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Committee against Torture (CAT)
Mr. Jens Modvig, Acting Chairperson
Rapporteur on follow-up to concluding observations
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Berlin, February 23, 2016

**People's Republic of China – Follow-up process
Cases of Tibetans Kalsang Tsering and Trigyal**

Dear Mr. Modvig,

We would like to express our sincere appreciation for your commitment to human rights and justice as displayed in the course of the Committee's examination of the record of the People's Republic of China (PRC) last November.

We have noted with interest in the Committee's final report that the PRC is expected to respond to the recommendations of the report by December 9, 2016, in particular concerning the independence of the investigations of torture allegations. We would kindly like to use this opportunity to raise the cases of Kalsang Tsering and Trigyal, both of whom have reportedly suffered from severe torture while in Chinese detention.

The case of the Tibetan Kalsang Tsering (Chin.: 格桑才让), who has been receiving medical treatment in the Hua-Xi Hospital (Chin.: 华西医院) in Chengdu. Sichuan province, since January 12, 2016, after serving a 7-year prison term, is of great concern to our organization. Mr. Tsering has been released from Chushur (also "Chushul", Chin.: "Qushui"¹) prison, Lhasa, on July 19, 2015. He had been sentenced for allegedly participating in the 2008 protests.² According to reports our organization has received, he has suffered severe torture and mistreatment while in detention. When his health deteriorated rapidly this January, he was brought to the Hua-Xi Hospital in Chengdu, which had been made possible

¹ The UN Special Rapporteur on Torture visited this prison in 2005: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=3463&>

² Kalsang Tsering's case has also been covered by "Radio Free Asia", January 12, 2016: "Former Tibetan Prisoner in 'Critical' Condition Following Alleged Torture in Detention".

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through donations of Tibetans from all over Tibet. His current state of health has not improved. There is no information available about prompt and impartial investigations of this alleged case of torture or ill-treatment.

According to recent reports, another Tibetan prisoner, **Trigyal** (Chin.: 赤嘉), has died from injuries sustained from torture by Chinese authorities while serving a 13-year prison sentence for refusing to fly a Chinese flag. His body was recently turned over to family members, and he had been subjected to severe torture, according to sources in the region.³

Trigyal was one of three men from Mukhyim village in Driru (Chinese: Biru) county, Tibet Autonomous Region, who received stiff sentences for refusing to fly the Chinese national flag in 2014. County residents were being required to fly the flag from their houses in a government campaign to force them to show loyalty to Beijing. Some of the more than 1,000 residents protesting the order threw the flags in a nearby river.⁴

In view of the "Concluding observations on the fifth periodic report of China", and in particular in view of paragraph 22 ("Independence of investigations of torture allegations"), we would kindly like to ask you to take note of these cases and request that in your follow up correspondences with PRC officials you ask them to provide information about the cases of Kalsang Tsering and Trigyal, in particular with regard to independent investigations into allegations of torture.

Once again, I thank you for your sincere commitment to human rights and shall be at your disposal in case of any questions.

Yours sincerely,



Kai Müller
Head UN Advocacy Team
International Campaign for Tibet

³ "Radio Free Asia", February 8, 2016: "Tibetan Man Who Refused to Fly Chinese Flag Dies in Prison";

⁴ See also International Campaign for Tibet report on the situation in Driru, November 20, 2014: "Harsh new 'rectification' drive in Driru: nuns expelled and warning of destruction of monasteries and 'mani walls'".

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