

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	481
Land:	Kina
Kilde:	Freedom House
Titel:	Freedom in the World 2018 – Tibet
Udgivet:	24. januar 2018
Optaget på baggrundsmaterialet:	31. august 2018

Freedom House

FREEDOM IN THE WORLD 2018 - TIBET

Year:

2018

Freedom Status:

Not Free

Political Rights:

7

Civil Liberties:

7

Aggregate Score:

1

Freedom Rating:

7.0

Overview:

Tibet is ruled by the Chinese Communist Party (CCP) government based in Beijing, with local decision-making power concentrated in the hands of Chinese party officials. Residents of both Chinese and Tibetan ethnicity are denied fundamental rights, but the authorities are especially rigorous in suppressing any signs of dissent among Tibetans, including manifestations of uniquely Tibetan religious belief and cultural identity. State policies encourage migration from other parts of China, reducing the ethnic Tibetan share of the population.

KEY DEVELOPMENTS IN 2017:

- An already heavy security presence increased ahead of the 19th Party Congress in October, during which foreigners were barred from visiting the Tibet Autonomous Region (TAR). At the congress, Chen Quanguo, the TAR party secretary from 2011 to 2016, was promoted to the Politburo in an apparent reward for his repressive approach to governance.
- Censorship and surveillance on the popular instant-messaging platform WeChat increased during the year.
- Large-scale demolitions and evictions of monks and nuns continued at two prominent Tibetan Buddhist academies in Sichuan Province, and six CCP cadres were given control over the management of one of the sites, Larung Gar.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: -2 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The Chinese government rules Tibet through administration of the TAR and 12 Tibetan autonomous prefectures or counties in the nearby provinces of Sichuan, Qinghai, Gansu, and Yunnan. Under the Chinese constitution, autonomous areas have the right to formulate their own regulations and implement national legislation in accordance with local conditions. In practice, however, decision-making authority is concentrated in the hands of unelected ethnic (Han) Chinese officials of the CCP, which has a monopoly on political power. In 2016, Wu Yingjie replaced Chen Quanguo as TAR party secretary.

The few ethnic Tibetans who occupy senior positions serve mostly as figureheads and echo official doctrine. In January 2017, Che Dalha, an ethnic Tibetan and party cadre, replaced Lobsang Gyaltsen as the chairman (governor) of the TAR. The position is formally elected by the regional people's congress, but in practice such decisions are predetermined by the CCP.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The regional people's congress of the TAR, which is formally elected by lower-level people's congresses, chooses delegates to China's 3,000-member National People's Congress (NPC) every five years, but in practice candidates are vetted by the CCP.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

As in the rest of China, direct elections are only permitted at the lowest administrative levels. Tight political controls and aggressive state interference ensure that competitive races with independent candidates are even rarer in Tibet than in other parts of the country. Regulations published in 2014 placed significant restrictions on candidates for village elections, excluding those who have attended religious teachings abroad, have communicated with overseas Tibetans, or have relatives studying at monasteries outside China.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

All organized political activity outside the CCP is illegal and harshly punished, as is any evidence of loyalty to or communication with the Tibetan government in exile, based in Dharamsala, India.

The exile government includes an elected parliament serving five-year terms, a Supreme Justice Commission that adjudicates civil disputes, and a directly elected prime minister, also serving five-year terms. Votes are collected from the Tibetan diaspora around the world. The unelected Dalai Lama, the Tibetan spiritual leader who also traditionally served as head of state, renounced his political role in 2011. Lobsang Sangay was elected prime minister in the same year, replacing a two-term incumbent and becoming the exile government's top political official; he was reelected in April 2016.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

As in the rest of China, the one-party system rigorously suppresses the development of any organized political opposition.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 0 / 4

The authoritarian CCP is not accountable to voters and denies the public any meaningful influence or participation in political affairs.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Political opportunities for ethnic Tibetans within Tibet remain limited by the dominance of ethnic Chinese officials at all levels of the CCP. The ethnic Tibetan population's objections to party policies are actively

suppressed. Women are well represented in many public-sector jobs and CCP posts within the TAR, though most high-level officials are men, and women are unable to organize independently to advance their political interests.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Unelected CCP officials determine and implement government policies in Tibet.

C2. Are safeguards against official corruption strong and effective? 1 / 4

As in the rest of China, corruption is believed to be extensive, though little information is available on the scale of the problem. There have been moves in recent years to curb graft among the region's officials as part of Chinese president Xi Jinping's nationwide anticorruption campaign. However, many prosecutions are believed to be politically selective or amount to reprisals for perceived political and religious disloyalty.

C3. Does the government operate with openness and transparency? 0 / 4

Governance is opaque in all of China, but even more so in Tibet. A study by the Chinese Academy of Social Sciences published in March 2017 ranked cities and counties nationwide by their level of government transparency; Lhasa scored lowest among the cities, and the TAR's Nang County was the lowest among the counties under examination.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -3 / 0

The Chinese government's economic development programs in Tibet have strongly encouraged ethnic Chinese migration to the region, disproportionately benefited ethnic Chinese residents, and exacerbated the marginalization of ethnic Tibetans, who have also been displaced by mass resettlement campaigns within Tibet. Ethnic Tibetans account for some 90 percent of the permanently registered population of the TAR, but many ethnic Chinese migrants have moved to the region without changing permanent residency. In recent years, officials have announced major new urbanization projects that risk further diluting the region's Tibetan population; one such plan aims to increase the "permanent urban population" of Tibet by approximately 30 percent by 2020, with many new settlers likely to be ethnic Chinese.

CIVIL LIBERTIES: 3 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 0 / 16

D1. Are there free and independent media? 0 / 4

Chinese authorities tightly restrict all news media in Tibet. Individuals who use the internet, social media, or other means to disseminate dissenting views or share politically sensitive news content face arrest and heavy criminal penalties. Tibetan cultural expression, which the authorities associate with separatism, is subject to especially harsh restrictions; those incarcerated in recent years have included scores of Tibetan writers, intellectuals, and musicians. During 2017, Tibetans reportedly continued to be detained or sentenced to prison for actions like disseminating flyers or verbally expressing support for the Dalai Lama and freedom for Tibet, sharing images of the Dalai Lama or the Tibetan flag on WeChat, or sending information abroad about recent self-immolation protests. In June, two monks from Sogtsang Monastery in Aba (Ngaba) Prefecture, Sichuan Province, were sentenced to four and five years in prison, respectively, for offenses including passing information to contacts outside of Tibet.

Deliberate internet blackouts are common in Tibet, including in areas where public demonstrations have occurred. International broadcasts are jammed, and personal communication devices are periodically confiscated and searched. The online censorship and monitoring systems in place across China are applied even more stringently in the TAR, while censorship of Tibet-related keywords on WeChat has become more sophisticated.

Access to the TAR is highly restricted for foreign journalists, who are also regularly prevented from entering Tibetan areas of Sichuan and other provinces, though no permission is technically required to travel there. Tibetans who communicate with foreign media without permission risk arrest and prosecution. Businessman Tashi Wangchuck was detained in early 2016 on charges of inciting separatism after giving an interview to the *New York Times* in 2015 about his efforts to use the Chinese legal system to challenge the lack of Tibetan-language education; his case was resubmitted to a court in January 2017, and a trial was pending at year's end.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

Freedom of religion is harshly restricted in Tibet, in large part because the authorities interpret reverence for the Dalai Lama and adherence to the region's unique form of Buddhism as a threat to CCP rule. In March 2017, authorities used cash prizes and threats of punishment in an effort to dissuade monks and nuns from making pilgrimages to India or Nepal. In August, the Chinese government promulgated revised regulations on religious affairs. The new rules reiterated many existing restrictions while strengthening controls on places of worship, travel for religious purposes, and children's religious education, including in Tibetan areas.

Religious Affairs Bureaus control who can study in monasteries and nunneries. Officials enforce a minimum age requirement of 18 for those who wish to become monks or nuns, although some institutions continue to accept younger children without registration. Monks and nuns are required to sign a declaration rejecting Tibetan independence, expressing loyalty to the government, and denouncing the Dalai Lama. Since 2012, the CCP has set up committees of government officials within monasteries to manage their daily operations and enforce party indoctrination campaigns. Police posts are increasingly common even in smaller monasteries.

Ideological education campaigns reach most monasteries and nunneries in the region. Such campaigns typically force participants to recognize the CCP claim that China "liberated" Tibet and to denounce the Dalai Lama. The effort has also been extended to the lay population in recent years, with students, civil servants, and farmers required to participate in discussions, singing sessions, and propaganda film screenings. Possession of Dalai Lama-related materials—especially in the TAR—can lead to official harassment, arrest, and punishment, including restrictions on commercial activity and loss of welfare benefits.

In June 2016, authorities ordered a sharp reduction in the size of Larung Gar—a major center for Tibetan Buddhist learning located in the Garzê Tibetan Autonomous Prefecture in Sichuan Province—to a maximum of 5,000 occupants, down from an estimated 10,000 to 30,000 occupants. Demolitions at the site began that July, and many of the evicted monks and nuns were reportedly forced to undergo political "reeducation" before being sent to their home districts. The process continued in 2017, and in August the Chinese government appointed six CCP cadres to take over the management of Larung Gar. The campaign of intensified evictions and demolitions has also affected Yachen Gar, another Tibetan Buddhist religious community in Sichuan Province.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

University professors cannot lecture on certain topics, and many must attend political indoctrination sessions. The government restricts course materials to prevent circulation of unofficial versions of Tibetan history, and has reduced use of Tibetan as the language of instruction in schools in recent years.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

Freedom of private discussion is severely limited by factors including the authorities' monitoring of electronic communications, the heavy security presence, and regular ideological campaigns in Tibetan areas. Surveillance and deployments of security forces intensified during 2017 in preparation for the 19th Party Congress in October. In September, authorities in a Tibetan area of Qinghai Province held a meeting of over 200 managers of WeChat groups, warning them to keep discussions "appropriate" and in compliance with laws and regulations, and requiring them to sign a pledge to uphold their responsibilities.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Chinese authorities severely restrict freedom of assembly as part of the government's intensified "stability maintenance" policies in Tibet. A 2016 Human Rights Watch report documented a significant increase in control and surveillance of public gatherings in rural areas in recent years, expanding the tightest restrictions beyond major towns. Even nonviolent protesters are often violently dispersed and harshly punished. Nevertheless, Tibetans continue to seek ways to express dissatisfaction with government policies; several individuals held solo protests in public places during 2017, briefly calling for the return of the Dalai Lama and freedom in Tibet before being seized by police. As in the rest of China, authorities have occasionally responded to environmental protests with minor concessions, such as temporary suspension of mining operations.

An estimated six Tibetans set themselves on fire to protest Chinese rule during 2017, and one man apparently cut his own throat, but instances of self-immolation have generally declined in recent years, due in part to state-imposed deterrents. Officials respond to self-immolation incidents with information blackouts, a heightened security presence, increased surveillance, and large-scale arrests of those associated with the self-immolators. Official guidelines state that engaging in self-immolation and organizing, assisting, or gathering crowds related to such acts should be considered criminal offenses, including intentional homicide in some cases. The government employs collective-punishment tactics to discourage and punish both self-immolations and other forms of protest, including financial penalties on protesters' families, canceling public benefits for their households, and ending state-funded projects in their communities.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Nongovernmental organizations, including those focused only on apolitical issues like development and public health, operate under highly restrictive agreements and periodically face closure. In August 2017, the Braille Without Borders preparatory school for the blind in Lhasa, headed by German and Dutch cofounders, said it had been threatened with closure without any official explanation after operating for 19 years.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

As in the rest of China, independent trade unions are illegal. The only legal union organization is the government-controlled All-China Federation of Trade Unions, which has long been criticized for failing to properly defend workers' rights.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The CCP controls the judicial system, and courts consequently lack independence. Courts at all levels are supervised by party political-legal committees that influence the appointment of judges, court operations, and verdicts and sentences.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Defendants lack access to meaningful legal representation. Trials are closed if state security interests are invoked, and sometimes even when no political crime is listed. Chinese lawyers who offer to defend Tibetan suspects have been harassed or disbarred. Security forces routinely engage in arbitrary detention, and detainees' families are often left uninformed as to their whereabouts or well-being.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Detained suspects and prisoners are subject to torture and other forms of abuse. Tibetan prisoners of conscience have died in custody under circumstances indicating torture, and others have been released in poor health, allegedly to avoid deaths in custody. According to a partial database maintained by the U.S. Congressional-Executive Commission on China, there were still hundreds of Tibetan political prisoners behind bars as of 2017.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Ethnic Tibetans face a range of socioeconomic disadvantages and discriminatory treatment by employers, law enforcement agencies, and other official bodies. The dominant role of the Chinese language in education and

employment limits opportunities for many Tibetans; Tibetans receive preferential treatment in university admission examinations, but this is often not enough to secure entrance. Gender bias against women remains widespread, as in the rest of China, despite laws barring workplace discrimination. LGBT (lesbian, gay, bisexual, and transgender) people suffer from discrimination, though same-sex sexual activity is not criminalized. Social pressures discourage discussion of LGBT issues.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

Obstacles including troop deployments, checkpoints, roadblocks, required bureaucratic approvals, and passport restrictions impede freedom of movement within and beyond Tibetan areas, particularly for travel to and from the TAR. Increased security efforts and Nepalese government cooperation have made it difficult for Tibetans to cross the border into Nepal. Obtaining a passport for foreign travel is extremely difficult for Tibetans. In January 2017, many Tibetans were prevented from traveling to India to attend a Kalachakra teaching by the Dalai Lama.

Authorities continue to restrict access to the TAR for human rights researchers, as well as for some tourists. Foreigners are often denied entry surrounding politically sensitive dates, such as before and during the 19th Party Congress in 2017. During other periods, tourists must travel in groups and obtain official permission to visit the TAR, and even then, last-minute travel bans are periodically imposed.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The economy is dominated by state-owned enterprises and private businesses with informal ties to officials. Tibetans reportedly find it more difficult than ethnic Chinese residents to obtain permits and loans to open businesses. Since 2003, the authorities have intensified efforts to resettle rural and nomadic Tibetans—forcibly or with incentives—into permanent-housing areas that often have little economic infrastructure. As in the rest of China, land expropriation for development projects is regularly carried out with little consultation and inadequate compensation.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

China's restrictive family-planning policies are formally more lenient for Tibetans and other ethnic minorities. Officials limit urban Tibetans to two children and encourage rural Tibetans to stop at three. As a result, the TAR is one of the few areas of China without a skewed sex ratio. Nevertheless, the authorities continue to regulate reproduction, and related abuses are occasionally reported. State policies actively encourage interethnic marriages with financial and other incentives, and couples must designate a single ethnicity for their children. Separately, Tibetan women are vulnerable to human trafficking schemes that result in forced marriage.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Exploitative employment practices are pervasive in many industries, as is the case across China, though ethnic Tibetans reportedly face additional disadvantages in hiring and compensation. Human trafficking that targets Tibetan women can lead to prostitution or exploitative employment in domestic service and other sectors elsewhere in China.

Explanatory Note:

This report assesses the Tibet Autonomous Region and areas of eastern Tibet that are incorporated into neighboring Chinese provinces.