



中华人民共和国常驻联合国日内瓦办事处和瑞士其他国际组织代表团

**PERMANENT MISSION OF THE PEOPLE'S REPUBLIC OF CHINA**

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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 14/2021] dated 17 February 2022, 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, 14 April 2022

Office of the High Commissioner for Human Rights  
**GENEVA**

*(Translation from Chinese)*

Receipt is hereby acknowledged of the joint communication of 17 February 2022 from the Special Rapporteur in the field of cultural rights, the Working Group on Arbitrary Detention, the Working Group on Enforced or Involuntary Disappearances, the Special Rapporteur on the right to education, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on minority issues, of the United Nations Human Rights Council. The Chinese Government wishes to reply as follows:

1. Regarding the cases in question

1.1 Li De (Luosang Lunzhu) (translator's note: possibly corresponding with "Lobsang Lhundup" in the original communication)

On 5 August 2019, the Chengdu public security authorities of Sichuan Province criminally detained Li De (formerly known as Luosang Lunzhu) on suspicion of inciting secession. On 16 March 2020, the Chengdu People's Procuratorate initiated prosecution. On 7 May 2020, the Chengdu Intermediate People's Court found him guilty, sentenced him to 4 years in prison and deprived him of his political rights for 3 years. After the verdict was handed down in the first instance, the suspect appealed. On 15 November 2021, the Sichuan Higher People's Court issued a final ruling upholding the original judgment. He is currently serving his sentence at Sichuan Provincial Prison.

In dealing with Li De's case of incitement to secession, the public security bodies handled the case strictly in accordance with the law. There was sufficient evidence, the proceedings were in accordance with standards and the law, and the legal rights of the parties were fully guaranteed, including by informing their families of relevant information in time, allowing them to hire lawyers and accept lawyers' meetings, etc., and there were no cases of so-called "arbitrary arrest", "arbitrary detention" and "forced disappearance".

1.2 Lunzhu Zhaba (translator's note: possibly corresponding with "Lhundrup Drakpa" in the original communication)

Lunzhu Zhaba is a 39-year-old male of Tibetan ethnicity. He was sentenced to 6 years in prison for inciting secession and is now serving his sentence at Qushui Prison, in Tibet. He is in good health. An investigation revealed that from November to December 2018, Lunzhu Zhaba composed a large number of songs with a great deal of illegal content advocating secession and distributed and disseminated them. In accordance with the Criminal Law and the Criminal Procedure Law of the People's Republic of China, the country's judicial bodies handled his case of incitement to secession while fully guaranteeing the religious and cultural rights enjoyed by ethnic minorities, in accordance with the law. There were no cases of so-called arbitrary arrest, arbitrary detention or forced disappearance.

1.3 Ren Qinji (translator's note: possibly corresponding with "Rinchen Kyi" in the original communication)

After investigation, it has been ascertained that there is no teacher named Ren Qinji in Senzhu Takze (translator's note: probably corresponding with "Sengdruk Taktse" in the original communication) middle school in Qinghai Province. The public security authorities have never summoned the teachers of this school, nor have they taken criminal compulsory measures against any teachers of the school. The so-called "Ren Qinji" case consists of false information fabricated out of thin air by the overseas anti-China media.

2. Regarding "what measures have been taken to ensure the free exercise of the rights to freedom of speech, freedom to take part in cultural life, the right to education and the rights of members of the Tibetan minority to enjoy their own culture, practise their religion and use their language"

The Chinese Government has always attached great importance to work in Tibet. With the support of the central Government and the people of the whole country, the economic and social development of Tibet has made remarkable progress, the material and cultural living standards of all ethnic groups have continuously improved, freedom of religious belief has been respected and protected and the progress and development of human rights has reached new heights.

**Regarding freedom of speech.** The Chinese Government strictly abides by the Constitution and laws to protect the basic rights of citizens of all ethnic groups in the Tibet Autonomous Region, including freedom of speech. However, freedom of speech is not unlimited, and it cannot be a pretext for the violation of the law or for undermining social stability, national security and public order; this is clearly stipulated in relevant international conventions.

**Regarding the right to education.** Since the liberation, the central Government has invested a total of 223.965 billion yuan to promote the establishment of a modern education system in Tibet. Tibet implements public education for 15 years, with 3,339 schools of all levels and types and 921,000 students enrolled. The gross enrolment rate of preschool education, net enrolment rate of primary school, gross enrolment rate of junior high school, senior high school and higher education, and consolidation rate of compulsory education have respectively reached 87.71 per cent, 99.96 per cent, 106.80 per cent, 90.25 per cent, 56.31 per cent and 96.94 per cent. The average number of years of education of new arrivals in the workforce has increased to 13.1 years. The funding standard for the "three guarantees" for education has now been raised to 4,200 yuan per student per year and the policy of "three exemptions and one subsidy" has been implemented. During the Thirteenth Five-Year Plan, a cumulative total of 46,700 needy university students received financial support, and the number of students who drop out of school from poverty-stricken families is the subject of a zero-tolerance policy. Special enrolment at colleges and universities has been promoted for students in agricultural and pastoral areas and in poverty-stricken regions, and the admission rate for university entrance examinations for children of farmers and herdsmen is over 76 per cent. In accordance with market demand and the wishes of needy people, vocational and technical education should be carried out to provide relatively stable and better-paid employment opportunities for persons living in poverty.

**Regarding the study, use and development of the Tibetan language.** The Constitution of China clearly stipulates that “all ethnic groups shall have the freedom to use and develop their own spoken and written languages” and more detailed and specific provisions have been formulated in the Regional Ethnic Autonomy Law and in the relevant regulations on local autonomy. All laws, resolutions, official documents, newspapers and radio and television broadcasting are in both Tibetan and Chinese, and Tibetan language courses are offered in schools at all levels and of all types. Tibetan-Chinese bilingual teaching is widely used in schools; some special Tibetan schools have been set up to meet certain needs, and the Tibetan language is widely used. Tibetan language courses are examination courses, and students’ grades are included in their overall results. Significant progress has been made in the standardization of Tibetan terminology and information technology. Tibetan coding meets national and international standards; Tibetan is thus the first minority language in China meeting such international standards. At present, there are 16 Tibetan periodicals and 12 Tibetan newspapers published in Tibet, with a total of 7,681 Tibetan books published so far, in 44,470,000 copies. Every year, Tibetan books are printed and distributed in more than 5 million copies in Tibet.

The Constitution of China calls for popularizing the national common language and carrying out bilingual education. Such policies are conducive to students' further studies and employment, promote local economic and social development and ensure the inheritance and development of the Tibetan language. The implementation of bilingual education is not aimed at a specific ethnic group, nor will it weaken the status of minority languages; it is conducive to strengthening exchanges among ethnic groups and to assisting in the development of minority students, and it is in keeping with domestic law and the interests of the masses. Different regions have adopted different modes of bilingual education, in accordance with the local conditions. The main difference is which language is used for teaching natural science subjects such as mathematics, physics and chemistry. Where there are qualified bilingual teachers, the national common language is used for teaching, and where teachers' resources are insufficient or their level of Chinese is lacking the Tibetan language is used for teaching. Of course, in the latter case, the teaching is less effective, mainly because there is no accurate Tibetan translation of certain jargon in these disciplines. We will vigorously develop bilingual education and strengthen the preparation of teachers to constantly improve the learning level of Tibetan students.

**On the heritage and protection of national culture.** Tibetan culture is an important part of Chinese culture. Fine Tibetan culture is respected and developed and is accepted as heritage in the larger family of the Chinese nation. Chinese culture has always been the emotional pillar, heart and soul and spiritual home of all ethnic groups in Tibet. The idea that Tibetan Buddhism is a part of Chinese culture and Tibetan culture is an important and integral part of Chinese culture is deeply rooted in the hearts of the masses, and all ethnic groups enjoy full freedom of cultural life.

First, the customs and habits of the Tibetan people are fully respected. In the cities, farmland and pastoral areas, most people still keep Tibetan costumes, eating habits and

housing styles, as they wish. Every year, we celebrate the Tibetan New Year, the Sho Dun Festival, the Bathing Festival and other traditional holidays.

Second, the State has done a great deal of work to preserve and catalogue the Tibetan folk cultural heritage. Since the 1970s, Tibet has set up a special institution for the preservation, cataloguing and research of ethnic cultural heritage; it has conducted comprehensive surveys of the folk cultural and artistic heritage of the entire region and collects, catalogues and studies literary and artistic materials such as theatre, dance, music, folk art, folk songs, proverbs and stories. There are currently nearly 800 intangible cultural heritage projects in Tibet, more than 80 institutions performing traditional drama and 1,177 inheritors and disseminators of culture. Among them, Tibetan opera and the Gesar epic tradition have been included in the lists of intangible cultural heritage of humankind of the United Nations Educational, Scientific and Cultural Organization (UNESCO). A national list of precious ancient books includes 158 volumes. Over 30 million characters of Tibetan and Chinese materials have been successively collected and catalogued and more than 1,000 academic papers on Tibetan traditional culture and over 30 monographs on literature and art have in turn been published, and 261 ancient Tibetan books have been collected, catalogued and published.

Third, a great deal of attention is given to the protection of Tibetan cultural relics. The autonomous region has successively drawn up laws and regulations such as the Regulations on the Protection of Cultural Relics in the Tibet Autonomous Region, the Regulations on the Protection of the Old City of Lhasa and the Regulations on the Protection of the Cultural Heritage of the Potala Palace in the Tibet Autonomous Region to ensure the effective protection of Tibet's outstanding traditional culture. During the Thirteenth Five-Year Plan, the State invested over 2 billion yuan, and different key projects for the maintenance and protection of cultural relics are now successfully being implemented. One after another, 70 Chinese national cultural protection teams and 603 cultural relics protection teams at the level of the Tibet Autonomous Region have been established. The Potala Palace, the Jokhang Temple and the Norbulingka area listed in the UNESCO World Heritage List.

Fourth, major efforts have been made to prepare skilled personnel for Tibetan studies. A number of quality establishments have been set up, thus providing a comprehensive foundation for research, including Tibet University, the China Tibetology Research Center and the Tibetan Academy of Social Science and others, producing a large number of high-level experts and scholars with outstanding profiles.

Fifth, equal weight is given to conserving and passing on cultural legacies. For example, ancient Tibetan medicine has developed while being passed down; it has been listed as a pillar industry to be supported by the autonomous region.

**Regarding the policy on freedom of religious belief.** In Tibet, all kinds of religious activities are regularly carried out, the religious needs of believers are fully met and freedom of belief is fully respected. Some people in Tibet believe in Tibetan Buddhism, while others believe in Islam or Catholicism. At present, there are 1,787 Tibetan Buddhist temples in Tibet, with more than 46,000 monks and nuns and 358 living

Buddhas. There are four mosques, with more than 12,000 Muslims living in the region; there is a Catholic church with more than 700 followers. There are Buddhist associations in the Tibet Autonomous Region and in seven cities, and the Tibet branch of the Chinese Buddhist Association runs the Tibet Buddhist Academy, the Tibetan Scripture Printing Institute and a Tibetan-language publication, *Tibetan Buddhism*. Since 1951, more than 90 newly reincarnated living Buddhas have been recognized, in accordance with religious rituals and historical customs. The central Government has invested 920 million yuan to set up eight Tibetan-language departments for Buddhist studies. The Tibetan-language advanced Buddhist study centres in China have trained 273 senior scholars of Tuoranba and there are more than 3,000 students of Buddhist scripture, monks and nuns at the Tibet Buddhist studies institutions and their 10 branches. The traditional sutra printing practices at Tibetan Buddhist temples have been protected and passed down. There are three sizeable institutions engaged in traditional sutra printing, including the Potala Palace Sutra Printing Institute. The central Government has invested in improving the infrastructure of temples, providing them with water, electricity and better accessibility in the Tibet Autonomous Region, and ensuring communication, radio and television services, and the monastic study and living environment has been greatly improved.

联合国人权理事会文化权问题特别报告员、任意拘留问题工作组、强迫失踪问题工作组、教育权问题特别报告员、言论自由问题特别报告员、少数群体问题特别报告员 2022 年 2 月 17 日联合来文收悉，中国政府答复如下：

## 一、有关个案

### （一）利德（洛桑伦珠）

2019 年 8 月 5 日，四川省成都市国家安全局以涉嫌煽动分裂国家罪将利德（曾用名洛桑伦珠）依法刑事拘留；2020 年 3 月 16 日，成都市人民检察院对其提起公诉；2020 年 5 月 7 日成都市中级人民法院判决其罪名成立，处以有期徒刑四年，剥夺政治权利三年。一审宣判后犯罪嫌疑人提出上诉。2021 年 11 月 15 日四川省高级人民法院作出终审裁定，维持原判。利德现在四川省监狱服刑。

在办理利德煽动分裂国家案过程中，国家安全机关严格依法办案，证据确实充分，程序规范合法，充分保证当事人合法权利，包括将有关信息及时通知其家属、允许其聘请律师及接受律师会见等，不存在所谓“任意逮捕”“任意拘留”“强迫失踪”等情况。

### （二）伦珠查巴

伦珠查巴，男，藏族，39 岁，因煽动分裂国家罪被判处有期徒刑 6 年，现在西藏曲水监狱服刑，身体状况良好。经查，2018 年 11 月至 12 月，伦珠查巴在明知其所制作歌曲中含有大量分裂国家违法内容的前提下，依然故意传播扩散有关歌曲。中国司法机关依据《中华人民共和国刑法》《中华



《中华人民共和国刑事诉讼法》办理伦珠查巴煽动分裂国家罪一案，并充分保障其依法享有的少数民族宗教和文化权利，不存在所谓“任意逮捕”、“任意拘留”或“强迫失踪”情况。

### **(三)仁钦吉**

经查，青海省森珠塔克泽中学没有名叫“仁钦吉”的教师，公安机关从未传唤该校教师，也未对该校任何教师采取刑事强制措施。所谓“仁钦吉”案件系境外反华媒体凭空捏造的虚假信息。

## **二、关于“采取哪些措施以保障西藏自治区言论自由、文化生活自由、受教育权、藏族人民享有文化、宗教和使用其语言的权利”**

中国政府历来高度重视西藏工作，在中央政府和全国人民的支持下，西藏经济社会发展取得显著成绩，各族群众物质文化生活水平不断提高，宗教信仰自由得到尊重和保护，人权事业的进步和发展到达新的高度。

**关于言论自由。**中国政府严格依照宪法和法律，保护西藏自治区各族公民包括言论自由在内的各项基本权利。但言论自由不是没有限制的，不能成为违反法律的借口，不能破坏社会稳定、国家安全和公共秩序，有关国际公约对此有明确规定。

**关于受教育权。**和平解放以来中央财政累计投入2239.65亿元，推动西藏建立现代教育体系。西藏实行15年公费教育，各级各类学校3339所，在校学生92.1万，学前教育毛入学率、小学净入学率和初中、高中阶段、高等教育毛入学率、义务教育巩固率分别达到87.71%、99.96%、



106.80%、90.25%、56.31%、96.94%，新增劳动力人均受教育年限提高到 13.1 年。目前，教育“三包”经费标准提高到年生均 4200 元，落实“三免一补”政策，“十三五”期间累计资助在校贫困大学生 4.67 万人次，建档立卡贫困家庭失辍学生动态清零。推动高校面向农牧区和贫困地区学生专项招生，农牧民子女高考录取率 76%以上。结合市场需求和贫困群众意愿，开展职业技术教育，为贫困人口提供相对稳定和报酬更高的就业机会。

关于藏语文的学习、使用和发展。中国宪法明确规定“各民族都有使用和发展自己的语言文字的自由”，民族区域自治法和有关地方自治法规中，对此都制定了更加细致具体的条文。西藏和各藏族自治地方，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置有藏语文课程。学校里普遍使用藏汉双语进行教学，有的还根据需要设有专门的藏文学校，藏语文得到广泛使用。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。目前，西藏公开发行的藏文期刊 16 种、藏文报纸 12 种，累计出版藏文图书 7681 种、4447 万册，每年西藏制版发行的藏文图书有 500 余万册。

推广使用国家通用语言，开展“双语教育”，是中国宪法规定的，有利于学生升学和就业，有利于推动当地经济社会发展，同时也保证了藏语文的传承和发展。实行“双语教育”不是针对某一个民族提出来的，也不会削弱少数民族语

言的地位，而是有利于加强各民族的交流，有利于少数民族学生的发展，符合国家法律和群众利益。不同地区根据本地实际情况，在“双语教育”上也采取了不同模式，主要区别是数学、物理、化学等自然科学学科采用哪一种语言授课，在有合格双语教师的地方，采用国家通用语言授课，在教师资源不足或者汉语水平不够的地方，就采取藏语授课。当然后一种教学效果会受到一些影响，主要是藏语中对这些学科的一些专业术语并没有精准的词汇对应翻译。我们将大力发展“双语教育”，大力加强师资建设，不断提高藏族学生的学习水平。

关于民族文化的传承和保护。西藏文化是中华文化的重要组成部分，西藏优秀文化都在中华民族大家庭中得到尊重、传承和发展，中华文化始终是西藏各民族的感情依托、心灵归宿和精神家园，藏传佛教是中华文化的一部分、西藏文化是中华文化的重要组成部分的思想深深扎根在群众心中，各族群众享有充分的文化生活自由。

一是充分尊重藏民族的风俗习惯。城镇农牧区大多数群众按照个人的意愿，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、沐浴节等传统节日。

二是对西藏民族民间文化遗产，国家进行了大量的抢救和整理工作。上世纪70年代以来，西藏成立了专门的民族文化遗产抢救、整理和研究机构，对全区民间文化艺术遗产进行全面普查，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，藏戏和《格萨尔》史诗被列入联合国教科文组织人类非物质文化遗产代表作名录。158 部珍贵古籍入选国家珍贵古籍名录。先后采录整理藏汉文资料 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。

三是重视西藏文物的保护。自治区先后制定了《西藏自治区文物保护条例》《拉萨市老城区保护条例》《西藏自治区布达拉宫文化遗产保护条例》等法律法规，使西藏优秀传统文化得到有效制度保障。“十三五”期间，国家投资 20 亿<sup>①</sup>余元，各项重点文物维修保护项目目前进展顺利。先后建立 70 处全国重点文化保护单位和 603 处西藏自治区级文物保护单位，布达拉宫、大昭寺、罗布林卡被联合国教科文组织列入《世界遗产名录》。

四是大力培养藏学研究人才。建立了西藏大学、中国藏学研究中心、西藏社科院等一批力量雄厚的教育培养基地和门类齐全的研究机构，涌现出一大批成就卓著的专家、学者。

五是保护与传承并重。例如，古老的藏医藏药在继承中发展，已列为自治区着力扶持发展的支柱产业。

关于宗教信仰自由政策。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。西藏既有人信仰藏传佛教，也有人信仰伊斯兰教和天主教。目前，西藏的藏传佛教大小寺庙有 1787 座<sup>②</sup>，驻寺僧尼 4.6 万多人，活佛 358 名；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》。1951年以来，90多名新转世活佛按照宗教仪轨、历史定制得到认定。中央政府投资9.2亿元，建设了8所藏语系佛学院，中国藏语系高级佛学院已培养273名“拓然巴”高级学衔获得者，西藏佛学院及其10所分院现有学经僧尼3000余人。藏传佛教寺庙传统印经得到保护和传承，现有布达拉宫印经院等3家具有一定规模的传统印经机构。中央政府投资改善寺庙基础设施，为西藏自治区的寺庙通水、通电、通路，保障通讯和广播电视等，僧尼学修和生活环境得到极大改善。