

GENERAL ASSEMBLY
Human Rights Council
Fourteenth Session
Item 3 - General Debate

PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL,
POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS,
INCLUDING THE RIGHT TO DEVELOPMENT

Statement by Ms. Leslie BUTTERFIELD on behalf of Helsinki Foundation
for Human Rights

Mr. President,

The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression in his report recommends that governments "should refrain from criminalizing any manifestation of the freedom of expression as a means of limiting or censoring that freedom" .. States "should adopt the legislative and administrative measures necessary to facilitate access to public information and should establish specific mechanisms for that purpose."

In communications with the People's Republic of China, the Special Rapporteur has taken up the cases of 41 Tibetans, including almost 20 who committed or attempted suicide. Four of these cases involved the arbitrary detentions of Tibetan writers. On 20 August 2009, the Special Rapporteur communicated to China that: "Concern was expressed that the arrest and detention of these four writers, as well as the blocking of the blogs, may represent a direct attempt to prevent independent reporting in the People's Republic of China, thus stifling freedom of expression in the country. Further concern was expressed that some of the abovementioned persons have been held without trial in unknown locations."

Mr. President, here we wish to express our disappointment with the Council that the information provided on these serious cases in Tibet by the concerned government is not available in English. For example, the crucial responses from China dated 17 April 2009, 15 May 2009, 2 July 2009, and 26 October 2009, have not yet been translated and no weblink to the original Chinese version is provided. We urge the Council to avoid such practices in the future so as to ensure that all information deriving from government's

responses are available in advance to the public, in order to further facilitate dialogue with China.

Mr. President, today more than 50 Tibetans, including 13 writers, involved in the arts and public sphere are either in prison, have been 'disappeared' or have faced torture or harassment due to expressing their views on the current situation confronted by the Tibetan people. A report released last month by the International Campaign for Tibet (ICT), A 'Raging Storm': The Crackdown on Tibetan Writers and Artists after Tibet's Spring 2008 Protests, said that cases also involved "Tibetans sentenced to long prison terms for simply speaking about the crackdown via email or telephone conversations. The penalties attached to these cases indicate a zero tolerance policy for even low-level information sharing in Tibet that is counter to China's obligations to freedom of speech under its domestic law and international human rights law."

The report adds: "In daring to refute China's official narrative of events since March, 2008, this new generation of Tibetans represents a more profound challenge to the ruling Communist Party authorities than before and, as a result, individuals are at greater risk. For the first time since the end of the Cultural Revolution in 1976, singers, artists and writers have been the target of a drive against Tibetan culture in which almost any expression of Tibetan identity not validated by the state can be branded 'splittist.'"

Mr. President,

In conclusion, we urge the Chinese leadership to extend an invitation to the Special Rapporteur on the promotion and protection of the freedom of expression and opinion to conduct a fact-finding mission to the Peoples Republic of China which would include all affected Tibetan areas since the March 2008 protests.

Thank you, Mr. President