

**Statement by Gloria Montgomery, Tibet Justice Center, at a side-event during the 59th session of the UN Human Rights Council, organized by the Helsinki Foundation for Human Rights, 27 June 2025.**

*Check against delivery*

Thank you, Kai - and thank you to the Helsinki Foundation for Human Rights for organising this important event.

We've all just listened to the statement by the UN Special Rapporteur on Freedom of Religion or Belief. She holds a mandate given by this system — by the Human Rights Council — to monitor, investigate, and report on violations of freedom of religion or belief.

And yet for over 22 years now, the government of China has refused to allow that mandate access to both China and Tibet. C

That is not standard diplomatic delay. That is systemic obstruction. It speaks volumes about the conditions on the ground - and about the Chinese government's unwillingness to engage in good faith with this system.

The same pattern exists elsewhere. The UN Working Group on Enforced or Involuntary Disappearances — whose very mandate pertains to the fate of the 11th Panchen Lama — has also been denied access since 2013. For 12 years, the working group has sent six formal reminders for a visit. China has not responded.

We must really recognise the severity of this moment. The Chinese government is both failing to uphold its legal obligations AND it is undermining the very mechanisms designed to hold it accountable.

That is the reality we face.

Now... The Special Rapporteur has already set out the international legal framework and shown that the right to select and appoint religious leaders is guaranteed under international law.

What I would like to do with my time today is look more closely at how these rights are upheld in national laws and practice around the world — and how China's actions stand in stark contrast to this global consensus.

From Kosovo, to Germany, to Paraguay, to South Africa, constitutions and domestic laws guarantee religious communities the right to regulate and administer their own affairs independently, including the appointment of religious leaders. In Australia, the Human Rights Commission accepts complaints based on the 1981 Declaration, demonstrating its normative force.

Beyond law, these principles are practiced across faith traditions. The Catholic Church elects its Pope through a conclave of cardinals in line with centuries-old procedures. In Shi'a Islam, Grand Ayatollahs are recognised through scholarship and peer respect. In Judaism, Chief Rabbis are typically selected by religious councils or communities. These systems differ - but the principle is the same.

The right of a religious group to determine its own leadership is not controversial. It is not a vague aspiration. It is a widely accepted standard — codified, defended, and practiced across continents, diverse legal systems, and faith traditions.

In this context, China's actions represent a profound deviation from international norms.

And in the case of Tibet, we are watching this right be actively dismantled.

The Special Rapporteur already touched on Bureau Order No. 5 prohibits any recognition of reincarnations outside of the PRC.

The 2017 Regulation on Religious Affairs requires all reincarnations — including the most sacred figures in Tibetan Buddhism — to be registered and approved by authorities, with final authorisation extending up to the State Council in Beijing.

These laws also use overly vague and broad terms which prohibit religious activity that “undermines ethnic unity” or promotes “extremism”

UN experts have raised concern, warning that these laws interfere with Tibetan Buddhist traditions in a discriminatory way.

They have also warned of the fear that the Chinese authorities may seek to appoint the 15th Dalai Lama against Tibetan tradition and the wishes of Tibetan Buddhists.

Despite these warnings, China’s position is hardening.

A spokesperson for the Chinese Foreign Ministry recently declared that the Dalai Lama has “no right to represent the Tibetan people”, and called him a “political exile operating under the guise of religion’.

In March 2025, a White Paper reiterated China’s claim to full control over the reincarnation process.

In May 2025, the Chinese-appointed Panchen Lama pledged to make Tibetan Buddhism “more Chinese” after meeting President Xi Jinping. And in June, China’s top legal affairs official called for the defeat of “separatism” during a visit to Amdo — the Dalai Lama’s birthplace.

This is not the language of spiritual tradition — it is the language of political assimilation.

If China is allowed to install a state-sponsored Dalai Lama, it will not only violate the fundamental rights of Tibetan Buddhists. It will establish a precedent — and send a chilling message for all religious communities around the world that a state can co-opt a religion, redesign it, and install its own spiritual leaders.

This has extraterritorial consequences, too. The Dalai Lama lives in exile. The Tibetan community is global. Yet Beijing claims the authority to determine their spiritual future. This is not only a violation of religious freedom — but an assertion of transnational control.

If we accept selective compliance with international law, we concede that rights are negotiable — that power, not law, determines whose beliefs are respected.

In light of this, the international community must respond with clarity and resolve. i urge states to:

Publicly affirm the right of His Holiness the Dalai Lama to determine his own successor, free from Chinese interference.

Immediately repeal Bureau order No 5 and the 2017 religious affairs regulation.

Demand verifiable proof of the whereabouts of the 11th Panchen Lama, who was forcibly disappeared at the age of 6.

Thank you.

ENDS