to be forced to settle until the year 2015. After a visit to China in January 2012 the UN Special Rapporteur on the right to food, Prof. Olivier De Schutter, advised the government of China not to force the nomads to settle. Such a move would violate both international law and international conventions such as the Convention on Economic, Social and Cultural Rights and the Convention on Biological Diversity, which were also ratified by the People's Republic. Also, their food supplies would be affected. The nomads could no longer live off their animals –

and the new villages offer neither a sufficient infrastructure nor jobs for the new settlers, not even in other economic sectors.

6.2 The Chinese government justified the proposed settlement with environmental concerns, as the herds of the nomads allegedly cause desertification. But even Chinese scientists now admit that the advance of deserts can only be fought effectively if the cattle occasionally graze on the remaining grasslands. If the Chinese authorities do force the nomads to settle and make them use certain grazing-areas for decades, the desertification will even increase – because then the former nomads would let their animals graze there until no vegetation is left and even the roots of the plants are destroyed. A forced settlement of the nomads would therefore cause new ecological problems.