

**UN Committee on the Rights of the Child
Pre-session on China, June 2005**

Statement by the International Campaign for Tibet

6 June 2005

Presented by Kelley Currie, Director of Government Relations for the ICT

Honorable Members of the Committee on the Rights of the Child,

It is my honor and pleasure to represent the International Campaign for Tibet at this important forum.

In the parallel report we submitted to the Committee, ICT used the case of the abduction of the 11th Panchen Lama to highlight the Chinese government's systemic denial of religious freedom to Tibetan children, and the corrosive effect that this grave human rights abuse has had on their development. I will not reiterate the specific harms that have been visited on Tibetan children as a result of China's repressive policies on religion, as these are detailed in the reports of both ICT and the Tibet Justice Center. I will instead focus on the important role that this Committee can play in helping to address this situation and, we hope, improve it.

When the PRC's first periodic report was submitted to and considered by this Committee in 1995-1996, the international community was just becoming aware of the significance of China's abduction of Gedhun Choekyi Nyima and his family, and China's outrageous attempt to install another boy, Gyaltzen Norbu, as the Panchen Lama. This Committee was quite vocal at that time concerning the fate of Gedhun Choekyi Nyima and his family, and two of the then-members of the Committee took a particular interest in the case. Despite the case being raised vigorously within the Committee and in its verbal inquiries to the PRC, the concluding observations on China's report included only an oblique reference to the case in paragraph 20, which stated in pertinent part:

[t]he Committee expresses its deep concern in connection with the violations of human rights of the Tibetan religious minority. State intervention in religious principles and procedures seems to be most unfortunate for the whole generation of boys and girls among the Tibetan population.

It is tragic that as we mark the tenth year of the Panchen Lama's disappearance, so little has changed. When the Committee first raised this case with China, much remained shrouded in mystery regarding the fate of the Panchen Lama. In the ten years that have passed, despite many inquiries from this Committee, other UN mechanisms and other concerned State Parties and entities, the Chinese government has only grudgingly confirmed that Gedhun Choekyi Nyima is "under the government's protection." More recently, they have deflected inquiries about him by claiming he is "well and attending school", and enjoys sports and other activities like "a normal Chinese boy"; and that his

parents did not want international figures or the media intruding into his life. However, at no time in the past decade has any neutral observer been given access to the boy or his parents, nor has the Chinese government provided any concrete evidence to verify their assertions.

Given the centrality of the Panchen Lama's role in Tibetan Buddhism and Tibetan culture, not to mention his status as a minor, China's failure to address meaningfully the inquiries of this Committee and other international actors regarding this case is striking. That this Committee must even discuss a case of a State Party kidnapping one of its minor citizens and his family is outrageous enough; that the State Party then willfully ignores all inquiries regarding this gross violation and extends its abuse through the prolonged incommunicado detention of the boy and his family and the denial of his religious identity is profoundly disturbing. Even as I speak, the atheist Chinese government is intensifying its campaign to assert that it alone has the right to select the religious leaders of the Tibetan Buddhist faith, in clear defiance of the observation of this Committee ten years ago.

In light of a decade of flagrant disregard of the Committee's concerns regarding the Panchen Lama specifically and the intervention of the Chinese state in the religious practices of Tibetan children generally, ICT strongly urges the Committee to take its concerns to the next level by including the following specific actions in its concluding observations on the current State Party report:

1. The Committee should insist that appropriate persons selected under its auspices immediately be permitted access to Gedhun Choekyi Nyima, the 11th Panchen Lama, in order ascertain his educational attainment, cultural awareness, mental state and physical development;
2. The Committee should specifically condemn China for breaching the Convention (as detailed in the parallel report submitted by ICT) in its abduction and prolonged detention of Gedhun Choekyi Nyima and his family, and insist that he be released from state custody and permitted to take up his religious and cultural identity as the 11th Panchen Lama of Tibet; and
3. The Committee should again insist that the Chinese government cease and desist from further impermissible interference in the conduct of Tibetan Buddhist religious affairs, including attempts to exercise control of the selection process for reincarnate lamas.

Given the events of the past decade, it is clear that indirect approaches and quiet diplomacy have failed to move the Chinese government in a positive direction and, conversely, may have empowered their continued flouting of the Convention and international norms. For this reason, ICT strongly urges the Committee to make specific recommendations regarding this case. Since the Committee verbally raised this case with the Chinese government a decade ago, and the State Party continues to be non-responsive to the Committee on this issue, it is appropriate and necessary that the Committee be forthright and specific in its dealings with China on this matter.

In addition, we would like to encourage the Committee to seek further information from the Chinese government regarding ongoing disparities for Tibetan children in the following areas:

- Access to education, with particular attention to: the continued low rates for school attendance among Tibetan children; discrimination against Tibetan students; poor performance and high drop-out rates among Tibetan children; use of the educational system for ideological and political purposes; and the lack of Tibetan-language (i.e. mother tongue) instruction.
- Access to adequate health care, with particular attention to: infant mortality rates and maternal morbidity rates that are comparable to sub-Saharan Africa and wildly disparate from the same rates for Chinese infants and mothers; charging of fees for health care that is supposed to be free for Tibetans; and separate standards of care for Chinese and Tibetans.
- Access to Tibetan history, religion, culture and language, with particular attention to: availability of historical perspectives on Tibet that are not based on Han chauvinism; access to Tibetan Buddhist religious education, practitioners and institutions throughout childhood; and manifestations of Tibetan culture that are currently forbidden or discriminated against, such as traditional Tibetan holidays.

Thank you for your attention and your work on this important topic; I look forward to answering any additional questions you may have.