

GENERAL ASSEMBLY

Human Rights Council

Forty-ninth Regular Session

March 11, 2022

Item 3: Interactive Dialogue with the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

Statement delivered by Palmo Tenzin on behalf of the Helsinki Foundation for Human Rights

Mr. President,

We thank the Special rapporteur for his report. We agree that the Human Rights Council needs to address the concerning attitude of indifference and denial among states toward the prohibition of torture.

We are particularly alarmed by the continued and blatant use of torture against Tibetans by the People's Republic of China. As concluded by the Committee Against Torture in its 2015 review of China, "the practice of torture and ill treatment is still deeply entrenched in the criminal justice system."¹

Torture is routinely used to silence, permanently injure and even cause death when Tibetans have been arbitrarily detained for peacefully expressing their opinion or practicing their religion. We have observed a dangerous pattern of death due to torture, including the recent deaths of 19-year old monk Tenzin Nyima² and 51-year old tour guide Kunchok Jinpa³.

Given this pattern, we are concerned for the wellbeing of Dorjee Tashi, who is serving a life sentence for "loan fraud". His recently published testimony of torture endured while in Chinese detention highlights the pervasive culture of impunity. During interrogations, Tashi's abusers brazenly assured him:

"To tell you in simple words, even if we kill or handicap you, we are not liable under the law."

¹ ICT, 9 December 2015, 'U.N. Committee against Torture calls China to account for "deeply entrenched" torture and ill-treatment', <https://savetibet.org/u-n-committee-against-torture-calls-china-to-account-for-deeply-entrenched-torture-and-ill-treatment/>.

² Human Rights Watch, 21 January 2021, 'China: Tibetan Monk Dies from Beating in Custody', <https://www.hrw.org/news/2021/01/21/china-tibetan-monk-dies-beating-custody>.

³ Human Rights Watch, 16 February 2021, 'China: Tibetan Tour Guide Dies from Prison Injuries', <https://www.hrw.org/news/2021/02/16/china-tibetan-tour-guide-dies-prison-injuries>.

We urge the Special Rapporteur on torture to investigate the pattern of death by torture in Chinese detention, and hold those responsible for acts of torture and abuse to account. We also call on all member states to refocus energies on eliminating torture, especially in countries, such as China, that are party to the Convention Against Torture.

Thank you.