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Human rights situations that require the Council's attention

Written statement* submitted by Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), a non-governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 May 2011]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

People's Republic of China (PRC): Tibetans dying from torture

Since the 2008 Uprising on the Tibetan Plateau, different sources report of Tibetans dying as a consequence of torture inflicted upon them after imprisonment by the Chinese authorities which, in a way, is a form of "extrajudicial killings. One of the latest cases is that of Jamyang Jinpa, 37, a monk from Labrang monastery, who died on 3 April, 2011 after suffering severe torture whilst in detention. He was detained on 9 April, 2008. The monastery is located in Sangchu (Chinese: Xiahe) county, Kanlho (Chinese: Gannan), in present-day Gansu province in the PRC.

Jamyang Jinpa was detained by armed security personnel (Wu Jing) on the night on April 9, 2008 at Labrang. Because of his strong English language skills, he had been acting as a guide for a group of foreign press who visited the monastery. The press tour was organized by the Chinese authorities in an attempt to show that the situation had returned to normal following major protests across Tibetan regions from March 10, 2008 onwards, which included peaceful protests at Labrang. When a group of monks burst into the monastery courtyard to begin a peaceful demonstration in front of the reporters, Jamyang Jinpa joined them, speaking to the journalists about the lack of respect for human rights in Tibet.

It has emerged that the Chinese authorities contacted Jamyang Jinpa's family to collect him from detention on May 15, 2008. One source had these observation on his condition: "When they came to collect Jamyang Jinpa, he could not walk or stand, and had no feeling in his legs ... He could not recognize his family, his eyesight was completely gone, and he seemed to have no memory of what had happened to him. It is likely that the authorities only released him because they did not want him to die in custody."

After receiving medical treatment arranged by his family, his eyesight and mental health improved, but his overall condition continued to deteriorate and he died at around 10 am local time on last April 3. It is known that Jamyang Jinpa was in good health before he was detained.

According to medical experts who has experience in dealing with individuals who have been tortured, Jinpa's symptoms on release were consistent with severe torture: bleeding or haemorrhage in the brain can be a result of beating and kicking of the head, and in this case could have been conjoined with other factors such as damage to the kidneys, again due to beating or severe dehydration. This can result in chronic damage to the kidneys over a period of time, and can also be associated with direct damage of the nervous system. Beatings on the head can affect the stability of movement and visual perception.

Jamyang Jinpa, who was from a nomadic family, became a monk at Labrang while in his twenties. He had escaped into exile in the early 1990s and studied both English and Tibetan in exile Tibetan schools in India. On his return to Tibet in 1996, he decided to be a monk, and because of his strong English language skills, he became the main English guide for foreign visitors to Labrang, working in the monastery office. Images of Jamyang Jinpa, Sangey Gyatso and other Labrang monks who protested in front of a group of foreign press were broadcast around the world¹. Jamyang Jinpa can be viewed on the footage next to another monk covering his head with his robe, calling for human rights in Tibet.

Following the protests at Labrang monastery, in March and April 2008, armed police were deployed "in every corner of the monastery" and searched all of the monks' quarters.

¹ see: http://www.youtube.com/watch?v=_j3dm7phbZs

Numerous Labrang monks were detained and many severely tortured. One monk who had participated in the March, 2008 protest, Tsultrim Gyatso, was sentenced to life and another, Thabkhe Gyatso, to 15 years in prison. The authorities did not inform family members of the trial and denied them access to the monks during the year-long pre-trial period. Three of the 15 Labrang monks who participated in the protest in front of the journalists in April, 2008 and who went into hiding afterwards managed to escape to India.

One of them, Lobsang, told the New York Times that they decided to protest in order to express their feelings to the outside world. “The protests were caused by human rights issues and Chinese policies towards Tibet. We couldn’t tolerate it anymore. I joined the protests with the idea of saving Buddhism, which is endangered by Chinese policy. I want His Holiness the Dalai Lama to return to Tibet, but the Chinese don’t even allow us to display his picture.”²

The tragic circumstances surrounding the death of Sangey Gyatso, a monk from Labrang monastery, shows the fear and intimidation Tibetans face when they seek to exercise their rights of assembly and expression. The forty-two year old monk, one of the main organizers of a protest in front of foreign journalists at the monastery on April 9, 2008 and earlier demonstrations at his monastery, died after living for more than a year in hiding.

Images of Sangey Gyatso and 14 other Labrang monks who protested show Sangey Gyatso, a slight figure with a moustache, can be seen on video³ calling for human rights and brandishing the Tibetan flag, banned in Tibet, made of paper. Sangey Gyatso also participated in a major demonstration against Chinese policies several weeks earlier on March 15 and 16, 2008, at Labrang.

When armed troops arrived at the monastery, Sangey Gyatso fled into hiding in the mountains. Living in a remote high altitude area away from any proper facilities, his already fragile health deteriorated dramatically and he died last February 26. It is being known that: “Relatives visited him while he was in the mountains to give him some Tibetan medicine as his illness became worse. During the winter last year they took him to the local hospital despite the risk that he would be detected and arrested. When he deteriorated further, they tried taking him to a better hospital in Xining, but that hospital refused to treat him because of his involvement in the protests.” In desperation, the family took him to another hospital in Gansu province, where the doctors told them there was nothing they could do. Sangey Gyatso returned to Labrang monastery, where he passed away.

Sangey Gyatso, who was born in 1969 in Sangkak township, Sangchu county, became a Labrang monk at the age of 16 and was highly regarded among colleagues at Labrang as a sincere and highly educated monk. He travelled to India in 1991, and studied at the exile Drepung monastery in south India for a short time before returning home to Tibet. According to a close friend, although he had left Tibet simply to study in India, he was questioned on several occasions by Public Security Bureau personnel about his visit.

On April 9, 2008, Sangey Gyatso was one of 15 monks who burst into the courtyard at Labrang monastery where about 20 Chinese and foreign journalists on a state-organised media tour were assembled. They spoke for several minutes to the journalists, first attempting to communicate in Tibetan, but then switching to Chinese. Several of the Labrang monks were weeping as they spoke to the journalists, and some (including Sangey Gyatso) carried the Tibetan flag made out of paper. In the video of the protest, the monks

² New York Times report and video, June 20, 2009, (<http://www.nytimes.com/2009/06/21/world/asia/21tibet.html>)

³ See <http://www.youtube.com/watch?v=sNRuQ2-kPoI>, and http://www.youtube.com/watch?v=_j3dm7phbZs

can be seen offering a khatag (a Tibetan white blessing scarf) to a journalist and one of them says: "We sincerely thank you for coming here." The monk also places the blessing scarf on the journalist's camera, indicating perhaps the hope that the images would be shared with the rest of the world⁴.

According to a translation of their comments from footage of the protests broadcast internationally, Sangey Gyatso told the journalists: "We want human rights", and speaking to the other monks said: "Do we want human rights?" The response was in the affirmative in Tibetan, and one monk repeated this in Chinese. One of the young monks holding the large Tibetan flag shouts: "We want human rights, we want freedom for Tibetans. ..." One of the monks told the journalists: "Tibetans, especially the elderly, are like the setting sun over the peak of a mountain." According to the translator, this means that Tibetans are leading a precarious existence on the brink of extinction.

In conclusion, we urge the Chinese authorities to fully adhere to and implement its obligations to implement the Convention Against Torture and request the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Special Rapporteur on extrajudicial or summary killings to closely monitor the situation in China, including over these cases of deaths of peaceful protesters.

⁴ See www.youtube.com/watch?v=sNRuQ2-kPoI and www.savetibet.org/media-center/ict-news-reports/raid-labrang-monastery-monks-taken-away-climate-fear-prevails