

from Tenzin Norgay <tenzinnorgay@tchrd.org>
to wgad@ohchr.org
info <info@tibetaton.org>,
bcc Tenzin Samphel Kayta
<samphel@tibetoffice.ch> hide details
date Sat, May 16, 2009 at 11:05 AM 11:05 AM
Fwd: Seeking urgent (0 minutes ago) Reply
subject intervention for Tibetan monk
Kelsang Gyatso arrested on 13
April 2009
mailed-by tchrd.org

Dear WGAD,

Pursuant to my case submission regarding the arbitrary detention of Mr. Kelsang Gyatso on 13 April 2009, I wish to inform the Working Group about the safe arrival of five Tibetan monks from Labrang County, China, out of which three monks were colleagues of Mr. Kelsang Gyatso who had participated in the media briefing on 9 April last year. The three monks who managed to escape from Tibet is gravely concerned about the safety of their colleague Kelsang as he will be subjected to torture during his arbitrary detention by the County Public Security Bureau.

Please find below links of two news articles regarding the arrival of the monks in India.

The Tibet Post International (11 May 2009)

<http://www.thetibetpost.com/en/news/tibet/141-tibet-hero-implores-international-community-be-strong-and-unitedlike-those-inside-of-tibet->

Radio Free Asia (9 May 2009)

<http://www.rfa.org/english/news/tibet/escape-05092009123135.html>

Best regards,

Tenzin Norgay

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from Tenzin Norgay <tenzinnorgay@tchrd.org>
to wgad@ohchr.org
info <info@tibetaton.org>,
bcc Tenzin Samphel Kayta
<samphel@tibetoffice.ch>
date Sat, May 2, 2009 at 4:53 PM
subject Seeking urgent intervention for
Tibetan monk Kelsang Gyatso
arrested on 13 April 2009
mailed-by tchrd.org

hide
details Reply
May 2

Working Group on Arbitrary Detention
c/o Office of the High Commissioner for Human Rights
United Nations Office at Geneva
8-14, avenue de la Paix
1211 Geneva 10, Switzerland

2 May 2009, Dharamsala, India

Dear WGAD,

The Tibetan Centre for Human Rights and Democracy (TCHRD) seeks your urgent intervention in the case of arbitrary detention of a 36-year-old Tibetan monk, Kelsang Gyatso, who was arrested on 13 April 2009 while travelling from Xiahe County in Gansu Province to Tsoed City in Kanlho, China.

Kelsang was wanted by the Xiahe County Public Security Bureau for his participation in a group of monks' defiant briefing to a government managed tour for a media group to the Labrang TashiKhyil Monastery in Xiahe County, Gannan "Tibetan Autonomous Prefecture", Gansu Province on 9 April 2009. The sudden display of emotions and defiant briefing by the monks caused much embarrassment to the authorities. Two monks from the group were disappeared involuntarily within days after the incident by the authorities and they are reported to be missing till date. Many monks left the monastery to escape arrest. Kelsang too left the monastery.

However, after several months in another location Kelsang had to return to the Labrang Monastery upon hearing about his uncle's grave health conditions. Despite his best efforts, his uncle passed away. On 13 April 2009, while he was travelling from Xiahe County to Tsoed City in a bus, he was picked up a group of police officers waiting for him on the road. He is currently known to be in Xiahe County Public Security Bureau Detention Centre. Please find

The TCHRD fears that the authorities will torture and perhaps also eliminate him for the 9 April 2009 incident that had caused major embarrassment to the government. Two monks, Thabkhey and Tsundue, have been missing till date and many in the area feel that they have been killed by government agents. A similar fate might also be met to Kelsang Gyatso. The TCHRD appeals the WGAD to immediately send an urgent intervention to the Chinese authorities regarding the arbitrary detention of Kelsang and thereby secure his life also. Please find attached the detail information enclosed in the model questionnaire provided by the working group on its web page.

Thank you,

Sincerely,

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Tenzin Norgay

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NOTE: Related information on the briefing by the monks to the media group on 9 April 2009 and also about protests staged by the Tibetans in March 2008

1) Monks defiant briefing to the media tour organized by the government [video on youtube.com]

http://www.youtube.com/watch?v=sNRuQ2-kPoI&eurl=http%3A%2F%2Fagamsgecko.blogspot.com%2F2008%2F04%2Fvideo-labrang-monks-crash-ccp-media.html&feature=player_embedded

2) Youtube video with translation of the monks briefing to the media personnels

http://www.youtube.com/watch?v=_j3dm7phbZs&feature=related

3) Protesting monks storm media tour in western China - [Reuters, 9 April 2008]

<http://www.reuters.com/article/topNews/idUSPEK17816120080409?sp=true>

4) Situation extremely tense in Xiahe County, defiant monks in front of media tour disappears - [9 May 2008]

<http://tchrd.org/press/2008/pr20080509b.html>

5) Fresh Pictures: thousands of Tibetans demonstrated in (Amdo Labrang), Sangchu County, Gansu Province in North Eastern Tibet on 14 March 2008 - [15 March 2008]

<http://tchrd.org/press/2008/pr20080315.html>

6) Mobile phone pictures depict intensity of demonstration in Amdo Labrang - [14 March 2008]

<http://tchrd.org/press/2008/pr20080314b.html>

7) Fresh protests in Amdo Labrang - [15 March 2008]

<http://tchrd.org/press/2008/pr20080315b.html>

**MODEL QUESTIONNAIRE TO BE COMPLETED BY PERSONS
ALLEGING ARBITRARY ARREST OR DETENTION¹**

I. IDENTITY

1. Family name:Tsa yue.....
2. First name: ...Kelsang Gyatso.....
3. Sex: (Male)
4. Birth date or age (at the time of detention):36 years old.....
5. Nationality/Nationalities:.....Tibetan.....
6. (a) Identity document (if any):Picture below taken by a media correspondent during a Chinese government organized media tour to the Labrang Monastery on 9 April 2008.....



(b) Issued by:

.....

(c) On (date):

.....

¹ A separate questionnaire must be completed for each case of alleged arbitrary arrest or detention. As far as possible, all details requested should be given. Nevertheless, failure to do so will not be necessarily result in the inadmissibility of the communication.

(d) No.:

.....

7. Profession and/or activity (if believed to be relevant to the arrest/detention):
...Kelsang Gyatso is a monk at the Labrang Tashikyil Monastery in Labrang (Ch: Xiahe) County, Gannan "Tibet Autonomous Prefecture", Gansu Province. On 9 April 2008 he was among a group of monks who defiantly briefed about human rights violations to a group of media personnels on a government organized media tour to the Xiahe County. Thereafter he went to another location and stayed there until his return to Xiahe County to see an ailing uncle. He has been arrested on 13 April 2009 for his defiant briefing to media personnels.....

8. Address of usual residence:
.....Labrang Tashikyil Monastery in Labrang (Ch: Xiahe) County, Gannan "Tibet Autonomous Prefecture", Gansu Province.....

II. Arrest²

1. Date of arrest:.....13 April 2009.....
2. Place of arrest (as detailed as possible):
.....Kelsang Gyatso was lifted by a group of police officers waiting in a vehicle while he was traveling from Labrang to Martsoed City in the morning of 13 April 2009.....
3. Forces who carried out the arrest or are believed to have carried it out:
.....Xiahe Public Security Bureau.....
4. Did they show a warrant or other decision by a public authority?
(No).....
5. Authority who issued the warrant or decision:
.....
.....
.....
6. Relevant legislation applied (if known):
.....
.....
.....
.....
.....
.....

² For the purpose of this questionnaire, "arrest" refers to the initial act of apprehending a person. "Detention" means and includes detention before, during and after trial. In some cases, only section II, or section III may be applicable. None the less, whenever possible, both sections should be filled in.

III. Detention³

1. Date of detention:Since 13 April 2009.....
2. Duration of detention (if not known, probable duration):Since 13 April 2009 till date.....
3. Forces holding the detainee under custody:
.....Xiahe County Public Security Bureau officers.....
4. Places of detention (indicate any transfer and present place of detention):
.....Xiahe County Public Security Bureau Detention Centre.....
5. Authorities that ordered the detention:
.....
.....
.....
6. Reasons for the detention imputed by the authorities:
.....
7. Relevant legislation applied (if known):
.....
.....
.....
.....

IV. Describe the circumstances of the arrest and/or the detention and indicate precise reasons why you consider the arrest or detention to be arbitrary ^{9/}
.....Kelsang Gyatso, 36 years old, was

Beginning from 10 March 2008 Tibetans through out Tibet rose up against the Chinese rule in Tibet. Xiahe County in Gansu Province was one of the area where some of the strongest and the most fearless demonstrations were staged by the local Tibetan population on 14 and 15 March 2008. The monks of the local Labrang Tashi Khyil Monastery led and participated in the demonstrations in great numbers demanding an end to Chinese occupation of Tibet.

On 9 April 2008, the Chinese government organized a media tour to the area after repeated concerns raised by the international community. Much to the surprise and embarrassment to the authorities, when the media group arrived at the Labrang

³ For the purpose of this questionnaire, "arrest" refers to the initial act of apprehending a person. "Detention" means and includes detention before, during and after trial. In some cases, only section II, or section III may be applicable. None the less, whenever possible, both sections should be filled in.

TashiKhyil Monastery the monks defiantly gave briefings concerning lack of human rights in Tibet. This briefing caused major embarrassment to the authorities who faced a similar outburst by the monks during an earlier government managed tour at Jokhang Temple in Lhasa.

In the aftermath of the monks briefing to the media at the Labrang Monastery, two monks, Lobsang Thabkhey and Tsundue, have been dissappeared involuntarily by the authorities and they are reported to be missing till date. Several other monks from the monastery fled to other areas to escape arrest by the authorities. Kelsang Gyatso too left the monastery and lived in an undisclosed location for several months. However, he had to come back to Xiahe County when he learned that his uncle at the monastery was seriously ill. Despite his best attempts, his uncle passed away.

On 13 April 2009, Kelsang while travelling to Tsoed City in a bus was picked up on the way by a group of police officers waiting for him.

V. Indicate internal steps, including domestic remedies, taken especially with the legal and administrative authorities, particularly for the purpose of establishing the detention and, as appropriate, their results or the reasons why such steps or remedies were ineffective or why they were not taken

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.....
.....
.....

VI. Full name and address of the person(s) submitting the information (telephone and fax number, if possible) ⁴

Tenzin Norgay

Personnel for UN Affairs

Tibetan Centre for Human Rights and Democracy

Top Floor, Narthang Building

⁴ If a case is submitted to the Working Group by anyone other than the victim or his family, such person or organization should indicate authorization by the victim or his family to act on their behalf. If, however, the authorization is not readily available, the Working Group reserves the right to proceed without the authorization. All details concerning the person(s) submitting the information to the Working Group, and any authorization provided by the victim or his family, will be kept confidential.

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Date:1 May 2009..... Signature:

A handwritten signature in dark ink, appearing to be 'Tenzin Norgay', written over a horizontal line.