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**Promotion and protection of all human rights,
civil, political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Helsinki Foundation for Human Rights, a non-governmental organization in special consultative status

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

[19 May 2010]

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

Human Rights after the Earthquake in Yushu on 14 April 2010

1. This statement pays heartfelt condolences to the people in Yushu over the devastating loss of lives, destruction, hardship and isolation in the aftermath of the massive earthquake on 14 April 2010 in the People's Republic of China.
2. Showing a public emotion of their loss, Tibetans in the region in rare step petitioned the Chinese leadership to allow a visit by the Dalai Lama to Yushu. The petition posted on www.boxun.com said: "Dear President Hu and Premier Wen. When we suffered the enormous natural disaster of the earthquake, your Party and government immediately dispatched officials and soldiers and forces from all areas of society to rescue us, the victims, and we in the disaster area are extremely thankful for the government's help. But we are masses with a religious faith and for generations upon generations we Buddhists have believed in Gwalya Rinpoche the Dalai Lama. At such a time as this when we have suffered such a terrible blow we are in urgent need of the Dalai Lama to come to our disaster area and provide salvation for our dead and comfort for our wounded souls. President Hu and Premier Wen, we request that in your gracious benevolence you may satisfy the wishes of the people in the disaster area. We Tibetan victims in our tens of thousands plead with the Party and central government to set aside your grudges against the Dalai Lama for the sake of the people in the disaster area. We only wish the Dalai Lama to come to the disaster area to offer salvation for our dead and prayers for the victims. There is no other purpose to this than that of religious faith. It is only by means of the Dalai Lama visiting here to pray for our comfort that the wounds in our souls may be healed, and aside from this there is no better means."
3. On 12 May 2010, Lodi Gyaltzen Gyari, Special Envoy of His Holiness the Dalai Lama, urged the Chinese central government to respond positively to the Dalai Lama's request to visit the earthquake-hit Tibetan area of Kyegundu (Yushu Tibetan Autonomous Prefecture). Speaking on Voice of America, Lodi Gyari said: "If the Chinese leaders are able to make the far-sighted decision to allow His Holiness the Dalai Lama to visit Kyegundu, then it will create unprecedented good will among Tibetans everywhere, especially Tibetans most affected by the earthquake." Three days after the earthquake struck on April 14, the Dalai Lama expressed publicly his eagerness to go to Kyegundu and offer spiritual comfort to those affected. He also expressed appreciation to the Chinese authorities, especially Prime Minister Wen Jiabao, for visiting Kyegundu and overseeing the relief work (www.tibet.net). According to official Chinese estimates, 2,183 people have died, 12,128 are injured, and 100,000 are homeless.
4. Lodi Gyari also said that it is regrettable that in such a tragic situation some people in China are deliberately creating dissension and obstructing progress towards a harmonious society by making statements that distort the facts. He referred particularly to remarks alleging that the Tibetan exile leadership was exploiting the situation by conducting fundraising in the name of a worldwide relief effort. (Phoenix TV, http://phtv.ifeng.com/phoenixinfonews/detail_2010_05/08/1496932_0.shtml). "It is the moral responsibility of His Holiness the Dalai Lama, the Tibetan leadership and Tibetans around the world to do whatever we can to help the injured and traumatized in a time of great need. Yet, anticipating that Chinese authorities would resist such an effort, the Tibetan leadership did not make any public appeal for donations until after Chairman Jia Qinglin's April 19 statement welcoming donations from all overseas Tibetans. Only then did the Kashag urge the exile Tibetans to contribute to the relief of Tibetans in Kyegundu through an NGO established solely for this purpose by volunteers from Kyegundu that now reside in Dharamsala, India," Gyari said.

5. On 20 April 2010, Associated Press (AP) reported that Norway-based Voice of Tibet, had established a call-in service for messages of condolence to the quake victims in Tibet through a separate program beamed on short wave (radio). The AP story urged the PRC authorities not to jam or interfere with these transmissions, as they would only contain messages of condolences. Many people from around the world called to convey their messages. As Voice of Tibet waited for a successful transmission, a powerful audio breaks through, in Chinese, taking center stage on their short wave frequency 15.550 MHz, dominating on top of the condolence messages. Although registered internationally for Voice of Tibet's exclusive use between 7 and 9 pm Tibet time, it is China Radio International's (CRI) audio now attempting to rule the frequency. It is called jamming and is part of China's "Great Wall of Censorship".

6. Speak Up and Get Arrested - At 5pm on April 23, apparently five or six police officers from Xining Police Station came to the Qinghai Nationalities Publishing House and took Shogdung to his house and then they searched his library and house. After taking some pictures, they took him away. In the evening at 10pm, several police officers came to his house again and took his two personal computers, saying that the police behavior was not so rough. Again at 3am in the morning, according to his wife Lhatso, the police came again to his home and handed them the arrest warrant and asked for some bedding for him. Taking the arrest warrant, in the early morning, two of his daughters and others went to see him at the local police station but they were not able to meet him and his whereabouts are still unknown.

7. According to High Peaks Pure Earth Website, Shogdung's real name is Tagyal (bkra rgyal) and he was a member of staff at the Nationalities Publishing House in Xining. He is the author of several books including the recent publication gnam sa go 'byed (The Line Between Sky and Earth) about the events in Tibet of 2008. In 1999, to mark the centenary of Lu Xun's death, Qinghai Tibetan News (mtsho sngon bod yig gsar 'gyur) carried two articles by Shogdung, which ignited huge debate amongst the Tibetan intellectuals in Amdo. High Peak Pure Earth adds: "From the blogpost it would appear that Shogdung's detention is related to the earthquake in Kham of April 14. Just three days after the earthquake, on April 17, a group of prominent Tibetan intellectuals based in Qinghai's Xining province had written an open letter of condolence to the victims of the disaster. Shogdung was one of the signatories of this open letter (in his real name Tagyal) and it was published on his blog...The open letter expresses condolences and at the same time is critical of the Chinese government in their handling of the earthquake relief efforts. Other signatories of this open letter include well known Tibetan writer and singer Jamyang Kyi and other members of the group known as the New School of Thought. The New School is a group of progressive writers who are critical of the past and argue for the need for internal reform and change in Tibetan tradition. They are highly critical of the negative aspects of Tibetan Buddhism. The Tibetan version of the open letter carries the pen names of the signatories but the Chinese version gives their full names, and also includes short descriptions of the people..."

8. The Open Letter (<http://www.highpeakspureearth.com/>) addressed to "the People in the Affected Area as Well as Those Who Are Concerned About the Disaster" stated: "Early morning on April 14, 2010 at 7:49, an earthquake of 7.1 magnitude struck Kham Yushu County. According to the media, ten thousand are injured but under close scrutiny, the real number could exceed the announced number. At the same time, this earthquake severely affected Pelyul, Derge and Dzachukha counties in Kardze prefecture...In fact, we peace-loving and in an inferior position (Tibetans) are not only shrouded by a great might, military force and brutality. This time a natural disaster has struck. Only by forcing oneself to endure, we should follow the teachings of our ancestors that heroes would not shed tears when crying bitterly and should stand up. Bearing in mind the teachings of our ancestors that everything is impermanent, we should wipe away the tears that have fallen on the

cheek. We should also remember well the rule that the family members have to live on though the dead will not return any more...However, as the news from the mouthpiece for the Party organisations can not be believed, we dare not believe in the Party organisations. The Party organisation ordered to temporarily suspend sending people to the disaster area for political purposes. For this reason, we in faraway Xining out of concern for you and your suffering send you this letter, apart from this, there is nothing else we can do. This is also heartfelt and sincere! .. In summary, we have a reminder or statement, hope all scholars and cadres empathise with the people of disaster areas to offer food, clothing and medicine! However, do not send your donations to the accounts of a certain organisation or a certain group as if you were paying taxes. The best thing to do is to send somebody one can fully trust to send one's contributions. Because, who can say that there is no corruption or the bad habit of arrogating to oneself."
