

**COMMISSION ON THE STATUS OF WOMEN  
Forty-second Session, March 1998  
Provisional Agenda Item 3c**

**CONSIDERATION OF BEIJING PLATFORM FOR ACTION CRITICAL AREA OF  
CONCERN: (i) WOMEN AND ARMED CONFLICT**

**Written intervention prepared by the International Committee of Lawyers for Tibet**

1. The Beijing Platform for Action (para. 131) recognizes that foreign occupation, alien domination, and armed and other conflicts are some of the largest impediments to women's enjoyment of their fundamental human rights. Women living under such conditions are far more likely to be victims of arbitrary detention, rape, racial and other discrimination, religious persecution, torture and other cruel, inhuman and degrading treatments. Women and children living under such conditions often become refugees and suffer the harsh consequences of displacement. The Platform for Action (para. 147b) recognizes that the solutions to these problems lie in addressing their root causes.
2. Tibet is a case in point. The conflict between the Tibetan people and the Chinese government is in its 49th year. During this period of time and to this date, Tibetans have been subjected to egregious human rights violations. Women, and particularly nuns, have suffered gravely from torture, including gender-specific torture of their genitals and breasts, arbitrary detention, religious persecution and, in the past ten years from forced and coerced abortions and sterilizations.
3. This statement will address the crucial importance of addressing the underlying causes of human rights violations in situations of foreign occupation and armed and other conflict, the need for peaceful conflict resolution mechanisms and for international intervention in such situations.
4. Human rights violations in Tibet have been the subject of General Assembly resolutions in 1959, 1961 and 1965, which called on China to respect the fundamental rights of the Tibetan people, including their human right to self-determination. Similar concern was expressed by the Sub-Commission on the Prevention of Discrimination and Protection of Minorities of the UN Commission on Human Rights in its 1991 resolution on China and Tibet.
5. Recent reports by reliable and highly regarded human rights organizations, such as Amnesty International, Human Rights Watch, the International Commission of Jurists, Tibet Information Network and Physicians for Human Rights all point to a continued pattern of grave human rights violations. The International Commission of Jurists, in its December 1997 report on Tibet, found that between one quarter to one-third of the over 600 known political prisoners in Tibet are nuns. Stating that torture in detention is widespread in Tibet, the report found that "women, particularly nuns, appear to be subjected to some of the harshest, and gender-specific, torture, including rape using electric cattle-prods and ill-treatment of breasts." Nuns are not only brutally tortured in Chinese detention, but some lose their lives, such as 24-year old Gyaltzen Kelsang and 20-year old Phuntsog Yangkyi, who died in 1995 and 1994 respectively as a result of prison torture and other ill-treatment.
6. Even though Tibetans have never had a population problem, lay women are subjected to mandatory birth quotas of one to two children, as well as to coerced abortions and sterilizations. For example, in the Chushur district 308 women were sterilized in only one month between September and October of 1996. One woman reportedly died and another fell seriously ill as a result. Children born without birth permits are denied official registration, access to food ration cards, to schools and health care. With a population of fewer than 6 million people (less than the population of Los Angeles), living in a territory of roughly the size of Western Europe, Tibetans have a population density of 1.6 persons per square kilometer, one hundredth that of China.
7. The Beijing Platform for Action (para. 95) explicitly states that women have the right to make decisions, free from discrimination and coercion, regarding the number and spacing of their children. China's imposition of duress, coercion and fines on women who do not voluntarily comply with its population control policies violate Tibetan women's reproductive rights as recognized under international law. These reproductive rights violations are particularly abhorrent since they are

committed by one ethnic group against another. In this context it is also important to note that an estimated 1.2 million Tibetans lost their lives in the conflict between Tibetans and the Chinese government and that the Chinese government has already reduced Tibetans to a minority in Tibet by transferring an estimated 7 million Chinese settlers into Tibet.

8. While China prides itself with improving the education and economic lives of Tibetans, recent reports on the state of education and health care are most disturbing. A 1996 study (based on a limited sample) found that an estimated 30% of all school-aged Tibetan children receive no education at all (compared to 1.5% of Chinese children). Tibet has a 64% enrollment rate for primary school-aged children, compared to 98.5% for China. While China claims that the major impediment to education of Tibetan children is the remoteness of some Tibetan regions, Tibetans report high school fees as the major obstacle. Only 17% of the children who had received primary school education in Tibet did not have to pay school fees. Tibetan children reported having to pay school fees ranging from 20 to 6000 yuan. Many reported having to pay bribes to their teachers. Interviews of refugee children, found that 53% of the children in the study were taught exclusively in the Chinese language in primary schools in Tibet. In middle schools that number increases to 83%. The children interviewed reported that they were not provided any education in Tibetan cultural heritage, that they were not allowed to wear Tibetan clothes and were not allowed to honor Tibetan holidays in school. Many reported being coerced into spying on their parent. A 13 year old girl reported "They promised us 200 yuan if we found any evidence against our parents that proved that they talked about subjects relating to Tibetan culture, history or religion."

9. Health care is woefully inadequate in Tibet. While health care is supposed to be free in Tibet, in practice, access to hospitals and doctors is restricted by unaffordable fees. Most clinics lack basic medications and other supplies and provide unhygienic conditions. As a result, Tibetan children are dying at excessive rates of diseases such as tuberculosis, pneumonia and diarrhea, which are preventable illnesses and which are the traditional killers of indigenous peoples in occupied countries.

10. Recent studies have also shown that while the height of children in China has been increasing in recent decades, the height of Tibetan children is declining significantly. This is most likely the result of chronic undernutrition, beginning with undernutrition of pregnant women.

11. Poverty and illiteracy is also most likely the cause of a rapid rise in prostitution in Tibetan cities such as Lhasa. According to a 1996 appeal for help sent out from Tibet in December of 1996, young girls are brought from the countryside to work in brothels in Lhasa.

12. These systematic human rights violations have led to a consistent pattern of flight. Over 150,000 Tibetans have fled into exile. The High Commissioner for refugees places the number of escapes over the past several years to 3000 per year. Others estimate that more than 5000 undertake the treacherous flight over the Himalaya each year. Many, especially women and children perish on their desperate journey out of Tibet. In January of 1997, for example, a 21 year old nun, Tashi Choeden from Shugsep nunnery, an 8 year old girl and 14 year old boy froze to death on the Shargung La Pass on their escape to Tibet. They were part of a group of 27 Tibetans from Lhasa. One of the survivors narrowly escaped a rape upon reaching Nepal. Many of the children who flee are unaccompanied, sent by their parents with the hope that their children will be able to secure an education in Tibetan, ironically outside of Tibet.

13. The International Commission of Jurists noted that repression in Tibet has increased steadily since 1994, with further escalation since 1996. This increase in human rights violations can be directly traced to the Chinese Communist Party's 1994 Third National Forum on Work in Tibet which identified the Dalai Lama and "Dalai Clique" as the root of Tibet's instability. Chinese officials declared that, "to kill a serpent we must first chop off its head". High level approval was reportedly given for a stepped up "Strike Hard" campaign for suppression of co-called "splittist" political opinion.

14. Situations of foreign occupation and armed and other conflict are characterized by unequal power relationships. A direct link between political conflict and stepped up suppression of fundamental human rights and freedoms of those suspected of espousing prohibited views is unfortunately all too common in such situations. The Beijing Platform for Action (para 144-145) therefore emphasizes the promotion of non-violent conflict resolution. The Platform particularly endorses reaffirmation of the right of self-determination of all peoples. It encourages governments, international and regional organizations to

engage in diplomacy, negotiations and peaceful settlement of disputes in accordance with the Charter of the United Nations.

15. As the case of Tibet demonstrates, long-standing conflicts and the resulting human rights violations do not disappear in the absence of determined international action. While these conflicts, often escalate into further violence, such as international terrorism, the Tibetan people, under the leadership of the Nobel Peace Prize laureate, Tenzin Gyatso, the 14th Dalai Lama, following the initial military conflict, have engaged in a campaign of non-violent action to further their aspirations for fundamental freedoms and human rights. If such a non-violent campaign does not engender tangible international support and a resulting peaceful resolution, the world community will send the clear message to peoples all over the world that only violence will focus world attention on existing conflicts.

16. Therefore, Madame Chair and Members of the Commission, it is recommended that the following steps be taken in situations of foreign occupation, alien domination and armed and other conflict:

a. Governments: actively encourage governments involved in foreign occupation and armed and other conflicts to enter into negotiations for a peaceful resolution of the conflict; actively encourage such governments to open the conflict territory and its institutions, without undue restrictions, to state and non-governmental missions as well as to the international media.

b. UN General Assembly: Debate any contested issues of self-determination.

c. UN Secretary General: using his good offices, appoint a Special Envoy to promote a peaceful settlement of the conflict and, in cases such as Tibet, to promote a UN-supervised referendum to ascertain the wishes of the people seeking self-determination.

d. International, regional and non-governmental organizations: Provide relevant expert information to and lobby governments, the UN Secretary General and General Assembly to take the actions set forth in paragraphs a-c above.