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HUMAN RIGHTS SITUATIONS THAT REQUIRE THE COUNCIL'S ATTENTION

Written statement* submitted by the 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.

[22 May 2009]

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

Alarming Human Rights Situation in the Tibetan areas

Key Tibetan Political Prisoners

It must be noted that all the Tibetan political prisoners in Tibet are deserving of mention.

All were sentenced for having political beliefs and religious faith that are contradictory to what is being held by the government of the People's Republic of China (PRC). There are many more political prisoners that are facing long sentences or life term. However, we have reported some of the key figures.

• Gedhun Choekyi Nyima

The XIth Panchen Rinpoche of Tibet, has turned 20 on 25 April 2009. It has been 14 long years that he has been missing since his abduction by the PRC government at the age of six in 1995. Despite pressures from governmental and non-governmental officials around the world for any information relating to Gedhun Choekyi Nyima and meeting with him to ascertain his well being, the PRC government has remained unresponsive and uncooperative so far.

Adding urgency to the already concerning case, a Japanese journalist named Yoichi Shimatsu had reportedly stated in a conference at Qinghua University in Beijing that His Eminence Panchen Rinpoche Gedhun Choekyi Nyima had died of cancer some years ago. Although the report remains unverified, it however becomes all the more important and urgent to make the PRC authorities accountable to provide information as to the whereabouts and well being of the XI Panchen Rinpoche.

• Phurbu Tsering Rinpoche (*Pin-yin. Pubu Ciren*)

A respected Tibetan lama from Kardze County, Kardze "TAP", Sichuan Province, the 52-year-old Phurbu Tsering Rinpoche (ordained as Lobsang Tenzin Yeshe Thrinlay) is the first senior Buddhist leader to face a serious charge linked to 2008 protest. He was arrested on 18 May 2008 after more than 80 nuns from a nunnery in Kardze that he heads, protested against imposition of "patriotic re-education" campaign. Rinpoche was arrested on the charge that more than 100 bullets and cartridges were found under his bed. He denied the allegation saying that he was framed. He could be imprisoned for up to 15 years if found guilty of the charges leveled against him and two Chinese lawyers are currently representing him.

• Wangdue

A former monk in his 40s, Wangdu is a former political prisoner. He was working as HIV/AIDS activist with the Burnet Institute, an Australian medical research and public health NGO. He was sentenced to life on alleged charges of accepting assignments from the "Public Security Department" of the Dalai Clique and for establishing an underground intelligence network in Lhasa. He was accused of distributing copies of a CD containing incitements to split the country, and leaflets inciting to hold a "People's Uprising in Tibet" given to him by the "Public Security Department" of the Dalai Clique.

- **Migmar Dhondup**

He was sentenced to 14 years and deprivation of political rights for 5 years. He was accused of allegedly helping Wangdue distribute the CDs and leaflets. Both were accused of espionage.

- **Yeshi Choedon**

A former health worker in her 50's was sentenced to 15 years in prison and deprivation of political rights for five years. Her charge was that she had accepted assignments and received funds from the "Public Security Department" of the Dalai clique.

- **Sonam Tseten**

He was sentenced to 10 years in prison and deprived of political rights for five years. He was accused of allegedly having worked for "separatist" organization "Gu Chu Sum" by providing them information concerning national security and interests.

- **Paljor Norbu**

The most notable arrest related to freedom of expression has been that of 81-year-old Paljor Norbu. He was secretly sentenced to seven years for crimes related to printing 'prohibited materials'.

- **Bangri Tsamtrul Rinpoche or Jigme Tenzin Nyima (*Pin-yin. Jinmei Danzeng Nema*)**

Aged 42, Bangri Tsamtrul Rinpoche is the founding head of former Gyatso children's home and school, a privately funded orphanage for Tibetan children. He was initially sentenced to life but later commuted to fixed term which was reduced by one year. His partner Nyima Choedon, aged 37, is serving seven and a half year in prison. Both were linked by the Chinese authorities to an attempt by a Tibetan construction worker at the school to raise the Tibetan flag in the main square in Lhasa and to blow himself up with explosives. Bangri Tsamtrul Rinpoche and Nyima Choedon were arrested and the school was closed after the incident.

- **Trulku Tenzin Delek**

A highly respected and popular lama from Kardze County, Kardze "TAP", Sichuan Province, Trulku Tenzin Delek is widely known for his social welfare activities and cultural preservation in Tibet. Owing to his popularity which the Chinese authorities view as threatening social stability of the region, Trulku Tenzin Delek was sentenced in December 2002 to death with a two-year reprieve. His alleged crimes were involvement in a series of unsolved bombings in eastern Tibet in December 2002. His follower Lobsang Dhondup was sentenced to death and executed almost immediately, marking the first execution of a Tibetan for political crimes in 20 years. Trulku's death sentence was later commuted to life term on 26 January 2005.

- **Rungye Adak**

A respected local figure and a native of Yonru Kharshul, a village near Lithang, Sichuan Province, Rungye Adak is a father of eleven children He seized the microphone during a speech at a horse-racing festival in Lithang on 1 August 2007, and shouted for the return of His Holiness

the Dalai Lama and the release of Gedhun Choekyi Nyima and of Trulku Tenzin Delek. On 27 August 2007, Rungye Adak was charged with "provocation to subvert state power" and on four counts of "crimes ranging from disruption of law and order to state subversion. On 20 November 2007, he was sentenced to eight years of imprisonment with deprivation of political rights for four years.

- **Jigme Gyatso:** Aged 44, Jigme Gyatso was born in Kersul district in Amdo and a primary school graduate. He was arrested in Lhasa on 30 March 1996 for engaging in political activities. He was under suspicion as he had travelled to India in 1985 to seek blessings from His Holiness the Dalai Lama. For his alleged political activities relating to pasting of pro-independence posters, Jigme was sentenced to 15 years prison term in Drapchi Prison.

Racial Discrimination

In Tibet, the racial discrimination operates at two levels – one level emanating from inherent sense of Han superiority rhetoric and another from the government's policy implementation. PRC refuses to treat Tibet and Tibetans on an equal basis. It justifies its 1949 invasion of Tibet as a "peaceful liberation" of the "backward Tibetans". The population transfer of Chinese migrants into Tibet creates social tension, discrimination and marginalisation of Tibetans in the field of employment, education and healthcare. Autonomy is guaranteed in China's Regional National Autonomy Law. But the topdown approach employed by the government's leadership in terms of formulating and implementing policies in Tibet fail to take into account Tibetan concerns and viewpoints.

Especially in the wake of 2008 protest, the PRC government's excessive and one-sided version of "Lhasa riot" and "March 14 incident" has stirred up ethnic animosity and heightened ethnic divide between the Tibetans and Chinese. His Holiness the Dalai Lama in his 10th March 2009 statement has said, "Tibetan people are regarded as criminals deserving to be put to death." A Tibetan by name of **Qiaga Tashi Tsering** of Beijing Nankai University was turned away from seven to eight different hotels in Beijing when he identified and introduced himself as a Tibetans. He was told that "Tibetans can't stay here" and that Tibetans would need certification from local police. His frustration and sadness is aptly summed up in his poem:

But sixty years later and we can still be confronted with the tragic reality of "Tibetans can't stay here."

Sixty years later and Tibetans still live in the shackles of apartheid and chained by racism, every step an ordeal and misery.

Sixty year later, amidst a vast ocean of material glory, Tibetans still live on an island of poverty.

Sixty years later, Tibetans are withering and fading in the corners of Chinese society.

Why?

MRAP strongly urges Human Rights Council to call upon China:

1. To provide unimpeded access to Tibet for UN human rights experts, including the UN High Commissioner for Human Rights and other independent observers to assess the human rights situation in the Tibetan areas
2. To provide unrestricted foreign media access to all Tibetan areas
3. To fully implement the recommendations made by the Special Procedures mandate-holders and UN Treaty Bodies on Tibet
4. To release immediately and unconditionally all those detained and imprisoned solely for engaging in peaceful protest and/or other peaceful political activities
5. To receive and allow access to the Tibetan areas for the Special Rapporteur on Freedom of Religion or Belief and other invited Special Procedure mandate-holders including the Special Rapporteur on Summary or Arbitrary Executions
6. To end policies and practices which undermines the practice and preservation of Tibetan Buddhism, including State's intervention in the identification and training of Tibetan reincarnate lamas, and the use of 'patriotic education' campaigns, which include vilification of the Dalai Lama
7. To implement the recommendations of the UN Committee on the Rights of the Child, including access for an independent body to visit the Gendun Choekyi Nyima, the 11th Panchen Lama of Tibet
