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Response to government of PRC document (GJ/062/2009) with regard to the extrajudicial killing of Phuntsok Rabgay on 25 March 2009

1 message

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Sat, Sep 4, 2010 at 11:17 AM

To: eje@ohchr.org, sr-torture@ohchr.org

Special Rapporteur on extrajudicial, summary or arbitrary executions
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment
c/o Office of the High Commissioner for Human Rights United Nations Office at Geneva
CH-1211 Geneva 10
Switzerland

4 September 2009, Dharamsala, India

Dear Special Rapporteurs,

Greetings from the Tibetan Centre for Human Rights and Democracy (TCHRD). The TCHRD wishes to submit the following points in regard to the government of People's Republic of China's document (No. GJ/062/2009 dated 26 October 2009) to the Office of the High Commissioner for Human Rights (OHCHR Registry dated 27 Oct 2009). The Centre wishes to submit the following points to the Special Rapporteurs attention in light of the information and picture evidence gathered. The pictures clearly depict that the police have beaten to death Venerable Phuntsok Rabten and is not a case of suicide as is being projected by the government's response.

For your easy reference we have forwarded our complaint email dated 2 April 2009 and also enclosed the translation of the government's response in Chinese language.

1) The govt's reply starts with the discovery of Phuntsok's body after being informed by the monastery. By doing so they claim complete ignorance of Phuntsok's political activity in pasting political pamphlets on 25 March 2009 which was one day previous to Phuntsok's death on 26 March 2010 as reported by teh govt. He had pasted these pamphlets on the wall of branch office of Drango County PSB office, Shara Thang-do Bridge and trees at the sides of roads and highways in the County.

2) Phuntsok's leaflets (seven pages) were political in nature as it called on the local Tibetans in Drango County to forego crop cultivation and harvest as a solemn gesture of mourning for monks who were tortured, detained and imprisoned by the Chinese authorities. As a form of civil disobedience and non-cooperation movement, the message of his leaflets read:

"Let it be, if we die of hunger and starvation, but for those of our brothers and sisters who were tortured,

injured, detained and killed in the last year's peaceful demonstration [March 2008], we must forego planting crops in fields as a gesture of respect, mourning and to express our solidarity with them. Those who had already planted crops in the fields must not tend and reap the harvest. This is a request for all of you. If anyone who still goes on to plant crops in fields and harvest them, I will come with a black scarf to greet them."

3) The govt claims ignorance of the immediate circumstances leading to his death. According to sources, "while pasting leaflets on the walls of an automobile service centre in Drango County, Phuntsok was detected by Drango PSB personnel who came straight to arrest him. Sensing that PSB personnel were coming to arrest him, he fled on a motorbike behind Baatak Nunnery, situated at a base of a hill. Immediately Drango PSB forces pursued him for a while till at a waist of a hill, where his motorbike couldn't climb any further. He was arrested and severely beaten on the spot with batons. He died shortly after receiving inhuman beatings from the Chinese PSB personnel. The govt's reply claim that he died "due to carelessness by falling from 20 metres" thereby implicitly claiming that there was never a motorbike chase and of course no beatings when they caught him midway through the hill.

4) In an attempt to conceal the circumstance of his death, the PSB personnel dropped his corpse to a base of hill to conjure up a suicide scene. A day later local Tibetans learnt about his death and body lying at the bottom of a hill. The local Tibetans then cremated the body after three days. Right to the end, the Chinese authorities adamantly maintained that Phuntsok died after committing suicide while the local Tibetans were not convinced. The picture depicting external injuries on his head and leg clearly testifies that the injuries were due to beating and not by fall.

5) Tibetans in Kardze have already engaged in a civil disobedience movement by not tilling their fields in protest of the killings by the government law enforcement agencies in spring 2008. This civil disobedience movement was a huge embarrassment to the govt and they ordered the Tibetans to till the land which went unheeded. In light of such a circumstance, Phuntsok's pamphlets won't be tolerated by the government and its agencies.

The TCHRD once again thanks Special Rapporteurs for the opportunity in submitting this response.

Sincerely,

Tenzin Norgay (Mr.)

Research and UN Affairs

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Translation of the reply of government of People's Republic of China (Doc no GJ/062/2009 dated 27 October 2009 in the OHCHR Registry):

Phuntsok Rabten, Male, 26 years old, of Drango County, Kardze Tibetan Autonomous Prefecture, Sichuan Province, belongs to Hriling Monastery [the name of the monastery is not very clear]. On 26 March this year [2009] at 1.20 pm, the Democratic Management Committee of the Monastery informed the police that one of the monastery's monk had died at a remote place behind Wada Village. Drango County Public Security