

# **Submission from the International Campaign for Tibet: Cultural rights and the governance of development**

**April 2023**

The International Campaign for Tibet (ICT) is a not-for-profit advocacy group that works to promote human rights and democratic freedoms for the people of Tibet[[1]](#footnote-1) and to protect its culture and environment.

While we are not an “operational actor of development agendas” and are therefore unable to answer the questionnaire directly, we would like to highlight once again the dangerous Chinese government practice of abusing Tibetans’ human rights in the pursuit of development in Tibet. The Chinese government has indeed adopted a human rights approach that privileges the right to development above all other rights. In doing so, it suggests that the collective material development of a country should come before an individual rights – including their cultural rights. In Tibet, China employs a top-down multi-pronged development policy designed to open up Tibet for economic activity. The Chinese state invests in road, rail and energy infrastructure, and also focuses on Chinese-medium education, nomad relocation, nature reserves creation and tourism policies to facilitate the exploitation of Tibet’s cultural and natural assets. The development model sidelines local Tibetans, who are excluded from the decision-making process, and are unable to access the opportunities and benefits created by the opening up of Tibet.

On the topic of development governance more specifically, we would like to draw the Special Rapporteur’s attention to the Chinese governments efforts in recent years to gain endorsement from international institutions - and in particular from UNESCO - as branding to boost tourism and lend legitimacy to its policies in Tibet, while at the same time commodifying Tibetan culture, abusing Tibetans rights and marginalizing them. This submission focuses on two examples: the destruction of UNESCO-protected cultural heritage in Lhasa, and the exclusion of Tibetan nomads from a UNESCO-protected natural reserve.

This trend is likely to continue, as China currently has 62 sites on the tentative list of UNESCO heritage sites, of which four are located in Tibet: 1) Diaolou Buildings and Villages for Tibetan and Qiang Ethnic Groups, 2) Qinghai Lake, 3) Scenic and historic area of Sacred Mountains and Lakes (Ngari Prefecture, TAR), and 4) Yalong Tibet.[[2]](#footnote-2)

**Case study: Development and destruction of UNESCO-protected cultural heritage in Lhasa**

The Tibetan capital of Lhasa has long been the centre of Tibetan Buddhism, a city of pilgrimage, a cosmopolitan locus of Tibetan civilization, language and culture.

But today, the city’s remaining cultural heritage – and the right of Tibetans to enjoy this heritage - is threatened by the Chinese government’s development objectives in Tibet, including a dramatic increase in Chinese domestic tourism and a rapidly expanding infrastructure in which Lhasa is a center of a new network of roads, railways and airports with dual military and civilian use.

According to the earliest existing proper survey of the city, Lhasa in 1948 consisted of around 700 historic-traditional building. This number declined to 300 in 1995, and reached 50 by 2005.

In the 1980s and early 1990s, most of old Lhasa’s traditional buildings were demolished and replaced with three to four story ‘neo-Tibetan’ cement houses. Even after the iconic Potala Palace and other significant buildings were recognized as UNESCO World Heritage from 1994 onwards - termed by UNESCO as the ‘Potala Palace Historic Ensemble’[[3]](#footnote-3) - further dozens of historic buildings have been demolished and replaced by fake Tibetan-style buildings.

China has repeatedly pursued unapproved or inconsistent developments across the heritage site:

* In 2014, China constructed two large shopping malls (the Barkhor and Shenli Mall) before seeking comment from the World Heritage Centre, in non-compliance with §172 of the Operational Guidelines. Not only was China’s report not forthcoming about the details of the construction, but it was later discovered that the height of the malls were also in contravention of the State Party’s regulations.
* In 2018, the former home of the parents of the Dalai Lama, one of the largest and most important of the few remaining historic buildings in Lhasa, was demolished, and a new concrete structure is to be built in its place.[[4]](#footnote-4)
* China’s response to the February 2018 fire that engulfed a part of the Jokhang Temple highlighted the serious lack of transparency in heritage management. It was not until ICT pressed the UNESCO World Heritage Centre on the absence of China’s 2019 ‘state of conservation’ report, that a two-page executive summary was released on 28 January 2020 (one month after the required date). The two-page summary described minimal fire damage to the temple and noted a Joint Reactive Monitoring mission was received at the property on 8-15 April 2019.[[5]](#footnote-5) While ICT welcomed the news of the Monitoring mission, we were disappointed that no details of the visit were publicized. For example, details of the restoration and conservation plan were not released, nor photographs or maps.
* In 2020, two pavilions were constructed in Lhasa’s Jokhang Temple, which stand in stark contrast to the Tibetan architecture of the surrounding buildings.[[6]](#footnote-6) In correspondence with the World Heritage Centre, ICT raised concerns about the new construction and requested more details about the construction site, as well as its effects on the Outstanding Universal Value of the Jokhang Temple. As of 13 April 2021, no substantial reply had been received.
* The ancient circumambulation route of the Lingkor - which takes the pilgrim around all the holy sites in Lhasa - has also been disrupted by new roads and Chinese buildings, creating a “strong sense of socio-spatial disorientation” for Tibetan pilgrims.[[7]](#footnote-7)

**UNESCO branding, tourism and the museumification of old Lhasa**

Together with urbanisation, a joint imperative underlying Lhasa’s development plans and the downgrading of authentic cultural heritage is tourism.

The UNESCO World Heritage ‘brand’ is used as part of the Chinese government’s ambitious plans to boost high-end tourism in Lhasa and beyond, part of China’s strategic and economic objectives in Tibet. In just three days alone during the Tibetan and Chinese New Year period from February 15-18, 2018, 216,400 tourists visited the Tibet Autonomous Region, up 30.7% compared to the same period last year, with tourism revenue reaching $25 million.[[8]](#footnote-8)

This museumification and commodification of the Tibetan culture – while the authentic culture is being undermined by Chinese policies targeting Tibetan religion, language and identity – was evident during a Tourism Expo in Lhasa in 2016, which included a ‘re-imagining’ of the deeply symbolic former home of the Dalai Lama, the Potala Palace, in the InterContinental Hotel lobby.[[9]](#footnote-9)

**Lack of involvement of Tibetans**

Serious concerns also exist over the level of Tibetan consultation and participation in the conservation process. The “1992 Barkhor Conservation Plan” was developed by the central Chinese government, and only nominally consulted Tibetan experts and Lhasa.[[10]](#footnote-10) Studies by an architect and heritage advisor between 1994 and 2005 also found most heritage conservation work on major heritage properties (e.g. Potala Palace, Jokhang temple, Norbulingka and Sakya Monastery) were carried out by non-Tibetans.[[11]](#footnote-11)

In a political context of total surveillance and in which the protection of Tibetan culture has been described by authorities as a “reactionary and narrow nationalistic idea,” Tibetans are also likely to be fearful of being involved or speaking out about heritage issues.

**More details:**

* *‘Destruction, commercialization, fake replicas’*, International Campaign for Tibet, June 2018, <https://savetibet.org/destruction-commercialization-fake-replicas-unesco-must-protect-tibetan-cultural-heritage/>.
* *‘Concerns for the Management of the Historic Ensemble of the Potala Palace, Lhasa’*, Contribution from the International Campaign for Tibet to the World heritage report, World Heritage Report 2020 (page 169), <https://world-heritage-watch.org/wp-content/uploads/2020/06/WHW-Report-2020.pdf>.
* *‘Chinese-style Pavilions in Front of Jokhang Temple Shows China Disregards Tibetan Heritage’*, Contribution from the International Campaign for Tibet to the World heritage report, World Heritage Report 2021 (page 42), <https://world-heritage-watch.org/content/wp-content/uploads/2021/06/WHW-Report-2021.pdf>.

**Case study: Tibetan nomads excluded from nature reserves – the example of Hoh Xil**

In August 2017, in line with President Xi Jinping’s instruction on the building of an “ecological civilization”, it was announced that vast areas of Tibet would be turned into ‘national parks’. An official report stated that 61 different nature reserves and national parks would be created in the TAR, covering more than 800,000 square kilometers. (August 25, 2017).[[12]](#footnote-12) This development is consistent with China’s policy that involves the massive drive to remove and relocate Tibetan nomads from their pastures (as a result of the grazing restrictions imposed in areas accorded national park status) – a policy that does not only threaten the survival of Tibet’s rangelands and biodiversity, but also violates Tibetans’ social, economic and cultural rights.

In a disturbing new development, the Chinese leadership has also been seeking to gain endorsement for the creation of these parks, most likely to gain international credence for these environmental policies that expropriate land from local communities, intensify
population control and surveillance measures, and eradicate local cultures for political and economic ends, but also with the aim to boost tourism.

**The Hoh Xil example**

In 2017, China gained UNESCO World Heritage status for a vast landscape of wetlands, wildlife, and lakes on the Tibetan plateau known as Hoh Xil (Tibetan: *Achen Gangyab*, Chinese: *Kekexili*).

The Chinese authorities have described Hoh Xil as ‘no man’s land’, which provided a justification for them to claim that no evaluation needed to be made with regard to human beings and therefore human rights. But Tibetan pastoralists in the area have long co-existed peacefully for centuries with wildlife, protecting the land and its species, and a central principle of UNESCO World Heritage is that the rights of local and indigenous people are respected.

The role of nomads in preservation of the landscape and the need for their free movement was recognized during discussion over China’s nomination for UNESCO status for the Hoh Xil area, including by the International Union for the Conservation of Nature (IUCN), which carried out an evaluation mission to the area. The IUCN also acknowledged the cultural significance of the place for the local population, saying that “*Hoh Xil represents the birthplace of ancestors, and for the Tibetan population this plain represents a legendary hunting ground.”* As such, the “*cultural and spiritual values of the area should be recognized and included in the planning management strategies for the nominated property, noting the intimate linkage they have with the nature conservation values that are the basis for the nomination.*”

Yet, despite Chinese assurances to UNESCO that they would “fully respect” local herders and “their traditional culture, religious beliefs, and lifestyle”,[[13]](#footnote-13) less than five months later, on 27 November 2017, Chinese authorities issued a notice prohibiting access to the Hoh Xil nature reserve except for security personnel or other authorized officials. The Director of the Hoh Xil nature reserve was cited by Chinese state media as saying that the notice “aimed to crack down on illegal crossing and mining” and that anyone who did not comply with the notice would be punished.[[14]](#footnote-14)

**Tourism objectives**

The UNESCO branding of Hoh Xil also aims at the further development of mass tourism for domestic Chinese, particularly safari or adventure tourism. While Tibetan nomads are banned from nature reserves, China’s regulations on nature reserves indeed allow for the presence of tourists.

Commentators have suggested that Hoh Xil may have been nominated for World heritage status before other more established parks, as it could more easily attract tourism with its active transport networks. Such a strategy is certainly consistent with other local governments who have adopted titles such as ‘national park’ and ‘nature reserve’ to expand their tourism sector. However, as highlighted by the anthropologist Emily Yeh, these initiatives have unfortunately prioritized high volume tourism and lagged on active conservation management and resident inclusion.[[15]](#footnote-15)

**Need for review**

After five years of silence, there remain serious concerns related to the relocation of local residents and the management of infrastructure projects, tourism and climate change. A rigorous review of the management of the site is needed, as intensified surveillance and censorship of even environmental information from Tibet has made it increasingly difficult to monitor the situation on the ground.

Under the new dates set for the Third Cycle of Periodic Reporting, China is not due to submit a
periodic review of Hoh Xil (and other heritage sites in China) until 2024. Without new and pressing
information to warrant a reactive monitoring mission and a detailed state of conservation report, ICT has urged UNESCO officers and IUCN advisers to consider in its periodic review of the site: 1) the important role Hoh Xil plays as a model project in China’s broader national park and Tibet policy, 2) IUCN’s 2020 Conservation Outlook Assessment, and 3) specific recommendations to include the cultural and spiritual values of the Tibetan people in the management of the area.

**More details:**

* *‘Nomads in ‘no man’s land’:* China’s nomination for UNESCO World heritage risks imperilling Tibetans and wildlife’, International Campaign for Tibet, June 2017, <https://savetibet.org/nomads-in-no-mans-land-chinas-nomination-for-unesco-world-heritage-risks-imperilling-tibetans-and-wildlife/>.
* *‘Ban on access to nature reserves in Tibet raises concern about Tibetan nomads at UNESCO site’*, International Campaign for Tibet, 11 December 2017, <https://savetibet.org/ban-on-access-to-nature-reserves-in-tibet-raises-concern-about-tibetan-nomads-at-unesco-site/>.
* AL CHN 16/2018, 27 July 2018, <https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=24000>.
* *‘Hoh Xil Nature Reserve in Need of a Rigorous Review After its Controversial Inscription in 2017’*, Contribution from the International Campaign for Tibet to the World heritage report, World Heritage Report 2022 (page 102), <https://world-heritage-watch.org/content/wp-content/uploads/2022/11/2022-Report-WHW-final.pdf>.

**Main questions** (for all stakeholders)

1. **How are human rights generally integrated in your policies and programmes? Please indicate if human rights are mandatory considerations, at what stage of the programme they are integrated and if any, what kind of impact assessment and monitoring is done of their implementation.**
2. **Please provide examples of any programmes that contribute to the respect, protection and implementation of cultural rights, in particular:**
	* The right to choose and maintain one’s identity, and to take part in the cultural life of one’s choice;
	* The right to access, enjoy and transmit cultural heritage, including languages and ways of life;
	* The right to access and transmit creative expressions and knowledge, and to access the creativity and knowledge of others;
	* The right to access to the benefits of science and its applications, including scientific knowledge, technology, and opportunities to contribute to the scientific enterprise;
	* The right to benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which one is the author;
	* The right to take part in decision making processes that have an impact on one’s cultural life, including:
		+ the right of effective participation and consultation for minorities;
		+ the right to free, prior and informed consent by indigenous peoples and by local populations.
3. **Please provide recent examples of programmes, policies and commitments where:**
	* sustainable development is discussed beyond wealth accumulation model;
	* cultural rights are mentioned and explained;
	* cultural development is mentioned and explained;
	* the expression of cultural diversity is respected, protected and implemented;
	* marginalized voices and aspirations are identified and heard;
	* commitments to ensure that development is self-determined and community led are included;
	* commitments to take into account the local aspirations, values and priorities, rather than work on a one-size-fits-all model, are explicit;
	* commitments are made to ensure forward looking development.
4. **Please provide information on any monitoring or evaluation mechanisms assessing the impacts of your development programmes or policies on cultural rights. Also please discuss any mechanism to submit complaints and seek reparation in cases of violations.**

**ENDS**

**About the International Campaign for Tibet:** *Founded in 1988, the International Campaign for Tibet (ICT) works to protect the democratic freedoms and the human rights of the Tibetan people. ICT maintains offices in Washington, D.C., Amsterdam, Brussels and Berlin. The organization is member of FIDH, the governing association of the German Institute for Human Rights, the NGO Forum on Religious Freedom (Geneva), the World Heritage Watch network and is recipient of the Dutch Resistance Medal, the ‘Geuzenpenning’.*

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1. When we refer to Tibet, we are speaking about the historical region of Tibet that now encompasses the Tibet Autonomous Region, and autonomous prefectures and counties of Qinghai, Gansu, Sichuan and Yunnan in the People’s Republic of China. [↑](#footnote-ref-1)
2. UNESCO, 16 August 2022, ‘Tentative Lists - China’, <https://whc.unesco.org/en/tentativelists/?action=listtentative&state=cn&order=states>. [↑](#footnote-ref-2)
3. The Historic Ensemble under question in Lhasa consists of the Potala Palace, winter home of the Dalai Lama since the 7th century until the current Dalai Lama’s escape into exile in 1959, the Jokhang Temple, and the Norbulingka, the Dalai Lama’s former summer palace. The three buildings were inscribed as UNESCO World Heritage in 1994, 2000 and 2001 respectively. [↑](#footnote-ref-3)
4. #  International Campaign for Tibet, 30 July 2018, ‘Former home of Dalai Lama’s parents demolished in Lhasa’, <https://savetibet.org/former-home-of-dalai-lamas-parents-demolished-in-lhasa/>.

 [↑](#footnote-ref-4)
5. UNESCO, 2019, ‘Summary of the State of Conservation by the State Party: Executive Summary, Historic Ensemble of the Potala Palace, Lhasa’, <https://whc.unesco.org/document/180372>, page 1. [↑](#footnote-ref-5)
6. #  International Campaign for Tibet, 7 May 2020, ‘Concerns about construction at UNESCO-protected Jokhang Temple in Tibet’, <https://savetibet.org/concerns-about-construction-at-unesco-protected-jokhang-temple-in-tibet/>.

 [↑](#footnote-ref-6)
7. According to a Western visitor to Lhasa who has undertaken the pilgrimage on numerous occasions. [↑](#footnote-ref-7)
8. According to the regional tourism development committee cited by Xinhua, ‘Tourism booming in Tibet during holiday week’, 20 February 2018. [↑](#footnote-ref-8)
9. International Campaign for Tibet, 13 September 2016, ‘China showcases new plans at Tourism EXPO in Lhasa, while top-down imposition of economic model and repression continues’, <https://savetibet.org/china-showcases-new-plans-at-tourism-expo-in-lhasa-while-top-down-imposition-of-economic-model-and-repression-continues/> [↑](#footnote-ref-9)
10. Amund Sinding-Larsen (2012), ‘Lhasa community, world heritage and human rights’, International Journal of Heritage Studies, page 301.   [↑](#footnote-ref-10)
11. Ibid., Amund Sinding-Larsen, ‘Lhasa community, world heritage and human rights’, page 303.   [↑](#footnote-ref-11)
12. Forestry Department of the TAR, cited in: “西藏禁止和限制开发区域超80万平方公里，占全区面积70%”, <http://www.thepaper.cn/newsDetail_forward_1774568>. [↑](#footnote-ref-12)
13. Statement made to UNESCO World Heritage Committee in Krakow, Poland, July 2017; see International Campaign for Tibet report, ‘UNESCO approves controversial World Heritage Tibet nomination despite concerns’, July 7, 2017, <https://www.https://savetibet.org/unesco-approves-controversial-world-heritage-tibet-nomination-despite-concerns/>. [↑](#footnote-ref-13)
14. #  *Ban on access to nature reserves in Tibet raises concern about Tibetan nomads at UNESCO site*, International Campaign for Tibet, 11 December 2017, <https://savetibet.org/ban-on-access-to-nature-reserves-in-tibet-raises-concern-about-tibetan-nomads-at-unesco-site/>.

 [↑](#footnote-ref-14)
15. Emily Yeh, 3 February 2014, ‘Do China’s nature reserves only exist on paper?’, China Dialogue,
<https://chinadialogue.net/en/nature/6696-do-china-s-nature-reserves-only-exist-on-paper/>. [↑](#footnote-ref-15)