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No.GJ/43/2021

The Permanent Mission of the People's Republic of China to the United Nations Office at Geneva and other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights and with reference to the joint communication [AL CHN 7/ 2021] dated by 16 July 2021, has the honour to transmit herewith the reply by the Chinese Government.

The Permanent Mission of the People's Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 27 August 2021

Office of the High Commissioner for Human Rights
GENEVA

[Translated from Chinese]

Reply from China dated 27 August 2021 to OHCHR joint communication [AL CHN 7/2021] of 16 July 2021

Receipt is hereby acknowledged of the letter dated 16 July 2021 addressed jointly by the United Nations Human Rights Council's Working Group on Enforced or Involuntary Disappearances; the Working Group on Arbitrary Detention; the Special Rapporteur on minority issues; and the Special Rapporteur on freedom of religion or belief (ref. AL CHN 7/2021). The Chinese Government wishes to make the following reply:

A. Chinese Government measures to protect and promote the rights of Tibetans of all ethnic groups

The Chinese Government has always attached great importance to safeguarding the vital interests of the people of all ethnic groups in the Tibet Autonomous Region. At present, the living standards of the people of all ethnic groups in Tibet are comprehensively improving and the poor are being lifted out of poverty; infrastructure construction on the Qinghai-Tibet Plateau is being stepped up in all respects, with a number of major projects such as the Sichuan-Tibet Railway moving forward with greater speed; its ecological security barrier is becoming more substantial by the day, and the Plateau is proving to be one of the best ecological regions in the world.

1. Guaranteeing political rights. The people of all ethnic groups in Tibet fully exercise the various rights of self-government conferred on them by the Constitution and laws, and manage the internal affairs of their respective regions and ethnic groups on their own. Since the establishment of the Tibet Autonomous Region, the heads of the standing committees of the successive people's congresses and the chairmen of the people's governments have been Tibetan citizens. At present, Tibetan and other ethnic minority cadres account for 71 per cent of the cadres in the Tibet Autonomous Region. The majority of Party and government posts at the prefectural or prefectural-level municipal as well as county or district levels are held by ethnic minority cadres (more than half of the Party and government heads in the Region's seven prefectures and prefectural-level municipalities and 74 counties and districts are ethnic minority cadres).

2. Safeguarding economic development. Since 1980, the central Government has convened seven Tibet work forums with the specific purpose of studying development work in Tibet. Especially worthy of note was the Seventh Central Symposium on Tibet Work, held in July 2020, at which the Chinese Government clearly asserted that the existing institutional mechanisms for special assistance to the disadvantaged would remain unchanged, and that it would also accelerate the high-quality social and economic development of Tibet. Tibet has made significant progress in infrastructure construction in such areas as transportation, energy, water conservancy and municipalities. At present, a comprehensive transportation system based on roads, railways and air routes has taken shape in Tibet. By 2020, there were 117,000 kilometres of roads; 85 per cent of townships and 55 per cent of administrative villages were accessible via paved roads; and 785 kilometres of railways were in operation, along with 120 domestic and international air routes. The completion of the Qinghai-Tibet electrification project was followed by the completion and operationalization of the Sichuan-Tibet and Tibet-Central electrification projects, and then by the Ali electrification project being completed and put into operation in December 2020. Together, these projects put in place a unified power grid for Tibet that fully covers all 74 counties or districts in the Autonomous Region and its population of over 3 million people. The 4G and fibre-optic broadband networks in administrative villages cover 98 per cent of the population, with a mobile phone penetration rate of 93.5 per 100 people and an Internet household penetration rate of 98.7 per 100 households, so that even those in remote farming and herding areas can now enjoy emerging network services such as online shopping and mobile payment.

3. People's livelihoods continue to improve. By the end of 2019, 628,000 people officially registered and identified as living in poverty in the Tibet Autonomous Region had been removed from the poverty rolls, the stigma of poverty had been completely eradicated from all 74 poor counties and districts, and the poor had been fully relieved of the burdens of "inadequate food, inadequate clothing, and insecure housing, medical care and schooling". The Tibet Autonomous Region continues to allocate more than 70 per cent of its revenue to safeguarding and improving the people's livelihood, so that the fruits of development benefit the masses of all ethnic groups. By 2020, the per capita disposable income of Tibetan

rural residents had increased to 14,589 yuan, and that of urban residents to 41,156 yuan, with growth rates for both ranking first in the country.

4. Guaranteeing educational and employment rights. There are now seven institutions of higher education in Tibet, with 12,000 students enrolling each year and 39,000 students currently on campus. There are also 11 secondary vocational schools, 136 middle schools, 26 senior secondary schools and 2,014 kindergartens, with 142,000 students enrolled in kindergartens in 2020. The 15-year period of free education from kindergarten to high school is fully universal and the children of farmers and herdsmen enjoy the “three guarantees” policy of subsidized room, board and tuition. The subsidy standard rises year by year, and currently averages 4,200 yuan per student. The combination of the “three guarantees” policy and free education relieves households of the burden of educational costs; enrolment rates are increasing year by year, with those of primary schools reaching 99.7 per cent. In 2020, the employment rate of recent graduates from Tibetan universities was 98 per cent, with 48,000 new jobs and the registered unemployment rate in urban areas controlled at less than 4 per cent.

5. Safeguarding the right to health. The Tibet Autonomous Region now has 1,642 health-care institutions comprising 17,073 beds, and maternal and infant mortality rates have dropped to 56.52 per 100,000 and 8.9 per 1,000 respectively. The basic medical insurance system for urban and rural residents has achieved full coverage, with the participation rate of urban workers and urban residents reaching 95 per cent, and the medical system participation rate in rural and pastoral areas reaching 100 per cent.

6. Protecting the ecological environment. The Chinese Government has always clearly stated that ecological protection must come first in Tibet; it has promoted the construction of ecological civilization and the protection of the ecological environment in Tibet with unprecedented attention and effort, achieving remarkable results. At present, Tibet has allocated a cumulative total of 11.7 billion yuan in funding to implement the Tibet Ecological Security Barrier Protection and Construction Plan, redlined 45 per cent of State-held land area in the Region for ecological protection, and established 47 nature reserves with a total area of 412,200 square kilometres, accounting for 34.35 per cent of the Region’s land area and ranking first in China overall. It has pursued the in-depth implementation of such key projects as ecological public-welfare forestry, desertification prevention and control, and the “Two Rivers and Four Streams” watershed afforestation and greening project. In addition, it has created 700,000 jobs in ecological protection, and more and more farmers and herdsmen are eating ecologically sound food and embarking on the road to ecological prosperity. Monitoring and evaluation by the Chinese Academy of Sciences and related government departments shows that the environmental quality of the Tibetan plateau is among the best in the world; the overall structure of its various ecosystems is stable and their ecological quality is steadily improving; and the excellence of the ambient air in major towns and cities consistently exceeds 95 per cent.

7. The right to learn and use the Tibetan language is respected and protected. In Tibet and the other Tibetan autonomous regions elsewhere in China, all regulations, resolutions and official documents, as well as newspapers, radio and television, use both Tibetan and Chinese in their publications and broadcasts, and there are Tibetan language courses in schools at all levels and of all types. Teaching in schools is generally conducted in both Tibetan and Chinese, and Tibetan language courses are examination courses whose grades are included in students’ aggregate scores. Significant progress has been made in the standardization of Tibetan technical terminology and in its use in information technology, and Tibetan coding has been adopted as both a national and an international standard, becoming the first Chinese minority script meeting international standards. More than five million Tibetan books are produced and distributed in Tibet every year.

8. Protecting and developing the excellent traditional culture of Tibet. Most people in the cities and towns as well as rural and pastoral areas of Tibet still maintain Tibetan dress, eating and drinking customs, housing styles and so on, according to their personal wishes. Every year, they celebrate the Tibetan New Year, the Sho Dun Festival, the Butter Lamp Festival, the Bathing Festival and other traditional observances. The State has carried out a great deal of work to recover and organize the Tibetan ethnic and folk cultural heritage, and has set up special agencies to collect, collate and study such literary and artistic materials as drama, dance, music, folk musical theatre, folk songs, proverbs and stories that have been handed down among the people. At present, there are nearly 800 intangible cultural heritage projects in Tibet, more than 80 traditional theatre performance institutions and 1,177 cultural inheritors. Among these, Tibetan opera, the Gesar epic and Tibetan medicinal bathing have been selected for inclusion in the UNESCO Representative List of the Intangible Cultural Heritage of Humanity, 89 items have been selected for inclusion in the national representative list of intangible cultural heritage items, and 158 rare antiquarian books have been selected for the national bibliography of rare antiquarian books. Over 30 million words of

Tibetan materials have been collected and collated, more than 1,000 academic papers on traditional Tibetan culture have appeared, more than 30 monographs on literature and art have been published and distributed, and 261 ancient Tibetan books have been recovered, collated and published.

9. Freedom of religious belief is guaranteed. Religious activities of all kinds are routinely conducted in Tibet, the religious needs of the believing masses are fully met, and freedom of worship is fully respected. At present, there are 1,787 Tibetan Buddhist temples of all sizes in Tibet, with more than 46,000 resident monks and nuns and 358 living Buddhas; there are also four mosques, serving a Muslim population that has been present for generations and which currently numbers more than 12,000. Additionally, there is a single Catholic church, with more than 700 believers. There are Buddhist associations for the Region as a whole and for seven of its prefectural-level localities, and the Tibet branch of the Chinese Buddhist Association runs the Tibetan Buddhist Studies Institute, the Tibetan Sutra Printing Institute and a Tibetan-language journal on Tibetan Buddhism. Seven out of a planned total of eight Tibetan-language Buddhist colleges have been built nationwide and are already in operation, with a total investment of 920 million yuan and an anticipated enrolment of 1,950 students; construction of the remaining one is about to begin. A system comprising the three ranks of novice, intermediate and senior academic has been established in the Tibetan Buddhist tradition; 240 persons have been awarded the senior title. The religious curriculum is based on the “Five Great Buddhist Teachings” of Pramāṇavārttika (Valid Cognition), Prajñā (Wisdom), Madhyamaka (the Middle Way), Abhidharma (Nature of Reality) and the Vinaya (Discipline Precepts), and considers each Buddhist sect separately while also exploring the common teachings among them.

B. Individual cases

1. Rinchen Tsultrim

On 2 August 2019, the Chinese State security organs placed Rinchen Tsultrim in criminal detention in accordance with the law on suspicion of inciting secession; on 15 May 2020, the People’s Procuratorate of Aba Tibetan and Qiang Autonomous Prefecture in Sichuan Province instituted a public prosecution proceeding against him; on 27 November 2020, the Aba Prefecture Intermediate People’s Court handed down a first-instance verdict in the case of inciting secession against the defendant, Rinchen Tsultrim, in accordance with the law and sentenced him to a term of four years and six months’ imprisonment and three years’ deprivation of political rights for the crime of inciting secession.

The Chinese State security organs handled the case in strict accordance with the law, following standard and lawful procedures and fully safeguarding the lawful rights of the person concerned, including by promptly notifying Rinchen Tsultrim’s family of the relevant information, and no such things as “secret detention”, “arbitrary detention” or “enforced disappearance” ever took place.

The court found that the defendant, Rinchen Tsultrim, using WeChat on a mobile phone, publicly disseminated text, voice and visual information that endangered national unity, sovereignty and territorial integrity and undermined social stability, with the aim of inciting secession and undermining national unity. Having confessed truthfully to the facts of the crime during his court appearance, he was given a lighter punishment in accordance with the law. The People’s Court handed down the foregoing judgment in accordance with the facts, the nature and circumstances of the crime and the degree of harm to society. It heard the case in strict accordance with the law, fully guaranteeing Rinchen Tsultrim’s procedural rights. Following the first-instance verdict, the defendant Rinchen Tsultrim did not appeal it, and the public prosecutor did not contest it. At present, Rinchen Tsultrim has been sent to Aba Prison in Sichuan Province to serve his sentence.

2. Go Sherab Gyatso

On 26 October 2020, the Chinese State security organs placed Go Sherab Gyatso in criminal detention in accordance with the law on suspicion of inciting secession; on 3 February 2021, the Lhasa City People’s Procuratorate instituted a public prosecution proceeding against him. The Lhasa City Intermediate People’s Court has held a hearing on the case but has yet to pronounce a verdict.

The Chinese State security organs handled the case in strict accordance with the law, following standard and lawful procedures and fully safeguarding the lawful rights of the person concerned, including by promptly notifying Go Sherab Gyatso’s family of the relevant information, and no such things as “secret detention”, “arbitrary detention” or “enforced disappearance” ever took place.

联合国人权理事会强迫失踪问题工作组、任意拘留问题工作组、少数群体问题特别报告员、宗教信仰自由问题特别报告员 2021 年 7 月 16 日来函【AL CHN 7/2021】收悉。中国政府对来函答复如下：

一、中国政府保护和促进西藏各族群众权利措施

中国政府历来高度重视保障西藏自治区各族群众的切身利益，当前西藏各族群众生活水平全面提高，贫困人口实现脱贫；青藏高原基础设施建设全面加快，川藏铁路等一批重大项目加速推进；生态安全屏障日益坚实，青藏高原成为世界上生态环境最好的地区之一。

（一）保障政治权利。西藏各族人民充分行使宪法和法律赋予的各项自治权利，自主管理本地区、本民族内部事务。西藏自治区成立以来，历届人民代表大会常务委员会主任和人民政府主席由藏族公民担任。目前，在西藏自治区干部队伍中，藏族和其他少数民族干部占 71%。地（市）、县（区）党政正职大部分由少数民族干部担任（7 地市和 74 个县区党政一把手中少数民族干部占一半以上）。

（二）保障经济发展。从 1980 年以来，中央先后召开过七次西藏工作座谈会，专门研究西藏的发展工作。特别是在 2020 年 7 月召开的中央第七次西藏工作座谈会上，中国政府明确提出保持现有的特殊帮扶工作体制机制不变，还要加快推进西藏社会经济高质量发展。西藏在交通、能源、水利、市政等基础设施建设方面取得重大进展，目前西藏基本形成以公路、铁路、航空为主的综合交通运输体系，2020 年

公路里程 11.7 万公里，85%的乡镇和 55%行政村通硬化路，铁路运营里程达到 785 公里，国内外航线 120 条。继青藏联网工程之后，建成投运川藏、藏中联网工程，阿里联网工程于 2020 年 12 月建成投运，西藏形成了全面覆盖自治区所有 74 个县（区）300 多万人口的统一电网。行政村 4G 网络、光纤宽带网络覆盖 98%，其中移动电话普及率 93.5 部/百人，互联网家庭普及率 98.7 部/百户，在偏远农牧区也能同步享受到网购、移动支付等新兴网络服务。

（三）民生不断改善。2019 年底，西藏自治区 62.8 万建档立卡贫困人口“清零”，74 个贫困县区全部脱贫摘帽，贫困群众“不愁吃、不愁穿，居住有保障、医疗有保障、上学有保障”全面实现。西藏自治区坚持把本级财政收入的 70% 以上用于保障和改善民生，使发展成果惠及各族群众，2020 年西藏农村居民人均可支配收入增加到 14589 元，城镇居民人均可支配收入增加到 41156 元，增速均居全国第一。

（四）保障教育和就业权利。西藏现有高等教育院校 7 所，年内招生 1.2 万人，在校生 3.9 万人；中等职业学校 11 所，中学 136 所，高级中学 26 所，幼儿园 2014 所，2020 年幼儿园在校学生有 14.2 万人。从幼儿园到高中的 15 年免费教育全面普及，农牧民子女享受包吃、包住、包学费“三包”政策，补助标准逐年提高，目前生均 4200 元，“三包”和免费教育让学生家长没有负担，学校入学率一年比一年高，小学入学率达 99.7%。2020 年，西藏高校应届毕业生就业率 98%，新增就业 4.8 万人，城镇登记失业率控制在 4% 以内。

（五）保障健康权利。西藏自治区现有卫生机构 1642 个，床位数 17073 张，孕产妇和婴儿死亡率分别下降到

56.52/10万和8.9%。城乡居民基本医疗保险实现制度全覆盖，城镇职工、城镇居民参保率达95%，农牧区医疗制度参保率达100%。

（六）保护生态环境。中国政府一直鲜明提出西藏生态保护第一的要求，以前所未有的重视程度和工作力度，推动西藏生态文明建设和生态环境保护取得显著成效。目前西藏累计落实117亿元资金实施《西藏生态安全屏障保护与建设规划》，将45%的国土面积划入生态保护红线，建立自然保护区47处、总面积41.22万平方公里，占全区国土面积的34.35%，居全国首位。深入实施重点区域生态公益林、防沙治沙、“两江四河”流域造林绿化等工程，安排70万个生态保护岗位，越来越多的农牧民群众吃上生态饭，走上生态致富路。中国科学院和相关部门的监测评估显示，青藏高原各类生态系统结构整体稳定，生态质量稳定向好，主要城镇环境空气优良率保持在95%以上，大部分区域处于原生状态，仍然是世界上环境质量最好的地区之一。

（七）尊重和保护学习使用藏语文权利。西藏和各藏族自治州地方，所有的法规、决议、正式文件以及报刊、广播、电视都使用藏汉两种语言文字，在各级各类学校中都设有藏语文课程。学校里普遍使用藏汉双语进行教学，藏语文课程是考试课程，成绩纳入总分。藏文专业术语规范化以及信息技术标准化工作取得重大进展，藏文编码已通过国家标准和国际标准，成为中国第一个具有国际标准的少数民族文字。每年西藏制版发行的藏文图书有500余万册。

（八）保护和发展西藏优秀传统文化。西藏城镇农牧区大多数群众按照个人意愿，依然保持藏族服饰、饮食习惯、

住房风格等。每年都欢度藏历新年、雪顿节、酥油灯节、沐浴节等传统节日。国家对西藏民族民间文化遗产进行了大量的抢救和整理工作，成立了专门机构，将流传于民间的戏剧、舞蹈、音乐、曲艺、民歌、谚语、故事等文学艺术资料搜集起来，加以整理研究。目前，西藏有非物质文化遗产项目近800个，传统戏剧演出机构80多个，传承人1177名。其中藏戏、《格萨尔》史诗和“藏医药浴法”入选联合国人类非物质文化遗产代表作名录，89个项目入选国家级非遗代表性项目名录，158部珍贵古籍入选国家珍贵古籍名录。采录整理藏文资料3000多万字，发表有关藏族传统文化的学术论文1000多篇，出版发行文艺研究专著30多部，抢救、整理、出版藏文古籍261部。

（九）保障宗教信仰自由。在西藏各种宗教活动正常进行，信教群众的宗教需求得到充分满足，信教自由得到充分尊重。目前西藏的藏传佛教大小寺庙有1787座，住寺僧尼4.6万多人，活佛358名；还有清真寺4座，世居穆斯林群众1.2万余人；天主教堂1座，信徒700余人。西藏自治区和7个地市均设有佛教协会，中国佛协西藏分会办有西藏佛学院、藏经文印经院和藏文会刊《西藏佛教》。全国共规划建设8座藏语系佛学院，在校规模1950名学员。目前已有7所投入使用，1所将要开建，总投资9.2亿元。藏传佛教已建立起“拓然巴”高级学衔、“智然巴”中级学衔、“禅然巴”初级学衔“三级学衔”制度，已授予“拓然巴”高级学衔240人。宗教课程以释量、般若、中观、俱舍、戒律“五部大论”为主，分教派教学的同时也对各教派共同教学做了探索。

二、有关个案情况

（一）仁青持真案

2019年8月2日，中国国家安全机关以涉嫌煽动分裂国家罪将仁青持真依法刑事拘留；2020年5月15日，四川省阿坝藏族羌族自治州人民检察院对其提起公诉；2020年11月27日，阿坝州中级人民法院依法对被告人仁青持真煽动分裂国家案做出一审判决，对仁青持真以煽动分裂国家罪判处有期徒刑四年六个月，剥夺政治权利三年。

中国国家安全机关严格依法办案，程序规范合法，充分保障当事人合法权利，包括将有关信息及时通知仁青持真家属，不存在所谓“秘密拘留”“任意拘留”“强迫失踪”等情况。

法院经审理认定，被告人仁青持真以煽动分裂国家、破坏国家统一为目的，利用手机微信公开传发危害国家统一、主权和领土完整、破坏社会稳定的文字、语音、图片等信息，其行为已构成煽动分裂国家罪。仁青持真到案后如实供述犯罪事实，可依法从轻处罚。人民法院根据仁青持真犯罪的事实、性质、情节和对于社会的危害程度，依法作出上述判决。人民法院严格依法审理此案，充分保障了仁青持真的各项诉讼权利。一审宣判后，被告人仁青持真未提出上诉，公诉机关未抗诉。目前，仁青持真已送至四川省阿坝监狱服刑。

（二）果·喜饶嘉措案

2020年10月26日，中国国家安全机关以涉嫌煽动分裂国家罪将果·喜饶嘉措依法刑事拘留；2021年2月3日，拉萨市人民检察院对其提起公诉；拉萨市中级人民法院已开庭审理此案，目前尚未宣判。

中国国家安全机关严格依法办案，程序规范合法，充分保障当事人合法权利，包括将有关信息及时通知果·喜饶嘉措家属，不存在所谓“秘密拘留”“任意拘留”“强迫失踪”等情况。