

PUBLIC

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UA 277/06 **Excessive use of force/Fear for safety**

CHINA **About nine children, aged between approximately six and 10 (names unknown)**
One man (name unknown)
About 20 others

Killed: **Kelsang Namtso, (f), a nun, aged 17**
An unnamed Tibetan boy, aged 13

On 30 September, an international group of mountaineers climbing in the Himalayas witnessed Chinese border control guards shooting at a group of Tibetans, including children, who were trying to flee to Nepal. At least two children, one of whom was Kelsang Namtso, a nun, are thought to have been killed. Nine children, thought to be aged between six and 10, and one man are known to have been detained by the Chinese authorities, and around 20 other individuals are unaccounted for. Amnesty International fears for the safety of those detained and those unaccounted for.

The mountaineers, who were at a base camp, claim the shooting took place about 300 yards away from them, on the glaciated Nangpa Pass, a commonly-used escape route for people fleeing China. Chinese security personnel reportedly fired two warning shots at the group of Tibetans, who numbered about 70 people. The group got dispersed, and the security personnel then allegedly took aim at some 20 of the group who were crossing a glacier at the time. The mountaineers saw one person fall, get up and fall again, and then they witnessed security personnel collecting a body some 36 hours after the shooting took place. Following the incident, the security personnel took over the mountaineers' camp temporarily, and the detained children and adult were brought to the camp before being taken away.

At least one person, Kelsang Namtso, has been confirmed dead following the shooting. Forty-three members of the group managed to reach Nepal, and in an interview with the non-governmental organization the International Campaign for Tibet (ICT), they allege that a young boy was also killed. There are unconfirmed reports that up to six others may also have died.

The events that led to shooting remain unclear. It is believed that the security personnel responsible were from the Chinese People's Armed Police, which is responsible, amongst other things, for border control and patrolling the mountain passes in Tibet.

BACKGROUND INFORMATION

Freedom of religion, expression and association continue to be severely restricted in Tibet, and as result many are imprisoned for peacefully exercising their basic human rights. As elsewhere in China, arbitrary detentions, unfair trials and torture and ill-treatment remain commonplace. According to the ICT, between 2,000 and 3,000 Tibetans flee China every year via Nepal to India. About a third of them are children who are sent to Tibetan schools in India, while many others are monks and nuns seeking religious education. Tibetans fleeing China have been shot at by both the Chinese and Nepalese military personnel before, but this is the most severe incident that has come to public attention in recent years.

According to the Universal Declaration of Human Rights, "everyone has the right to leave any country, including his own, and to return to his country."

According to the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, "law enforcement officials shall not use firearms against persons except in self-defence or defence of others

against the imminent threat of death or serious injury...only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.”

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Chinese, English or your own language:

- condemning the reported shooting of civilians by Chinese border control personnel;
- urging the Chinese government to promptly clarify the events surrounding the shooting, to make these public, and to independently review the procedures taken up by the military personnel with a view of bringing those responsible to justice;
- urging the authorities to confirm the identity of those who died or were injured in the shooting, and adequately compensate the victims or their families;
- urging the authorities to clarify the current whereabouts, status and health of the nine children and one adult who are alleged to have been detained, as well as some 20 people who are unaccounted for, and to guarantee the safety of those in detention in a manner which takes into account the needs of persons of their age;
- calling upon the authorities to release those detained immediately and unconditionally, unless they are charged with a recognisably criminal offence.

APPEALS TO:

Prime Minister of the People's Republic of China

WEN Jiabao Guojia Zongli

The State Council

9 Xihuangcheng Genbeijie

Xuanwuqu

Beijingshi 100032, People's Republic of China

Fax: +86 10 65961109 or 2260 (c/o Ministry of Communication)

Email: gazette@mail.gov.cn

Salutation: Your Excellency

Minister of Public Security of the People's Republic of China

ZHOU Yongkang Buzhang

Gong'anbu

14 Dongchang'anjie

Dongchengqu

Beijingshi 100741, People's Republic of China

Fax: +86 10 63099216 (it may be difficult to get through, please keep trying)

Salutation: Your Excellency

Chairman of the Tibet Autonomous Regional People's Government

Jampa PHUNTSOG Zhuren

Xizang Zizhiqu Renmin Zhengfu

1 Kang'angdonglu

Lasashi 850000

Xizang Zizhiqu, People's Republic of China

Salutation: Dear Chairman

COPIES TO:

Secretary of the Tibet Autonomous Regional Party Committee

Shuji

Zhonggong Xizang Zizhiqu Weiyuanhui

Lasashi, Xizang Zizhiqu, People's Republic of China

Salutation: Dear Secretary

and to diplomatic representatives of China accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 23 November 2006.