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China: Police Arrest Tibetans for Internet, Phone Use

Mass Cellphone Searches, 'Anti-Fraud' App, Tightened Regulatory Regime Published in

(New York) – <u>China</u>'s government has arrested dozens of people in Tibetan areas since 2021 for politically motived phone and internet-related offenses, Human Rights Watch said today. Tibetan journalists in exile report that these arrests typically target Tibetans accused of keeping "banned content" on their phone or contacting people outside China, including relatives.

The full scale of such arrests and prosecutions is unknown, as Chinese authorities do not disclose official data



A Tibetan Buddhist monk and a woman share a mobile phone outside the Potala Palace in Lhasa, Tibet Autonomous Region, China, on June 1, 2021.

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for political offenses. The more than 60 reported cases appear related to an increase in government surveillance during this period, including through mass phone searches and the use of mandatory phone apps with built-in government surveillance, as well as a tightened regulatory regime on data and religion.

"For Tibetans, simply using a cellphone has become dangerous, and everyday activities like posting a humorous video or contacting loved ones abroad can bring arrest, detention, and torture," said <u>Maya Wang</u>, associate China director at Human Rights Watch. "Tibetans, particularly those living in remote areas, once celebrated the arrival of cellphones so they could stay in touch with friends and family, but their phones have effectively become government tracking devices."

Human Rights Watch reviewed relevant cases since 2021 reported by Tibetan exile media, including Radio Free Asia and the Tibet Times, general media outlets, and official Chinese government sources. Human Rights Watch also interviewed residents in Tibetan areas, and a retired official with direct knowledge of the situation.

In many cases, those arrested were accused of keeping "banned content" on their phones or sharing it online. Such "banned content" typically includes references to Tibetan religious figures, particularly the

exiled spiritual leader, the Dalai Lama, and expressions of pro-Tibetan sentiment. Chinese authorities have applied the ambiguous language of the law broadly: in one case, a man was <u>arrested</u> for setting up a WeChat group celebrating the birthdays of 80-year-old Buddhist monks. The police said it was "illegal" to form such a chat group "without permission."

Tibetans have also been arrested for posting content online that the police deem to be promoting the use of Tibetan language and opposing the Chinese government's language policy in primary schools, which <u>replaces</u> Tibetan with Mandarin Chinese as the medium of instruction. The authorities have closed down several Tibetan-language websites hosting cultural and educational content since 2020, including the popular Luktsang Palyon blog in April 2024, the Tibetan Centre for Human Rights and Democracy reported. A leading Tibetan webmaster, Bumpa Gyal, was <u>sentenced</u> to seven years in prison in 2022 for engaging in unspecified "illegal activities," after he offered technical support to Tibetan cultural and education websites.

Chinese authorities have also arrested Tibetans for using their electronic devices to contact people outside China and for sharing information about Tibet abroad. Those arrested have been prosecuted and received lengthy prison sentences for such activities. In 2021, Human Rights Watch documented the arrest of four monks in southwest Tibet who were sentenced to up to 20 years in prison for contacting Tibetan monks of the same monastic order living in Nepal.

It is often unclear what happened to people who have been arrested, given the extreme information controls in the region. However, in the few cases where information was available, some of those arrested were imprisoned, mistreated, and tortured. In a particularly egregious case, a 38-year-old monk named Losel from Lhasa's Sera Monastery was beaten and died from his injuries in May 2024. He had been arrested for allegedly "collecting and sending information abroad," Tibetan exile media reported.

Many Tibetans have relatives living in exile in South Asia, Europe, and North America. The Chinese government's <u>intensified</u> security measures following the 2008 Tibetan protests, which put an end to unauthorized border crossings and its discriminatory restrictions on the issuance of passports to Tibetans since 2012, have made foreign travel impossible for most Tibetans. The restrictions and monitoring of internet use and the punishment of users suspected of having contacts outside China mean that Tibetans in China and those in exile now have extremely limited contact.

Many of the Chinese government's tactics against Tibetans to cut off their communication with the outside world are <u>similar</u> to those being used against Uyghurs, Human Rights Watch said.

The Chinese government should respect Tibetans' rights to privacy and freedom of expression, peaceful assembly, association, and religion, Human Rights Watch said. The government should allow United Nations monitors, independent human rights researchers, and journalists unfettered access to the region to examine these cases and the general human rights situation.

"Tibetans have not only lost their rights to freely express themselves and to access information, but they are losing even their basic right to communicate with their loved ones," Wang said. "Even as global communications grow, the Chinese government increasingly seeks to close off and control entire populations."

Policing the Internet

The Chinese government's monitoring of people's online activity is not new. The Ministry of Public Security <u>employs</u> internet police personnel at provincial, prefecture, and county levels to censor and surveil internet users, while social media companies censor and monitor online content through teams of content moderators in addition to automated restrictions.

In addition, the authorities <u>offer</u> cash rewards to people for <u>informing</u> on one another. This <u>became</u> a formal policing method under the "Anti-Gang Crime" campaign that was adopted in 2018. The campaign has effectively <u>criminalized and eliminated</u> civil society activism in Tibetan areas. A retired senior official of the Tibet Autonomous Region (TAR) told Human Rights Watch in December 2019 that:

In Lhasa residential courtyards and neighborhood committees there are letter boxes, WeChat numbers, and notice boards for reporting people who say things that are not allowed to say, meet people they are not allowed to meet, spread "reactionary" talk they are not allowed to spread.... There are rewards ranging from RMB100 (US\$14) to RMB10,000 (\$1,400) according to the importance and the quality of the leads provided. The large rewards given to suppliers of major leads are announced in public for all to see.

A six-point public notice from the Qinghai Party Committee's Internet Information Office in November 2024 offers up to RMB100,000 (\$14,000) for tipoffs on anyone writing online who commits offenses from a list that is largely political, starting with "opposing the leadership of the Party."

In March 2022, the TAR Internet Illegal and Harmful Information Reporting Center received 1,395 reports, of which 35 percent were "politically harmful information," 26 percent were "harmful information related to Tibet," and 12 percent were "socially harmful information." By comparison, "obscene and pornographic information" accounted for 6 percent of reports received.

Increased Manual Phone Searches

Intimidation and <u>random searching</u> of phones by police has been <u>more frequent</u> during <u>security campaigns</u> preceding sensitive anniversaries such as March 10 – the anniversary of the 1959 Lhasa uprising – or <u>major political events</u> in China such as the annual Chinese Communist Party meetings, based on reports. Police search people's phones either by using <u>phone scanning devices</u> (known as Universal Forensic Extraction Devices, or UFEDs) that allow access to data on people's phones or by forcing people to unlock their phones. Police have done this at <u>checkpoints</u> in Lhasa and other cities.

The first <u>reports</u> of Chinese police carrying out mass manual phone searches in rural areas of Tibet <u>appeared</u> in Tibetan exile media outlets in mid-2021. According to these reports, police in Sershul county, northwest Sichuan province, <u>detained 117 Tibetans</u> in 2021 for weeks of extrajudicial "<u>political education</u>" after the authorities <u>claimed</u> they had "banned content" on their phones. Since then, there have been several reports of manual phone searches to target Tibetans accused of sending news abroad:

- In <u>Drango county</u>, Kandze prefecture, Sichuan province in February 2022, following the demolition of a giant Buddha statue by county authorities despite popular opposition, police <u>conducted</u> mass phone inspections searching for people who had <u>reported</u> this event online.
- In Derge county, Kandze prefecture, Sichuan province in February 2024, when local protests against dam construction attracted international attention, the authorities shut down internet services and made mass arrests, and police <u>checked</u> people's WeChat and TikTok accounts to identify Tibetans who had posted reports of these events online.
- At Taktsang Lhamo monastery, Dzorge county, Ngawa prefecture, Sichuan province in October 2024, after Tibetan monks messaged contacts to say that their monastery school had been closed by Chinese authorities, authorities checked the phones of the monks and <u>confiscated</u> some of them.

Human Rights Watch has independently confirmed reports of local police systematically searching cell phones for banned text and images in rural areas in Nagchu municipality, TAR, that were not connected to specific incidents. In November 2021, a rural Nagchu resident told Human Rights Watch that leaders of his village committee ordered residents to gather at the village center to have their cellphones screened by the township police, particularly those of young people who might have "illegal" images of religious signs, content, or songs.

The police said if anyone is caught with such things, "the crime is more serious than killing," as their family would also be affected. The resident said that this was not new but had been in place for several years, and some young men were <u>detained</u> for having such items in their phones.

Compulsory Download of Government 'Anti-Fraud' App

Media reporting on several Tibetan areas found that police have <u>forced</u> Tibetans to download a <u>government app</u> to their phones en masse at security checkpoints and during compulsory meetings, <u>ostensibly to educate</u> the public about online fraud. Official <u>reports</u> describe police and party members being <u>mobilized</u> to visit <u>homes</u> and <u>businesses</u> in Tibetan areas to "promote," "guide," and "assist" on the installation of the anti-fraud app, which China's National Anti-Fraud Center created in 2021.

The research network Turquoise Roof <u>conducted</u> a technical analysis of the app that found that in addition to its stated purpose of countering online fraud and allowing them to report potential scams, the app "grants operators access to sensitive user data or control over key device functionalities, allowing for highly invasive surveillance." When downloaded to a smart phone, according to the analysis, it can access a user's data including sensitive personal information, activity logs, private messages, call records

including time stamps and contact information, and browser history, all without the user's consent and knowledge.

The app requires a user to scan their face and their ID card to begin using it, utilizing facial verification technology to compare images, and capturing biometric data that can be networked with other data sources in a large government database with data analytics capabilities to track and monitor people at population scale.

The forced download of the "anti-fraud" app has been reported elsewhere in China. Party workers have publicly <u>complained</u> about having to meet monthly app installation quotas as part of their performance evaluation. Given the severe repression in Tibetan areas, Tibetans have found it more even difficult to refuse to comply with these police orders.

Increasing Online Restrictions on Religion

In March 2022, Chinese internet management regulations <u>banned</u> in the TAR all religious content <u>not</u> <u>authorized</u> by the government. Authorization is <u>granted</u> only to religious teachers considered politically reliable. Many ordinary Tibetans, both monastic and laity, rely on the internet and social media for <u>access</u> to religious teachings and materials, particularly as the government has closely <u>managed</u> physical access to religion.

While similar regulations have been applied nationwide to eliminate religious expression not sanctioned by the state, implementation is particularly strict in Tibetan areas, where Tibetan Buddhism is considered a direct threat to the Chinese Communist Party's legitimacy.

Police routinely question, detain, and criminally prosecute lay believers for circulating religious teachings online, exile media reported. Two women from Sershul county, Sichuan province, known for participating in local prayer meetings and social service initiatives were reportedly <u>forcibly disappeared</u> by police in December 2023, and their whereabouts remain unknown. Also that month, a court sentenced Semkyi Drolma, a young woman from Damshung county, Lhasa city, to 18 months in prison for "leaking state secrets." Sources said her <u>only offense</u> was participating in religiously oriented WeChat groups.

The retired senior TAR official told Human Rights Watch in December 2019 that the authorities have for years subjected monks and nuns to greater online surveillance:

The government monitors the WeChat and social media activity of monks even more strictly than that of ordinary citizens. From what I hear, the internet monitoring units read and listen to each monk or nun's WeChat individually, and apart from religious services inside the monastery or greeting their relatives, they are not allowed to take or send any photos of monastery subpolice stations, work team personnel, political education meetings, etc.

International and Domestic Law

The Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights

(ICCPR) – which China signed in 1998 but has not ratified – protect the rights to privacy, freedom of expression, association, peaceful assembly, and religion.

Both the Universal Declaration and the ICCPR state that "no one shall be subjected to arbitrary or unlawful interference with their privacy, family, home, or correspondence," and that "everyone has the right to the protection of the law against such interference." Any interference with the right to privacy, including the collection, retention, and use of an individual's personal data, must be necessary and proportionate, to pursue a legitimate aim, and subject to a clear and public legal framework.

For three decades since the introduction of the internet in China, the Chinese government has promulgated various laws and regulations that broadly prohibit a wide range of content on China's internet, such as information that "incites subversion" or that "incites splittism," including activities deemed to promote Tibetan independence. Such overbroad provisions are inconsistent with international human rights protections.

Current Chinese national laws do not meet privacy requirements provided for in international human rights law. The Chinese government has developed an increasingly sophisticated data regulatory regime since 2017, with the enactment of China's <u>Cybersecurity Law</u>. It then promulgated various laws and regulations, including the Data Security Law in June 2021, and the Personal Information Protection Law in August 2021.

This evolving regime serves several purposes, which include regulating companies' collection of consumer data, but also tightening government information control under the guise of "protecting national security" – whatever the Chinese Communist Party deems affects its hold on power – without providing meaningful protections against unlawful or abusive government surveillance.

Region / Country

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