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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

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The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[8 February 2013]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Denial of Tibetan nomads' rights in the Tibet Autonomous Region and adjacent areas where Tibetans live under the People's Republic of China

The right to livelihood and land is an essential component of universal human rights to live in peace, security, justice and dignity. Everyone has a right to have adequate standard of living (Article 11 of ICESCR).

The declaration on the Rights of Indigenous People (document A/61/L.67) with People's Republic of China (PRC) being one of 144 member countries that voted in favor states that indigenous peoples "shall not be forcibly removed from their lands or territories" and furthermore states that "no relocation shall take place without free, prior and informed consent of the indigenous people concerned, and only after agreement on just and fair compensation and, where possible, with the option of return".

Article 7 of Convention No.169 of the International Labor Organization states that indigenous people have the right to "decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the land they occupy or otherwise use, and to exercise control over their economic, social and cultural development".

Regrettably in Tibet, nomads and herders who have lived successfully with their herds using their centuries-old traditional knowledge, and keeping a mobile life style are forced to relocate from their ancestral lands into concrete homes under different name tags - 'ecological migrant', 'Restore grassland policy' or 'tuimu huancao' in Chinese- meaning closing pasture to restore grasslands and Comfortable housing project' launch in 2006.

The PRC's current different grassland and land-use policies in the name of development are implemented throughout the Tibet Autonomous Region and other Tibetan areas. These policies restrict the mobility of nomads and transform a mobile pastoral livelihood to sedentary, town-based lives, where money is not to be earned from livestock but are forced to seek other sources of income¹ for which they either lack skills or opportunities. The project or policy also did nothing to provide either alternative employment or short job oriented training to earn livelihood.

The first small-scale pilot projects for tuimu huancao were carried out in Qinghai province in 2000. A number of large-scale provincial programmes began in 2003. According to the Qinghai Statistical Year Book (2011), the area of Qinghai affected by drought increased from 108,000 hectares in 2007 to 158,000 in 2010. Principally, it should be the other way round. The statistic clearly shows that the current policy of removing the herds 'to protect the grasslands' has failed.

It is reported that the 185,500 families are expected to move into new homes by 2013.² The total number of Tibetan being removed from ancestral land to concrete settlements under the different name tags -ecological migrants or comfortable housing projects- sums up to approximately 3.2 million in whole of the Tibet Autonomous Region and areas where Tibetans live.

Force settlement of nomads and fencing of grazing lands had also sparked an escalating series of disputes among nomads over access to land and water, some of which had broken

¹ Emily T. Yeh (2005), Green Governmentality and Pastoralism in western China: 'Converting Pastures to grasslands'.

² According to the Chinese state media- Xinhua 2011.

out into deadly violence.³ Joblessness and alcoholism are prevalent in those new settlements. Therefore, the ecological benefits of these policies are questionable, while the social costs for Tibetan nomads are notably extraordinarily high.

The Tibetan region is one of the only remaining places in China to see roaming animals, naive to people. Despite the scientific fact that Tibetan traditional ecological knowledge has a profound effect in raising people's conservation awareness, and has led to a better conservation outcome than government conservation efforts,⁴ the Chinese authorities continued to pursue various projects and policies without adequate planning and acknowledgement of Tibetan nomads' adaptive risk-reducing strategies and traditional livestock management, which has allowed nomads to lived successfully with herds for centuries.

In a detailed testimony of Tibetan monk who recently escaped from Rebgong (Ch: Tongren), Qinghai province said⁵ "Under the policy of settling nomads, the Tibetan nomads are given a sum of 20 to 30 thousand yuan in the initial phase of resettlement and are forced to sell off their livestock. However, once they have moved to the town, they are not offered any monetary help by the government. With several Chinese having migrated to Tibet, the situation is such that Tibetans need to learn Chinese even to be in the monasteries. The reason behind resettling Tibetan nomads is to implement the various policies of the Chinese government to undermine Tibetan language and culture as it is unfeasible for the government to exercise these policies in the remote nomadic regions".

The relocation of nomads into urban settlement aids the political control of the Tibetan plateau⁶. Nomad removal and relocations are also taking place to make way for large-scale infrastructure projects such as dams, mining and other resource extraction, and infrastructure construction. Tibetan nomads' and herders' have no say in or voice against infrastructural projects that are displacing them from their ancestral lands. Worse affected Tibetans are mostly illiterate, especially in Chinese language, and live under a "climate of fear".

Following his mission to China, in December 2010, when he saw the conditions of the newly-settled nomads and herders in concrete camps, Professor Olivier De Schutter, the UN Special Rapporteur on the Right to Food, strongly raised his concern about the resettlement policy. He called for the suspension of the non-voluntary resettlement of Tibetan nomadic herders from their traditional lands. On March 6, 2012 during the 19th UN Human Rights Council session, he said "the resettlement policies were failing because since March 2011, 25 Tibetans self-immolated in protest against polices that are implemented in this region. He said 18 of the 25 who burned themselves were actually herders forcibly resettled in the new socialist villages. This I have to say is not compatible with the idea that these would be I quote 'very popular policies'".⁷

The European Union also expressed concern over the impact of the forced Tibetan nomads' relocation by stating "We are most concerned about the impact of the resettlement policy of

³ Tracking the steel Dargon (2008), International Campaign For Tibetonline report available at <http://www.savetibet.org/documents/reports/tracking-steel-dragon>.

⁴ Xiaoli Shen and Jiaxin Tan (2012), Ecological Conservation, Cultural Preservation and a Bridge between: the Journey of Shanshui Conservation Center in the Sanjiangyuan Region, Qinghai-Tibetan Plateau, China.

⁵ <http://tibet.net/2012/12/24/monks-testimony-gives-insight-into-causes-behind-self-immolations-in-tibet/>.

⁶ Jarmila Ptackova (2011), Sedentarisation of Tibetan nomads in China: Implementation of the Nomadic settlement project in the Tibetan Amdo area; Qinghai and Sichuan Provinces.

⁷ http://oip.peple.org/TCHRD-2012-Annual-Report_Human-Rights-Situation-in-Tibet.pdf.

Tibetan nomads. Tibetan culture and traditional life styles are based on a nomadic way of life. We do question whether the objective of environmental protection can only be reached by eliminating the traditional way of life of Tibetans who have lived for centuries in harmony with nature. We are concerned by the compulsory resettlement of all nomads which has the potential to destroy the distinctive Tibetan culture and identity”.⁸

We call the Human Rights Council to urge the People's Republic of China to

- Respect the Tibetan traditional centuries old knowledge to preserve the ecology;
- Engage in meaningful consultation with local residents to assess the impact of past and current policies to 'Restore grassland';
- Improve employment opportunities, education and health service in the “new socialist villages”, in order to enable them to have decent life and realization of the right to adequate food;
- Enable local Tibetans to be considered and involved in any development activities.

⁸ Speech on the situation of Tibet by Catherine Ashton, European Union High Representative for Foreign Affairs and Security Policy, June 16, 2012, European Parliament, Strasbourg - http://europa.eu/rapid/press-release_SPEECH-12-439_en.htm.