



For immediate release – 25 March 2008

STATEMENT

Tibet: Dialogue and respect for freedom of expression is the legitimate and effective response

ARTICLE 19 condemns the Chinese authorities' brutal crackdown on Tibetans in Lhasa and the imposition of restrictions and controls on freedom of expression, freedom of the press and the free flow of information. The organisation joins its voice to those of the 29 courageous Chinese intellectuals who, on 22 March, appealed to the Chinese government to allow the Tibetan people to express fully their grievances and hopes.

The right to freedom of opinion and expression is a fundamental right which safeguards the exercise of all other rights and is a critical underpinning of democracy. China has signed, but not yet ratified, the International Covenant on Civil and Political Rights (ICCPR), which guarantees the fundamental human rights to freedom of expression and freedom of assembly. Signing the ICCPR “creates an obligation to refrain, in good faith, from acts that would defeat the object and the purpose of the treaty”.¹ China is thus required to act in good faith to respect ICCPR obligations to respect freedom of expression (Article 19) and the right to peaceful protest (Article 22).

Limited restrictions on these rights are permitted, for example where necessary to protect interests such as public order, but only where they are provided for by law, and are necessary and proportionate to secure the interest. The violence in Lhasa, the killings of demonstrators, and the restrictions imposed on the press and on the free flow of information fail to meet these basic requirements. Instead of responding with force, the Chinese authorities should engage in dialogue with relevant actors to ensure that a peaceful solution can be found to the underlying problems.

ARTICLE 19 is also deeply concerned with the censorship imposed on the media and the one-sided coverage of these events by the official Chinese media. ARTICLE 19 is particularly concerned that this coverage may further ignite ethnic tensions and incite violence as protestors feel they do not have any alternative options for articulating their concerns.

History and experiences the world over have demonstrated that the exercise of the right to freedom of expression plays a key role in promoting tolerance and mutual understanding in society, whereas repression and censorship are likely to prevent longer-term solutions to underlying problems. In the longer-term, dialogue and the safe exchange of views constitute the only avenue for lasting peace, mutual and international respect.

ARTICLE 19 calls on the Chinese authorities to:

- **Respect and protect the right of all Chinese citizens, including Tibetans, to freedom of conscience and opinion, and to the peaceful expression of their views.**
- **Protect the right to freedom of expression of the Chinese intellectuals who endorsed the 22 March petition and refrain from taking any punitive action against them.**

¹ Articles 10 and 18 of the Vienna Convention on the Law of Treaties, 1969.

- **Lift the restrictions imposed on journalists and the free flow of information to and from China and the Tibetan region.**

ARTICLE 19 also urges the Chinese authorities to enter into dialogue with all parties concerned, including the Dalai lama, with the view of finding a lasting and peaceful solution to the situation in Tibet.

Background:

On 10 March peaceful protests started in Lhasa to mark the 49th anniversary of the Tibetan uprising against Chinese rule. In previous years such protests were allowed to take place and the government did not intervene. This year, however, the protests spread into the main monasteries of Lhasa, which were then surrounded by the Chinese army. The demonstrations spiraled into a series of protests led by the monks and turned violent.

The Chinese government has prohibited all national and foreign journalists from travelling to Tibet and reporting on the situation in Tibet and nearby provinces, despite China's pledge in January 2007 to allow foreign journalists in China to freely carry out their work ahead of the Olympic Games. This makes it difficult to verify how many people have been killed in the clashes between the Chinese authorities and Tibetans. Estimates vary from 22, according to Xinhua (China's state run press agency), to 130 according to the Tibetan government exiled in India.

On 16 March, the authorities blocked the websites of international news media for all users in China, including Tibet. They also blocked web discussion forums, webmail and sites such as You Tube, thus preventing Tibetans and Chinese from reporting on the events to the rest of the world.

On 22 March, 20 Chinese intellectuals signed a web petition appealing to the Chinese government to admit that its policy of crushing dissent in Tibet was failing. The open letter, posted on Boxun.com, a website for overseas Chinese, recommends giving independent media access to conflict areas, and asks the government to protect freedom of speech and worship. It also urges the government to open a new dialogue with the Dalai Lama: *"We hold that we must eliminate animosity and bring about national reconciliation, not continue to increase divisions between nationalities. A country that wishes to avoid the partition of its territory must first avoid divisions among its nationalities. Therefore, we appeal to the leaders of our country to hold direct dialogue with the Dalai Lama. We hope that the Chinese and Tibetan people will do away with the misunderstandings between them, develop their interactions with each other, and achieve unity. Government departments as much as popular organizations and religious figures should make great efforts toward this goal."*

NOTES TO EDITORS:

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- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.