



INTERNATIONAL CAMPAIGN FOR TIBET

Anti-porn measures criminalize discussion of Tibetan autonomy

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Sharing information about the Dalai Lama's proposal for Tibetan autonomy is now a crime in Tibet under new measures aimed at turning Tibetans against one another and criminalizing opinions contrary to Chinese state propaganda.

The "Measures for Reporting and Rewarding on the Campaign for Eliminating Pornography and Illegal Content in the Tibet Autonomous Region" were promulgated on Sept. 12, 2019 but made public by state media only in late March 2020.

According to the new measures, authorities are offering rewards to those who report on individuals who advocate for a "greater Tibetan area," a "high degree of autonomy" or the "Middle Way," including by "publishing, making, printing, reproducing, distributing, disseminating, mailing, storing and transporting publications (including online publications)."

The Middle Way is the Dalai Lama's proposal for genuine autonomy for Tibetans under Chinese rule. The US government and other world leaders have endorsed the plan.

"Endangering national unity"

The new measures were formulated and tailored by TAR leadership to include specific references to Tibet, in accordance with those adopted at the national level in 2018. The national measures were already very broad and all-encompassing, allowing Chinese authorities to treat anything published, posted online or broadcast—other than official state propaganda—as "illegal" and subject to punishment.

Article 4 in Chapter II of the new measures stipulates as illegal any content in any form of publication that is found to be "endangering national unity, sovereignty and territorial integrity" or "attacking the system of regional national autonomy" by advocating for a "high degree of autonomy" and the Middle Way approach.

The measures also target those individuals who criticize the overall Chinese policy in Tibet. Chapter II, Article 4, Point 10 lists as illegal "attacking the central government's strategies for governing Tibet and the Party's ethnic and religious policies."

Rewards will be given to those who report on individuals who copy or distribute overseas publications, including on subjects related to "Tibetan independence."

The measures list as criminal any attack or defamation of the Chinese Communist Party and state leaders, as well as any challenging of party leadership and China's socialist system.

In effect, this criminalizes any legitimate criticism of the Chinese leadership and government.

The measures, however, have no direct reference to the Dalai Lama. The most recent legal document that mentions him is the "Notice of the Tibet Autonomous Region Public Security Department on Reporting Leads

on Crimes and Violations by Underworld Forces,” issued on Feb. 7, 2018. That notice calls the “Dalai clique” one of the underworld forces that people should report to the authorities.

Encouraging spying among Tibetans

The measures reinforce the subversive tactics China has long used against the Tibetan people to establish a systematic network of informants, with the rewards and protection given to those informants spelled out clearly in its Articles 5, 7 and 11.

Informants are promised a reward ranging from 1,000 yuan to 600,000 yuan depending on the type of information they provide.

The new measures assure protection to the informants by concealment of their identity. It says further, “No unit or individual may retaliate against the reporter, and the offender shall be held accountable according to law and discipline.”

The encouragement for Tibetans to inform on one another through the inducement of financial rewards further deepens and exacerbates tensions and distrust in Tibetan society, which are already at high levels because of the climate of oppression and total surveillance imposed by Beijing. These efforts foment suspicion and division in the community, reminiscent of the situation in Tibet during Chairman Mao’s Cultural Revolution in the 1960s and 70s.

The new measures build on a longstanding policy by the Chinese government to offer rewards for information on “illegal content,”^[66] cash to informants and large rewards for information on the “black hand” behind Tibetan self-immolations. The police in Tibet have also urged the public to report on loyalty to the ‘evil forces’ of the Dalai Lama.

Denying autonomy for Tibetans

The Chinese government portrays the autonomy status granted to areas where Tibetans live as a success story, despite decades of well-documented oppression and a lack of autonomy in any meaningful sense.

China’s institutional system is highly centralized, and it methodically rejects the devolution of power and the granting of genuine regional autonomy to Tibetans.

Instead of addressing the real issues at hand, Chinese Communist Party leaders in Tibet regularly denounce the Dalai Lama and his supporters. For instance, on March 20, 2020, TAR Party Secretary Wu Yingjie stated:

We should actively promote rapid social economic development and long-term social stability in Tibet, unswervingly implement the Central Party government’s unified policy of fighting against 14th Dalai Clique, and Tibetan Buddhist devotees must firmly and resolutely draw a clear line with 14th Dalai Clique, and foster a sense of community in Chinese Nation and consciously safeguard the reunification of the motherland and her nationality unity.

China’s determination of what is legal based on demanding loyalty only to the state, the Communist Party and its policies violates the UN Universal Declaration of Human Rights, in particular Article 19.

China annexed Tibet, a historically independent country, more than 60 years ago, and today, Tibetans face constant human rights violations and live in one of the least free places on Earth.

ICT recommendations

The International Campaign for Tibet calls for on China to revise the “Measures for Reporting and Rewarding on the Campaign for Eliminating Pornography and Illegal Content in the Tibet Autonomous Region” to bring them into conformity with international human rights law.

Chinese authorities must also refrain from offering rewards to Tibetans for possibly denouncing friends, neighbors and family members for something that is protected by international human rights standards.

To discuss a peaceful solution for the situation in Tibet, in publications or by other means, should not be a punishable crime.



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