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TIBETAN CENTRE FOR HUMAN RIGHTS AND DEMOCRACY

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Unveiling enforced disappearances through the Tibetan experience – a panel discussion on the International Day of the Victims of Enforced Disappearance

In 2012, China amended its Criminal Procedure Law, introducing a provision in Article 73 that marked an unconventional departure from established legal norms. This provision enabled a practice known as "Residential surveillance at a designated location" (RSDL), which allowed authorities to detain individuals without formal arrest for up to six months. Notably, this detention could occur at a location chosen by the police, circumventing the need for disclosure, due process, and the possibility of judicial review.

This departure from conventional legal procedures raises concerns as it legalises the use of "enforced disappearance." This practice stands in stark contrast to China's obligations under international human rights treaties it had ratified, such as the International Covenant on Economic, Social and Cultural Rights and International Convention on the Elimination of All Forms of Racial Discrimination. China has also signed and ratified the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and is accountable to other customary international laws.

In blatant acts of crime against humanity, numerous Tibetans have been subjected to enforced disappearance, leaving their whereabouts shrouded in uncertainty for extended periods. Tibetans have been subjected to arbitrary detention, which often paves the way for enforced disappearance, leading to subsequent instances of torture and inhumane treatment under broad and vague allegations of instigating "social instability" or "separatism".

This panel discussion aims to bring attention to this critical concern. Commencing with the screening of a brief explanatory video about enforced disappearance, underscoring the challenges and human rights violations faced by Tibetan educators, monastics, environmental

activists, and others, the event will move into a panel discussion. This discussion moderated by Centre's Tibetan researcher Nyiwoe will feature former Tibetan political detainees with firsthand experience of the suffering caused by enforced disappearance. The personal accounts of confinement and disappearance shared by individuals such as Mr Gendun Rinchen, Mr. Ngawang Woebar, and Geshe Tsering Dorjee will be complemented by insights from human rights researcher Mr. Wangden Kyab. Together, they will offer an in-depth exploration of the employment of enforced disappearance in Tibet.



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