



Written submission by the International Campaign for Tibet

to the hearing

“Tibet: Freedom of Religion”

by the Tom Lantos Human Rights Commission of the United States Congress

on July 12, 2017

We thank the Tom Lantos Human Rights Commission of the United States Congress for providing us the opportunity to submit this statement for the record on the state of freedom of religion in Tibet.

The International Campaign for Tibet would like to draw attention to the impact of a new set of laws promulgated by the People’s Republic of China on the practice of Tibetan Buddhism.

Among those are the 2015 Security Law (in force since in July 2015), the NGO Law (in force since January 2017), the 2016 Counter Terrorism Law (in force since January 2016), and the Cyber Security Law (in force since June 2017). With its ideological origins reflected in the notorious “Document No 9”¹ that became known in 2013, these laws represent the Communist Party’s will to gain maximum control over every aspect of societal activities.

In September 2016, China released a draft of revised religious affairs regulations that included the need for state approval of Tibetan Buddhist reincarnations and all religious activities, punishments for “religious citizens” who go abroad without authorization, the prohibition of online religious services, and the prohibition of running religious events in schools.

The State Administration for Religious Affairs (SARA) announced in January 2017 that the newly revised Regulation on Religious Affairs would be released soon, but as of today, they have not been released.

Focus on “state security”, “religious extremism” and “terrorism” in the new draft religious regulations

¹ <http://www.chinafile.com/document-9-chinafile-translation>

Consistent with the 2016 Counter Terrorism Law and the 2015 Security Law, the draft religious affairs regulations reflect the government's intention to add and underline the ideas and notions of "state security," "religious extremism," and "terrorism" to the law, thereby linking religious activity directly to politically charged crimes. As in the 2016 Counter Terrorism law, neither "extremism", nor "terrorism" are detailed in the law, and remain vague notions, offering the authorities vast discretionary powers to apply the terminology with regard to unwanted religious activity. "State security", "religious extremism" and "terrorism" have been added to both the general provisions, as well as to specific rules of the law.

Thus, in conflating undefined "extremism" linked to religion to "terrorism" and "state security," the regulations, as well as the Counter Terrorism Law, give scope for the penalization of almost any peaceful expression of Tibetan identity, acts of non-violent dissent, or criticism of ethnic or religious policies. In China's political climate the exiled Dalai Lama has been accused of inciting terrorism through self-immolations, and even terror through his teachings, notably defined as "outside infiltration." Referring to religious authorities living outside the People's Republic of China such as the Dalai Lama, the revision stipulates "independence" from "foreign domination" as a precondition for any lawful operation of religious groups.

Chinese State approves Buddhist reincarnations

Following the imposition of an order stating that reincarnate lamas must have permission from the government, the Chinese authorities launched a "Living Buddha" (*huo fo*, a Chinese term used to refer to reincarnations in Tibetan Buddhism) authentication database in 2016. The Chinese state media said that the online registration system contains the profiles of 1,311 individuals approved by the state "as reincarnated Buddhas." The authorities describe this as a protection against fraudulence, although it is undoubtedly part of their more systematic approach to control Tibetan Buddhism and to weaken the influence of Tibetan Buddhist masters, such as the Dalai Lama, or to coopt their influence among Tibetan Buddhists in an effort to support Communist Party rule. The system operates by issuing permits to those who can be recognized officially as reincarnate Tibetan lamas. The Chinese Buddhist Association now issues certificates to those approved by the Chinese government. Traditionally, Tibetan Buddhist masters have always led the process to identify, and to bestow legitimacy upon, reincarnations.

China's broader efforts to control Tibet have been implemented by replacing loyalty to the Dalai Lama with allegiance to CCP policy, leading to fears of the evisceration of Tibetan national and religious identity. The tightening of control relating to reincarnation, which is at the heart of Tibetan Buddhist belief, emerges from the official imperative to assert its ownership over the institution of the Dalai Lama and other prominent lineages.

The Dalai Lama has been on record saying that issues relating to his reincarnation are concerns of the Tibetan Buddhist tradition and not of the Chinese government. In a formal statement concerning his reincarnation issued in 2011, the Dalai Lama said, "...the person who reincarnates has sole legitimate authority over where and how he or she takes rebirth and how that reincarnation is to

be recognized”. He added, “It is particularly inappropriate for Chinese communists, who explicitly reject even the idea of past and future lives, let alone the concept of reincarnate Tulkus, to meddle in the system of reincarnation and especially the reincarnations of the Dalai Lamas and Panchen Lamas”.

The theoretical underpinnings of hostility towards religion emerged in the late 1990s/early 2000s when it became clear through official statements that the CCP’s position was that because of its link to the Dalai Lama, religious belief in Tibet was inherently antagonistic not just to socialism but also to the Chinese state. The Party’s role in controlling Tibetan Buddhism has been emphasized by the top echelons of the CCP leadership. At a critical meeting setting policy on Tibet over the next decade, then President and Party Secretary Hu Jintao referred to the high political priority of guiding “Tibetan Buddhism to keep in line with the socialist society.”

Consequently, religious laws in the People’s Republic of China define the scope of state intervention and detail unlawful activities by religious practitioners and groups, rather than protecting space for lawful religious activity from state intervention. As a result, religious groups, religious schools, sites for religious activities and religious citizens shall not only “abide by the Constitution, laws, regulations and rules,” but they are also tasked with political goals and thus to “safeguard unification of the country, ethnic unity, religious harmony and social stability.”

For Tibet, this entails politicization and drastic state interference with religious activity. Tibetan Buddhism is to “support the socialist system and socialism with Chinese characteristics”, as stated by Xi Jinping². During his visit to the town of Driru on August 4-5 (2016), Wu Yingjie, the new party secretary of the Tibet Autonomous Region, declared that monasteries must “unswervingly” stand with the Chinese Communist Party in “struggling against the Dalai clique,” and that monks and nuns must follow the guidance of Xi Jinping in order to carry out their religious work. Wu warned that it was imperative for monks and nuns to become “politically reliable”. The CCP, which promotes atheism, requires monks and nuns to respect the Party above all other priorities. A harsh “rectification” drive that was launched in Driru in 2014 as part of the crackdown, stated that monasteries deemed ‘illegal’ will be torn down and Tibetans who possess images of the Dalai Lama or place traditional prayer (mani) stones will be severely punished.

In 2015, Tibet’s then top Party official called for Chinese red flags to be displayed on all Tibetan Buddhist monasteries, in a statement made in Lhasa reported in the Chinese media. This followed a call for monasteries and nunneries to become centers for propaganda made by then Tibet Autonomous Region Party chief Chen Quanguo. This has led to a more pervasive and systematic approach to ‘patriotic education’ and a dramatic increase in work teams and Party cadres in rural and urban areas.

Shrinking space for Tibetan religious pilgrimage to India

² http://news.xinhuanet.com/english/2016-04/23/c_135306131.htm

In December 2016 and January 2017, thousands of Tibetan pilgrims were compelled by the Chinese authorities to return to Tibet after travelling to India to attend the Kalachakra, a major teaching by the Dalai Lama in Bodh Gaya, a sacred Buddhist site in India. This follows systematic measures in Tibet to prevent them travelling out of the country at all, even though many had spent years obtaining passports for legal travel. The Chinese authorities had already tightened controls on Tibetans, in some areas going from house to house to confiscate people's passports, in October and November 2016.

One Tibetan woman was told she should return otherwise her government pension would be withdrawn. When she failed to take heed of the warning because attending the Kalachakra was a lifelong dream, she was told that her children would lose their jobs. A monk was told that if he did not go home he would not be able to return to his monastery; one of his relatives had to sign a paper to say that he was coming back. This has been the case with many pilgrims – family members have been required to sign papers stating that they will return, and the implication is that those relatives will face serious consequences if they do not.

In 2012, the Chinese authorities launched a major operation to detain Tibetans attending the last Kalachakra in Bodh Gaya, 'disappearing' many pilgrims for weeks or months on their return, and holding them for long periods for 're-education' in military camps and other facilities. In July 2014, when the Dalai Lama conferred another Kalachakra initiation in Ladakh, India, for the first time the religious teachings were described by the Chinese state as an incitement to 'hatred' and 'extremist action', consistent with the strident official language used to emphasize the new counter-terror drive. The authorities linked their attempts to prevent Tibetans from attending the Dalai Lama's teachings in exile with 'counter-terrorist' work in the 'frontline' border areas of Tibet, including Ngari (Chinese: Ali) in the Tibet Autonomous Region, which borders India.

Returning Tibetans, many of whom were elderly, were detained and compelled to undergo intensive 'patriotic education' sessions. Some were kept in prison or forced to do hard labor for longer periods, for instance if they were caught with photographs of the Dalai Lama or mementoes of the teaching. Those who possessed passports had their passports taken from them, and not returned.

Recommendations

The International Campaign for Tibet, referring to international human rights standards, would like to offer the following recommendations to the Tom Lantos Human Rights Commission:

- (1) To support the findings of the bipartisan House resolution H. Res. 337 of July 2015 and to call on the United States Government to fully implement sections 613(a) and 621(c) of the Tibetan Policy Act of 2002 by strongly encouraging representatives of the Government of the People's Republic of China and His Holiness the Dalai Lama to hold substantive dialogue, in keeping with the Tibetan Policy Act of 2002 and without preconditions, in order to address Tibetan grievances and secure a negotiated agreement for the Tibetan people;

- (2) To ask the United States Government to consistently raise Tibetan human rights and political and religious freedom concerns at high-level bilateral meetings with Chinese officials;
- (3) To call on the United States Government to underscore that Chinese government interference in the Tibetan reincarnation process is a violation of the internationally recognized right to religious freedom and to highlight the fact that other countries besides China have long Tibetan Buddhist traditions, and that matters related to reincarnations in Tibetan Buddhism are of keen interest to Tibetan Buddhist populations worldwide, including to Tibetan Americans;
- (4) To call for the immediate and unconditional release of Tibetan political prisoners, including Gedhun Choekyi Nyima, the 11th Panchen Lama, who was taken into custody by the Chinese authorities and has been missing since 1995;
- (5) To support the call for the investigations into the mysterious death in prison of Tibetan Buddhist master Tenzin Delek Rinpoche.