

## **COMMISSION ON THE STATUS OF WOMEN**

### **Forty-second Session**

#### **Provisional Agenda Item 3c**

### **CONSIDERATION OF BEIJING PLATFORM FOR ACTION CRITICAL AREA OF CONCERN: VIOLENCE AGAINST WOMEN**

Written intervention submitted by the International Federation of Settlements and Neighborhood Centers, a non-governmental organization in general consultative status

1. Violence against women violates the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. As the Beijing Platform for Action notes (para 118), violence against women continues unchecked in the world because of: (1) the shame associated with certain acts perpetrated against women, (2) women's lack of access to legal aid or protection, (3) local and international authorities' failure to enforce laws and (4) the absence of education or other means to address the causes and consequences of the violence. Both the Platform for Action (para 124) and the report released by the Physicians for Human Rights on October 24, 1997 (pp. 24-25) acknowledge that the international community must take immediate action to solve the problems and devastating effects of violence against women.

2. Since Tibet's occupation by the People's Republic of China in 1949, Tibetans have been subjected to persistent repression and violence, and women have not been spared. Tibetan women exercising their right to peaceful protest have had their breasts cut off, have been sexually abused by electric cattle prods, attacked by dogs, and beaten while suspended in the air. This violence has not been limited to political prisoners. Tibetan women are arbitrarily detained, persecuted for religious practice, and in the last ten years have been forced and coerced into having abortions and being sterilized. These acts of violence and the fear of violence are permanent restraints on the mobility of women and cause high social, health and economic costs to both the individual victims and society.

3. This statement will address the urgent need for (1) immediate international intervention in preventing the violence perpetrated against Tibetan women, and (2) a focused attention to the Tibetans' right of self-determination.

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 right to self-determination. The Sub-Commission on the Prevention of Discrimination and Protection of Minorities of the UN Commission on Human Rights expressed similar concerns in its 1991 resolution on China and Tibet. Nonetheless, recent reports of violence in Tibet by Amnesty International, Human Rights Watch, the International Commission of Jurists, Tibet Information Network and Physicians for Human Rights, summarized below, attest to worsening human rights conditions. The PHR concluded in its recent study that torture continues to be widely used by Chinese authorities in Tibet against both women and men. Of the refugees that the PHR interviewed in Dharamsala, India, more than 1 in 7 reported a personal history of torture by Chinese authorities, many of the cases of which had occurred since 1995. Nearly half of those interviewed reported having a family member or close friend who had been tortured, including women and children.

5. 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. The report found that "women, particularly nuns, appear to be subjected to some of the harshest and gender-specific torture . . ." in detention. Some nuns have even lost 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. Other accounts of violence against Tibetan women include Ngawang Tsepak, a nun, who was hung from a tree in a straight jacket in what is called "airplane" position, and electrically shocked until both her shoulders had become dislocated. Other women have been raped by electric cattle prods. Nina

Tsamchoe, who had taken part in a peaceful demonstration, had dogs set on her, cigarette butts stubbed in her face, knitting needles jabbed in her mouth, was kicked in the genitals and breasts until they were bleeding, was hung up from the wall with her legs up and beaten with electric rods in the genitals and the mouth, and had containers of human excrement poured over her head. She reported that women who were raped would not talk to anyone because they were embarrassed or ashamed. Nuns who are raped are considered to have broken their vows of celibacy and often feel themselves unworthy of continuing as nuns.

7. As the Physicians for Human Rights have recognized (p.2), torture has devastating health consequences for individuals and societies. Torture causes suffering both at the individual and the societal level as it undermines the trust and unity of all members of society. The PHR report (pp. 4, 10-11, 14) noted that the individual victims suffer from significant physical and psychological problems: seventy-eight percent of the torture survivors that the PHR interviewed suffered from significant symptoms of anxiety or depression and 85% experienced recurrent, intrusive memories consistent with post-traumatic stress disorder; forty-four percent continued to have physical symptoms as aftereffects of their abuse and 50% had corroborating physical findings, such as scars or neuromuscular injury.

8. The PRC has also instituted family planning policies including the use of forced and coerced abortions and sterilizations of Tibetan women. The PRC's "one family, one child" family planning policy by law covers only "nationalities" in the PRC with over 10 million members. There are only roughly 6 million Tibetans living in Tibet, compared to the 1.2 billion Chinese living in China. The population density in Tibet is only 1.6 people per square kilometer, one hundredth the average density of the PRC. Yet the PRC subjects Tibetan women to mandatory birth quotas, forced sterilizations and abortions. And local authorities in Tibet are allowed to implement their own population policies regardless of whether they comply with Chinese law. At the same time, the PRC has transferred 7.5 million Chinese into Tibet. The population transfer policy, combined with draconian family planning policies, are threatening the survival of the Tibetan culture.

9. According to the Platform for Action (para. 113), acts of violence against women include forced sterilization and forced abortion, coercive/forced use of contraceptives and female infanticide. Numerous reports document that Tibetan women are encouraged to go to clinics for check-ups or for medical purposes unrelated their pregnancies, and then are given injections to induce abortion, without being told the purpose of the injection. Abortions are often followed by sterilization operations, performed without consent. Further, there are reports of hospitals where, at the time of birth, lethal ethanol is injected into the babies' heads, causing them to be born dead. Many Tibetan women now refuse to go to the doctor when they are pregnant for fear of these procedures, and therefore go through pregnancy without any medical attention. Recently, reports have indicated that women are being coerced into "consenting" to abortions and sterilizations under duress, facing the threat of violence against their husbands and the confiscation of all of their possessions.

10. Ngawang Smanla and Tsewan Thondon, two Buddhist monks, witnessed a Chinese birth control team that set up its tent next to the monks' monastery in Amdo in 1987. They reported that all women in the village had to report to the tent for abortions and sterilizations. Those who went peacefully received appropriate medical care for these procedures. Women who refused were forcibly operated upon and given no medical attention. Women nine months pregnant gave birth to stillborns due to injections. The tent remained there for two weeks, during which time all pregnant women were given abortions, followed by sterilization, and every woman of childbearing age was sterilized. Tashi Dolma, a lay woman who protested these population control policies, recounted the horror of her abortion. She explained that the authorities forced her onto a table, inserted an electrical device into her uterus and left her alone like that for hours, bleeding profusely.

11. If a Tibetan woman has a child "out of plan," the parents often must pay a fine that frequently exceeds the family's yearly income. Several women have reported that even though they paid the fine, they were forced to go to a hospital to be sterilized. One woman reported that after her third child, she was told to report to a hospital for sterilization. When she refused, local authorities came to her house, beat her husband and took all of their possessions. When she finally went to the hospital, she was tied to the bed by her hands and ankles and was not completely anaesthetized.

12. China's imposition of duress 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. The Beijing Platform for Action (para. 95) recognizes women's fundamental right to make decisions, free from discrimination and coercion, regarding the number and spacing of their children. China's violation of Tibetan women's reproductive rights imperils this fundamental right, and is particularly abhorrent because it is imposed by one ethnic group on another.

13. In addition to gender-specific torture, and forced sterilizations and abortions, PRC officials perpetrate violence against Tibetan women by forcing young Tibetan girls into prostitution. Accounts have surfaced of teenage Tibetan girls, who believe they have been offered a great opportunity to join the Chinese People's Liberation Army, and who ultimately are duped into lives that involve multiple rape, pregnancy and abortion. This is said to be the norm for Tibetan girls in the Chinese army.

14. These atrocities perpetrated against Tibetan women make a mockery of the PRC's ratification of national and international documents supporting human rights and women's rights in particular. Tibetan women risk violence, ill-treatment and degradation simply for being female and Tibetan. This risk is augmented if they participate in or support peaceful protest for their country's independence and self-determination.

15. The continued violence against women in Tibet demonstrates the need for determined international action. The Tibetan people have engaged in a campaign of non-violent action to secure their fundamental human rights, including their right to self-determination. If such a non-violent campaign does not engender tangible international support and a peaceful resolution, the world community will send the clear message 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 implemented in situations of violence against women:

a. Governments: actively encourage and pressure governments involved in acts of violence against women to cease all such acts, to take steps to ensure that regional and local authorities respect the fundamental human rights of women, and to enforce laws prohibiting acts of violence of all kinds.

b. UN General Assembly: address contested issues of self-determination where the failure to recognize this right leads to acts of violence.

c. Commission on Human Rights: extend the mandate of the Special Rapporteur on Violence Against Women, and support her work in the area of violence against women in the context of foreign occupation, alien domination and armed and other conflicts.

d. UN Secretary General: using his good offices, support the efforts of the Special Rapporteur on Violence Against Women, encourage and direct the creation of fact-finding missions and human rights training programs and, in cases such as Tibet, to promote a UN-supervised referendum to ascertain the wishes of the people seeking self-determination.

e. Committee on the Elimination of all Forms of Discrimination Against Women: place special emphasis on monitoring claims of violence against women in the context of foreign occupation, alien domination and armed and other conflicts.

f. International, regional and non-governmental organizations: Provide relevant expert information to and lobby governments, and UN bodies and personnel to take the actions set forth in paragraphs a-e, above.