

Commissioner Chris Patten
Commissioner for External Relations
Rue de la Loi 170
1040 Brussels

24th Februar 2004

Dear Commissioner,

I am writing to express my concern about the treatment by Chinese authorities of Tenzin Deleg Rinpoche, a religious leader in Tibet.

Tenzin Deleg Rinpoche (also known as Ngawang Tashi or A An Zha Xi) was arrested on 7th April 2002, following a bombing incident in Chengdu, the capital of Sichuan Province. According to official reports, "separatist" leaflets calling for Tibetan independence were found at the scene of the explosion. He was arrested, together with four other monks and was tried on 29th November 2002 and sentenced to death for the charge of "causing explosions", with a two-year suspension of execution on 2nd December 2002. He was also sentenced to 14 years' imprisonment for the offence of "inciting separatism".

There are serious concerns about Tenzin Deleg Rinpoche's treatment whilst in detention awaiting trial. Tenzin Deleg Rinpoche was reportedly held incommunicado for eight months at Dartsedo (Chinese: Kangding) Detention Centre, from the time of his arrest until his trial. Amnesty International has received unconfirmed reports that he was tortured or ill-treated in detention by being shackled by hand and foot and suspended from above.

It is unclear whether Tenzin Deleg Rinpoche had full access to adequate legal advice throughout the trial process and whether defence counsel was at all present at the sentencing. One relative told a foreign journalist, four days after the sentencing on 2nd December 2002, that "no lawyers were allowed (at the sentence hearing) since the accused were labelled 'reactionary and anti government'".

The authorities restricted access to Tenzin Deleg Rinpoche's trial, and only two members of his family were allowed to attend. This was apparently because his alleged crimes were related to "state secrets". The Chinese authorities have failed to explain publicly why the case is considered to be connected to "state secrets", and the evidence used to convict him remains unclear. Tenzin Deleg Rinpoche was not convicted of any crime relating to state secrets.

According to the Chinese authorities, Tenzin Deleg Rinpoche confessed that he had organised the bombings. However in January 2003, it was reported that Tenzin Deleg Rinpoche had secretly recorded a statement on an audio tape to the effect that he had no part in either the bombing or distribution of pamphlets.

Tenzin Deleg Rinpoche had come under suspicion from the local authorities for several years prior to his arrest. The authorities reportedly attempted to arrest him in 1998, when he tried to establish monasteries without official approval, and again in 2000. He also attracted the attention of the authorities by leading a popular protest against excessive logging by local timber companies. Given this context, there are serious concerns that he may have been targeted by the authorities for his peaceful religious and community activities, rather than any violent offences.

Tenzin Deleg Rinpoche was reportedly moved to a secret location after his sentence was upheld on 26 January 2003 by the Sichuan High People's Court. His current location remains unknown and I am concerned that he is at risk of being subjected to further torture or ill-treatment.

I am writing to urge you to write to the Chinese authorities urging them to clarify the whereabouts and legal status of Tenzin Deleg Rinpoche and provide immediate guarantees for his safety. The authorities should be called on to ensure he has full access to relatives, lawyers of his choice, and any medical treatment required. Further, they should conduct an immediate review of his case and conduct a retrial in line with international fair trial standards. Please make clear the EU's opposition to the imposition of the death penalty in all cases, and express concern that relatives of detainees in this and other cases are reportedly prevented from discussing the cases in public.

I look forward to receiving a response from you.

Yours sincerely,

Dr. Caroline Lucas MEP