



REPUBLIC OF POLAND
Commissioner for Civil Rights Protection

Janusz KOCHANOWSKI

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His Excellency
Sun Rongmin
Ambassador and Plenipotentiary
of the People's Republic of China
in the Republic of Poland
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Your Excellency..

On 10 December 2008, the international community celebrated the 60th anniversary of the passing by the General Assembly of the United Nations Organisation of the Universal Declaration of Human Rights. The passing of this act constituted an important caesura in the history of the idea of human rights and commenced a new stage in the development of international cooperation for a more just and peaceful world. Despite the significant progress that has been achieved in this field in recent decades, the fundamental and universal standards of freedom and human rights outlined by the Declaration are often still being violated in a significant way and we cannot remain indifferent to this situation.

At this time, Poland was visiting by the winner of the Nobel Peace Prize, the spiritual leader of Tibet and the universally respected moral authority, His Holiness the 14th Dalai Lama, Tenzin Gyatso, whose addresses draw our attention to the situation in Tibet.

Bearing the above in mind, I would like to refer to the appeal accepted on 15 May 2008 by those participating in the conference organised in connection with the 20th anniversary of the functioning of the office of the Commissioner for Civil Rights Protection in Poland and once again to express my admiration for the development of China and the impressive economic growth and technological and social progress that the country is enjoying. The uncommon technical, economic and urban planning achievements and also respect for civilisational, historical and ethical differences rightly fill the Chinese nation with pride but they cannot divert our attention from the problems that exist in the sphere of the observance of universal human rights.

From many sources, disturbing information is coming to us about the persecution in China of whole social or ethnic groups, including the particularly critical situation in Tibet; the application of torture and the death penalty in prisons; the imprisonment of prisoners of

conscience, often without trial and the possibility of defence, which remains in contradiction with the international law that is binding on the Chinese state. As Commissioner for Civil Rights Protection, I am the guardian of the observance of freedom and human and civil rights in the Republic of Poland and I am also obliged to propagate the international standards of the defence of universal principles and freedom and human rights, which were accepted by the international community and which arise from innate human dignity. I am, therefore, turning to you, Mr Ambassador, as the plenipotentiary representative of the People's Republic of China, with the question whether the information about the situation in China, and in particular in Tibet, is in accordance with the truth. Please allow me to refer to specific reports.

On 21 October 2008, my office in Warsaw was visited by Mr Ngawang Woeber and Mr Phurbu Tsering, former political prisoners in Tibet and currently Chairman and Vice-chairman of the Organisation of Former Political Prisoners in Tibet, "Gu-Chu-Sum", with its seat in Dharamsala in India, who came to Poland at the invitation of the Parliamentary Group for Tibet. According to the report from the organisation that they represent: "After peaceful demonstrations in Lhasa, the capital of Tibet, which took place in 1987, 1988 and 1989, thousands of Tibetans have been unlawfully arrested, heavily beaten and imprisoned. One hundred and fifty people still remain in Chinese prisons. After the wave of protests in March 2008, the number of Tibetan political prisoners rose to 6,685 persons. Two hundred and fifteen people were killed, 1,800 wounded and deprived of medical care. One thousand people are missing."

The widespread application of torture in Chinese prisons, firstly as a punishment and secondly as a method for the extraction of evidence, was confirmed by the UNO's Special Rapporteur on Torture, Mr Manfred Novak. Equally shocking is the information about those arrested, including:

- 1) The monk, Jigme Guri, who was arrested again on 4 November 2008 for expressing his opinion. In September 2008, he gave information to "Voice of America" about the peaceful demonstration by the monks from the Labrang monastery in Sangchu (Xiahe Xian). He was arrested for the first time on 22 March 2008 for taking part in these demonstrations and underwent refined torture for two months before being released in a critical condition. Despite this, on 12 September 2008, he gave an interview to "Associated Press" and once again expressed the aspirations of Tibetans to freedom of expression and of religion. He also described the tortures that he and other monks from the Labrang monastery had endured and the still ongoing (at the time of the interview) assault of the Chinese police and army against the Labrang monastery and the whole Tibetan region of Sangchu. Since 4 November 2008, Jigme Guri has been held in a Chinese prison.

- 2) Wangdue from Lhasa was arrested for the first time in March 1989, for participating in a peaceful demonstration against the repressive policy conducted by the Chinese authorities in Tibet from 1949, and released in 1995. He was arrested again on 14 March 2008 by officials of the Bureau for Public Security In Lhasa without legal basis and without justification. Wangdue in recent years has cooperated with a foreign non-governmental organisation leading a campaign of information and prevention on the subject of the HIV/AIDS virus. He has published educational brochures in Chinese and Tibetan and distributed them in schools and among the inhabitants of the capital. He has also conducted conferences and lectures in public offices, including the Police Academy of the Tibet Autonomous Region (TAR), on the subject of HIV/AIDS. Since 14 March 2008, he has been held in a Chinese prison.
- 3) Sonam Gyalpo, who is serving a 12-year sentence in Chushul (Qushui) prison in Lhasa for "endangering state security", was arrested by officers of the Chinese security services (Ang Jang Jue) on 28 August 2005. The arrest of Sonam Gyalpo had a direct connection with the celebrations marking the 40th anniversary of the founding of the so-called Tibet Autonomous region (TAR). In order to prevent any possible protests connected with China's policy towards the Tibetans, which is regarded as repressive, the Chinese authorities arrested all potential dissidents for the whole period of the celebrations of the 40th anniversary. As a veteran of four years in the prisons of Drapchi and Sangyip in Lhasa and of Nyara in Shigatse (for participating in a peaceful demonstration in 1987), Sonam Gyalpo found himself in this category. In his home a "corpus delicti" was found, namely photographs and recordings of Buddhist teachings from lectures by His Holiness the Dalai Lama, the spiritual leader of Tibet.

I would be extremely grateful if you could take a stance on this information. If the above-mentioned, deeply disturbing, reports are found to correspond with the truth, I will issue an ardent appeal for the cessation of the practices violating fundamental human rights through the abandonment of the use of torture, both physical and moral, the adjustment of the practices applied in Chinese court procedures to acts of international law ratified by the Chinese state and the freeing of all political prisoners in Tibet.

Please allow me also to draw the attention of the Chinese authorities to the call made to them in the appeal of 15 May 2008, which I enclose with this letter, to engage in dialogue with the Dalai Lama in order to resolve as quickly as possible the conflict in Tibet, the consequences of which are being so painfully felt.

Please allow me also to express the hope for fruitful cooperation in the spirit of mutual respect.

*Yours sincerely,
Jamun Koshanov*